

Town of Princeton ZONING BOARD OF APPEALS September 13, 2018

Variance for relief from side lot setback requirements at 121 Wheeler Road

Minutes and Decision

The Princeton Zoning Board of Appeals held a public hearing at the Town Hall Annex on Thursday, September 13, 2018 at 7:00 PM to hear a petition for a dimensional variance from Eldon and Deborah Lingwood. Their property is located at 121 Wheeler Road, Princeton, Massachusetts on Assessors map #11, Lot 17-5.

The petitioner sought a variance, pursuant to M.G.L. Chapter 40A, sec. 10 and Section VIII, subsection 2 (E), of the Princeton Zoning By-Laws, for relief from side-lot setback requirements [Section VI, subsection 1. (E)] to construct an attached garage which would extend, at its corner, 5.1 feet into the thirty (30) foot setback.

Board members present were (acting) Chairman Jesse Weeks, Christopher Walton and Larry Greene, Jr. The Chairman opened the hearing at 7:00 PM; explained the procedure for a public hearing and read the public hearing notice.

Applicant Elden Lingwood, his contractor Adam Knipe and one abutter, Jim Perry, 122 Wheeler Road, were in attendance.

The petitioner described his plans for moving to Princeton as a full-time residence, as the couple currently summers in Maine. Owing to health issues, Mr. Lingwood seeks to construct a one-car garage at the northern end of the house, connected with a breezeway for single-level access and egress. A single garage-under, with basement access, currently exists at the southern end of the home.

Mr. Lingwood presented plans showing proposed footprint and elevations of the garage. He explained that the line from the septic tank to the leach field cross under the existing driveway, in front of the proposed addition. Also, a drywell that handles water softener backwash is situated under a deck, which is being replaced by the proposed breezeway. Construction of the breezeway will be on footings and will not interfere with the drywell. He also outlined current drainage and stormwater runoff and explained how it will not change. Mr. Knipe noted that moving the garage out of the 30' setback by positioning it forward into the front yard, or closer to

the house, by eliminating the breezeway, are both constrained by the position of the existing septic system and drywell.

Mr. Perry spoke in favor of the plan. A note from abutter David Nelson, 21 Ralph Road, was submitted that stated that the plan was perfectly acceptable and he supported a variance.

At 7:25 PM the Board voted all in favor to close the public hearing portion of the meeting and they began deliberations.

Board members considered the criteria of soil, shape or topography as well as any hardship factor. Mr. Walton pointed out that the request doesn't seem to meet the "hardship" factor, although attempting to move the septic lines and drywell could be prohibitively expensive. The Board also noted the exterior chimney located next to the existing door which will be enclosed by the proposed breezeway.

Owing to the constraints caused by the septic system and drywell, limiting where the attached garage can be situated without financial hardship, board members voted unanimously to grant the petition for a side-lot setback variance from the Zoning By-Laws.

Appeals, if any, should be made pursuant to Section 17, of the Massachusetts Zoning Act, Chapter 40A and shall be filed within twenty (20) days after the date of the filing of this decision with the Town Clerk.

Princeton Zoning Board of Appeals

Dated: _____
Atty. Jesse Weeks (as acting Chairman and Representative of _____ the Zoning
Board of Appeals)

A copy of this decision was filed with the Office of the Town Clerk on _____ (date)

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Town Clerk

The Town Clerk hereby certifies that twenty (20) days have elapsed after the decision was filed with the Office of the Town Clerk and no appeal has been filed as provided by Section 17 of the Massachusetts Zoning Act, Chapter 40A.

Town Clerk