

# Middlefield Zoning Board of Appeals

March 23, 2021

Minutes

**(Not approved at time of filing)**

1. Regular Meeting called to order by Chris Champagne at 7:05 p.m. **ZOOM.**
2. Roll Call: Present were Chris Champagne-regular, Dave Glueck-regular, Charles Augur-regular, Peter Neidhardt-regular and Michael Olszewski-alternate Michael Olszewski was seated as regular.
3. Amendments to the agenda.
4. Approval of Agenda

**Motion to approve the agenda as published was made by Chris Champagne, seconded by Dave Glueck and approved by all.**

5. Approval of Minutes

**Motion to approve the minutes for February 23, 2021 meeting as published, was made by Dave Glueck, seconded by Michael Olszewski and approved by all.**

**Dave Glueck read the legal notice to open the Public Hearing into the record.**

**Motion to open the Public Hearing on 32 Seminole Rd was made by Mike Olszewski, seconded by Peter Neidhardt, and approved by all.**

*Isabela Bukowski was present for the hearing with her father who is here as her contractor. There is no survey of property or the neighbors and no markers can be found. Mr. Burkowski said there would be 4 ft left into the setback. The single carport will be at the end of the driveway toward the rear of the house.*

*Chris Champagne asked about where water will go for drainage. There is no drainage currently. Mr. Champagne felt there would be a significant impact regarding drainage.*

*Dave Glueck asked about the design. The roof design will be pitched off the house to the North.*

*Mr. Champagne asked if a carport was necessary. Discussion about hardship and harmony continued. Measurements for size of carport were continued.*

*Mr. Champagne opened the hearing to the Public*

*Jennifer Keane 30 Seminole Rd has spoken to Isabela and Her Dad and expressed concern about the property line and whose burden of proof it was to verify that information. She is also concerned about water mitigation.*

*Mr. Champagne explained how their board determines the need for an A2 survey. He asked if the applicant knew where the property lines were. A discussion regarding water flow and where it was coming from continued. Mr. champagne explained the way water falls is going to continue regardless of what the board does with this application. Water is not part of the subject of this hearing.*

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*John Devine of 43 Lake Shore Dr asked about the dimensions of the deck that was being built. He asked about the percent of lot coverage and feels they have already exceeded the coverage with the new deck. He was very adamant about not allowing the carport due to what he feels is exceeding lot coverage by the additional size of the deck being built already.*

*Isabela had looked into an A@ survey. Mr. Champagne explained the concern of the neighbors is not that the water run-off is going to continue but the proposed activity is going to change this and the applicant has not convinced them that there will be no changes if approved. Water diversion was continued to be discussed.*

*Dave Glueck asked about the percent of lot coverage. He feels that is more important to address and could be investigated along with the property line and water mitigations issues if the public hearing was to be continued. Mr. Glueck felt the lot cover should be addressed as it was not part of the original application and would need to be properly noticed.*

*Mr. Bukowski was asked to provide detailed drawings that will be part of the records if the project continues but it will be up to the applicant to provide any additional information if the public hearing is continued.*

*Michael Olszewski calculated the lot coverage with out the carport and determined it was approximately 29% coverage with the deck and it would be approx. 33.5% with the carport.*

*Mr. Champagne said they would need another variance but if noticed it could be added to the continued public hearing. Isabela would like to continue the public hearing to April 27.*

**Motion to continue the Public Hearing on 32 Seminole Rd. was made by Mike Olszewski, seconded by Dave Glueck and approved by all.**

**6. Deliberations:** No Deliberations Public Hearing will be continued.

**7. New Business** None

**8. 36 Miller Rd Justin Johnson**

Justin was present to discuss his application. Currently he has a single car garage attached to his house and in its place, he would like to build a 2-car garage. The existing garage is in the setback. They would be decreasing the non-conformity by about 2 ft when the new garage is constructed. Mr. Champagne explained hardship and harmony.

Mr. Johnson explained the existing garage is not structurally sound. The original house was demolished and rebuilt.

Mr. Champagne asked for drawings with measurements of the new structure and well and septic locations. He spoke about notifications to abutting neighbors. He spoke about marking the property for the site visit of the board members. A Public Hearing will be set for April 27th.

**9. Chairmen's Report:** Mr. Champagne thanked Dave for stepping in for the February meeting.

**10. Miscellaneous:** nothing to report

**11. Adjournment:**

**Motion to adjourn at 9:05 was made by Michael Olszewski, seconded by Peter Neidhardt and approved by all.**