

**Town of Marlborough  
Zoning Board of Appeals Meeting**

**Marlborough Town Hall  
Draft Minutes**

**June 13, 2012**

**7:00 PM**

1. CALL TO ORDER: The meeting was called to order by Chairman John Valentine in the large conference room at the Marlborough Town Hall.
2. ROLL CALL: Present at the meeting was John Valentine, Chairman, Alan Miller, Secretary, John Grasso, Al Donze and Seated Alternate Bob Jackson.

John Valentine instructed the room as to the rules of the meeting, and Alan Miller read the Public Notice into the record as it was published in the Rivereast.

3. PUBLIC HEARINGS

- a. Application #ZBA -06-12 – Mr. Bruce Rich, 12 Sandy Lane - is seeking variance of Article Three A.1, Minimum Requirements, Article Three A.3 Conformity of Buildings & Land, Article Three A.5 Reduction of Lot Areas or Minimum Required Yards, Article Three A.9 Minimum Required Yards, & Article Six D.2.a Front Yard Setback in order to construct a shed with a 28 foot front yard setback where 50 feet is required.

Mr. Miller also read two letters into the record that were emailed to Peter Hughes in support of the application. The first was from Mr. and Mrs. Peter Wursthorn of 8 Sandy Lane, dated June 7th. They are in support of their neighbor's (Mr. Rich) request for a variance for a shed. The second letter was from Mr. and Mrs. Rob McBair, they live across the street from the applicant, and they heartily support approval of the variance for the shed.

Mr. Rich explained that due to the topography of his land there really is no other place for him to put this shed, they are on quite a grade that goes down to the Blackledge river. He would like to install a 10 ft by 16 ft shed. Mr. Valentine said 2 maps were submitted with the application, one by Fred Hayes and one by Joe Fuller, and both have different information. It was decided with the approval of the applicant that the map written by Frederic Hayes dated 10/28/1975 be the map used in relation to this application, it shows the shed as 20 feet from where the garage is. Alan Miller pointed out that the original application asks for a 10x12 shed rather than a 10x16 shed. The applicant wants a 10x16 shed and the application was in error. Luckily the size of the shed was not a part of the Public Notice so it can be amended in the application and still voted on tonight. Mr. Miller went on a site walk to the property and found that that when lining up the front end of the garage to the left of it, 15 feet out, it is level, and 30 feet out there is a maximum drop of 3 ft. Why not put the shed there? Mr. Rich explained that everything on his property tends to drain into that area, there are even rocks and pebbles that were washed

into that area, and he does not think that putting something in the path of that drain area makes good sense. At this time they changed the application to request a 10x16 shed rather than a 10x12 shed.

**A motion was made by Bob Jackson to approve Application #ZBA-06-12. Seconded by Al Donze.**

**VOTE: FOR; UNANIMOUS: MOTION APPROVED**

**4. OLD BUSINESS**

- a. Application #ZBA -06-12 – Mr. Bruce Rich, 12 Sandy Lane - is seeking variance of Article Three A.1, Minimum Requirements, Article Three A.3 Conformity of Buildings & Land, Article Three A.5 Reduction of Lot Areas or Minimum Required Yards, Article Three A.9 Minimum Required Yards, & Article Six D.2.a Front Yard Setback in order to construct a shed with a 28 foot front yard setback where 50 feet is required.

**A motion was made by Bob Jackson to approve Application #ZBA-06-12 Mr. Bruce Rich 12 Sandy Lane. Seconded by Al Donze.**

Discussion: John Valentine does not have any problem with the application, if that is the best spot for the shed he is in agreement with it. Mr. Miller said that when this was originally built it was a 40 ft setback but with the changes in regulations in 1989 it is now a 50 ft setback, the garage is set back 52 ft, the house 57, Mr. Miller said driving down the road you are going to see this shed sitting out there no doubt about it, he feels that 28 feet is quite forward of the garage. He does not think there is enough of a hardship and he is against it. He would grant 40 feet back. John Valentine recalculated and pointed out it is only 14 ft forward of the garage. Mr. Jackson supports the application, as does Mr. Donze.

**VOTE: FOR 4; OPPOSED 1; MOTION APPROVED**

Mr. Rich thanked the Commission for their hard work on behalf of the town residents.

5. NEW BUSINESS Mr. Valentine told the ZBA that the signs being posted for applications has been approved and will go into effect around July 8. All of the members were very happy.
6. OTHER BUSINESS
7. APPROVAL OF MINUTES

**A motion was made by Al Donze to approve the May minutes with the following changes, page 1 #2 strike “instead of the property line” 2nd page It was discovered once again, replace “the” with “there”. Seconded by Bob Jackson.**

**VOTE: FOR; UNANIMOUS: MOTION APPROVED**

8. ADJOURNMENT A motion was made by Alan Miller to adjourn at 7:45. Seconded by John Grasso.

***Respectfully Submitted,***

***Lauren Griffin  
Board Clerk***