
Zoning Board of Appeals Minutes 9/5/18 - 12 Laurel Banks

ZBA Hearing Minutes

Address: 12 Laurel Banks

2 separate special permit applications for the same property

Application #'s 19-01 and 19-02

Date: 9/5/18

Hearing began at: 3:05pm

Members Present: Jonathan Levin, Chair, Stanley Ross, Clerk, Susan Cooper, Gary Shaw and Scott Jenssen

Also present: Chris Blair, Charlie Ferris, Stephen Solosky, Diane & Ken Taub, Barbara Rosenbaum, Michael Rosenbaum, Donald Torrico, Peter Close, Betsy Andrus, June Thomas

The hearing began with Jonathan Levin, Chair, explaining the hearing process and discussing the unique situation of this application. The applicant has submitted 2 separate Special Permit applications for the property --- one for the house, and one for the garage. Discussion ensued on whether or not the applications should be handled as 1 hearing with 1 presentation or 2 separate hearings with separate presentations. It was agreed to have 1 presentation made and deliberations would be made at the same time as well.

Stanley Ross, Clerk, read the legal notice (which was posted for 2 consecutive weeks in the Berkshire Eagle and at the Town Hall) and letters from the Planning Board, Conservation Commission, Board of Health and interested parties.

Charlie Ferris, Attorney for the applicant explained that there were 2 separate applications submitted which overlap. He then went on to present the project details. The applicant is willing to place a deed restriction limiting the studio space to an art studio and that if the use were to change it would require additional approvals from the ZBA. Chris Blair also gave a brief presentation and answered questions.

Current parking issues and how this project would impact them were discussed. Laurel Banks does not have a legal road or homeowner's association.

Several abutters were present to voice their concerns with the scope of the project and its potential impact on the neighborhood, parking and current runoff issues.

Susan's biggest concern that puts the application over the top is the multiple decks and the impervious stone patio.

At this point since there were no further public comments or questions from the Board to the applicant the public portion of the hearing was closed and the Board began their deliberations on the 2 separate applications, #19-01 for the garage/studio and #19-02 to reconstruct the home.

With respect to the house application, Section 7.2.4 of the bylaws with regard to the patio were reviewed and what would be required of the Board to approve this portion of the proposal. The Board all agreed that the applicant tried very hard to make the proposal more compliant with the bylaws. There were concerns about the patio and its proximity to the lake from several Board members. The applicants indicated that they would be agreeable to reduce the size of the patio to less than 300 square feet, which would then eliminate the requirement for a Special Permit for the stone patio. Discussion ensued about Scott's suggestion to connect the proposed studio to the proposed home which would alleviate the parking concerns and one of the setback issues.

At this point realizing that the studio proposal may not receive approval the applicant requested to continue the hearing to allow them to redesign the plans to decrease the size of the patio and adjust the location of the proposed studio to resolve the parking and other issues of concern. A motion was made to continue the hearing until September 25th at 2:45pm. The motion was seconded and unanimously approved.

The hearing concluded at 5:05pm

Submitted by

Melissa Noe, Administrative Assistant

