

TOWN OF SUNDERLAND
ZONING BOARD OF ADJUSTMENT
Meeting Minutes for October 30, 2018, 6:00 p.m.
at the Sunderland Town Hall

Zoning Board Members in Attendance:

Peter Van Haverbeke, Chairman
Robert Faley, Secretary

Peter VanVleck, Jr.,

Other Attendees:

Missy Bell-Johnson, Zoning Administrator

Gary & Kathleen Zach

Business:

The Chairman called the meeting to order at 6:01 p.m.

1. Approval of November 30, 2017 Zoning Board Meeting Minutes:

Robert Faley made a motion to approve the minutes as submitted; Peter Van Vleck seconded the motion and the motion passed unanimously.

2. Public hearing on variance application of Gary and Kathleen Zack for the construction of a lean-to “car port” (off of an existing garage) within the minimum side yard setback at 2092 Sunderland Hill Road:

The chair began the public hearing for a variance with a review of the documentation and notification procedures for the appeal hearing requested by Gary J. and Kathleen Zach for property located at 2029 Sunderland Hill Road. It was determined that public notice conditions under the Sunderland Zoning Bylaws and laws of the State of Vermont (24 V.S.A.) had been met. However, it was also noted by the Chair that the appellant had not filed the required written request of appeal pursuant to the provisions of the Bylaw but the Board members were willing to hear the appeal.

Robert Faley then asked the appellants to describe their project and reasons for the variance. The appellants presented their testimony and referred to their previous application for a zoning permit, offered pictures of the existing garage, and a sketch of the proposed improvements. The Zack's explained that this has recently become their full-time residence and they would like the additional space in which to park one of their vehicles and tractor.

The Zack's had the original garage built up to the minimum 30' side yard setback requirements back in 2003. When the Board asked if the lean-to could be constructed on the opposite side of the garage negating any need for a variance, it was explained that there is an existing 8' overhead door and a side access door already located on that side making it difficult. The proposed development will place the lean-to fully within the

setback and 18 feet from the adjacent property. The adjacent property is owned by Larry Zaleski and Susan Kohrmann who wrote a letter in support of the project.

No adjacent property owners were present and no objections were heard.

3. Other business:

None.

4. Deliberative session and adjournment:

At 6:20 p.m., the Chair requested to go into deliberative session to discuss the facts and issues presented and to consider the merits of the appellants' request for variance in accordance with criteria established in Town of Sunderland Zoning Bylaws [6.9 (1) to (5)] and State of Vermont statutes [24 V.S.A. 4469 (a) (1) to (5)].

At 6:29 p.m., the Board came out of deliberative session and Peter Van Vleck made a motion to adjourn the meeting; Robert Faley seconded and the motion passed unanimously.

The Chair adjourned the meeting at 6:30 p.m.

rlf/RLF