

Town of Bethlehem

Zoning Board of Adjustments

Meeting Minutes

February 4, 2016

Present: Lon Weston, Maurice Stebbins, Alan Jackson, and Ruth Heintz.

Administrative Items

The board reviews the minutes from November 5, 2015. Lon points out that each of the motions refer to Criteria #1, whereas they should refer to Criteria 1, Criteria 2, Criteria 3, Criteria 4, and Criteria 5 respectfully. Alan points out that the motion to adjourn should read 7:18 and not 8:18.

Alan Jackson motions to approve the minutes from the November 5, 2015 meeting with amendments. Ruth Heintz seconds the motion, all members in favor, motion carries.

Tupaj Multi Family Dwelling Special Exception Public Hearing

Alan Jackson reads the public hearing notice and Lon opens the public hearing at 6:15.

Ruth and Lon review the checklist.

Motion by Alan Jackson and seconded by Maurice Stebbins to accept the application as complete. All members in favor, motion carries.

Teresa Wood explains to the board that the property in question is owned by she and her husband David Wood, Teresa's mother Lucy Tupaj, and Donna Tupaj, Teresa's sister. The family is in the process of changing the ownership of the house, but in order to do so they must have the house appraised. The appraiser classified the house as multi-family because of the mother-in-law apartment and an apartment over the garage. The house never received a special exception for the multi-family status so the family is here tonight to do so.

The board reviews the five criteria.

Criteria 1: The specific site is an appropriate location for the proposed use, structure, or change to structure, in relation to surrounding properties.

The change from a 2 family to a 3 family only affects the interior of an existing structure only.

The change only adds/finishes off living space inside of an existing residential property.

Ruth requests to amend by adding; the structure is changing from 2 units to 3 units, making it a multi-family dwelling.

Motion made by Ruth Heintz, seconded by Alan Jackson that the applicant meets Criteria 1 with amendment. All members in favor, motion carries.

Criteria 2: The proposed use, structure, or change to a structure, will be compatible with adjoining land uses and with the character of the surrounding neighborhood.

The change only alters the interior of an existing structure. It adds living space above an attached garage that already existed.

Ruth requests to amend by adding; the Neighborhood contains other multi-family buildings.

Motion made by Alan Jackson, seconded by Ruth Heintz that the applicant meets Criteria 2 with amendment. All members in favor, motion carries.

Criteria 3: The proposed use, structure, or change to a structure, will not generate substantial amounts of noise, odor, or create substantial increase in traffic.

The change is at most adding a single additional vehicle to the driveway/traffic pattern. There is no additional noise or odor.

Ruth request to amend by adding; additional unit is for 1 to 2 additional occupants.

Motion made by Alan Jackson, seconded by Maurice Stebbins that the applicant meets Criteria 3 with amendment. All members in favor, motion carries.

Criteria 4: The proposed use, structure, or change to a structure, will not create any other nuisance or hazard.

The change transforms an unfinished, yet plumbed and wired, space into living space for family members currently, creating a mother-in-law apartment that was already listed in the appraisal at the time of purchase. This creates no addition nuisance. Adding living space in the interior of the home did not alter the exterior at all, and we have in fact improved the exterior with new windows, roof and siding, giving a more pleasing neighborhood appearance.

Motion made by Alan Jackson, seconded by Maurice Stebbins that the applicant meets Criteria 4. All members in favor, motion carries.

Criteria 5: The proposed use, structure, or change to a structure, will be in harmony with surrounding properties and consistent with the spirit and intent of this ordinance.

This change does not affect the external appearance of the property whatsoever. It maintains the residential neighborhood that surrounds it.

Ruth requests to amend by adding; there are other multi-family units in the neighborhood.

Motion made by Alan Jackson, seconded by Maurice Stebbins that the applicant meets Criteria 5 with amendments. All members in favor, motion carries.

Ruth requests the applicant initial the amendments on the application

Motion made by Alan Jackson, seconded by Maurice Stebbins, to approve the Special Exception for a multi-family dwelling unit at 207 Maple Street. All members vote in favor, motion carries.

Ruth Heintz motions to adjourn at 6:47. Maurice Stebbins seconds, all in favor, meeting adjourned.

Respectfully submitted,

Dawn Ferringo

Planning and Zoning Board Clerk