
Zoning Board of Appeals Minutes 3/28/17 - 74 Tyringham Rd

ZBA Hearing Minutes

Address: 74 Tyringham Rd

Date: 3/28/17

Hearing began at: 3pm

Members Present: Jonathan Levin, Chair, Stanley Ross, Clerk, Robert Lazzarini, Fred Chapman and Susan Cooper

Also present: Paul Greene, Owner's representative/builder

The hearing began with Jonathan Levin, Chair, explaining the hearing process and then 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, and Board of Health.

Paul Greene, builder for the applicant was present to review the project. It was noted that this project also includes the replacement of the existing garage with a slightly larger garage in the same basic location, which was not included in the legal notice due to the fact that the Application submitted did not include the garage replacement in the Project Description, meaning the abutters were not notified of the full scope of the project.

The project includes raising the grade to take away some of the steepness. The ZBA noted that the calculations on the plans submitted were incorrect with regards to the setbacks (25 feet instead of the 15 feet it should be). The Board had concerns about the septic and conflicting information and the fact that the Board of Health has not yet signed off on this proposal.

Susan had concerns about the expansion being 2.8 times larger, almost 3 times the size of the current building. The Board inquired how willing the owner would be to modify their proposal.

At this point the public portion of the hearing was closed and the Board began their deliberations. The Board discussed whether the proposal was substantially more detrimental to the neighborhood. It was noted that none of the abutters were present to oppose nor did they send in any letters. Concerns were raised about the size of the new house, the description of the new house and that fact that the new house would continue to remain in the side setback, as well as the 40' lake setback, where it appeared the house could be moved to the center of the lot and out of both setbacks.

Prior to the Board making any determination, at the request of the Applicant's representative, the hearing was continued until Tuesday, April 25th at 3pm. In the interim the Board of Health will have a chance to meet with the applicant to discuss the issues that were raised by the Board of Health in their letter to the Board, and the applicant will have additional time to consider making changes to the proposed work which could minimize the potential zoning conflicts.

The hearing concluded at 4:25pm

Submitted by

Melissa Noe, Administrative Assistant