Case # 491 & # 492   APPROVED 12/18/2017

November 27, 2017

Alicia, Amy, Mark, and Tom were present.

Michael Phelps seeks a variance concerning 12.5.3, He is replacing 2 failed septic systems within the town wetland ordinance on Bay Rd.

Fran Laase, Mike Phelps, and septic designer Dave Clough were present.

Mark opened the hearing explaining that since both applications are the same they will hear testimony for both at once but vote for each separately. He continued with the particulars of the hearing.

Mike Phelps presenting and explained that both the buildings have been there for many years, 1950's, with cess pools that are "bubbling". He considered one septic for both but there are 2 lots of record so decided to do a septic for each. The designs have both been approved by the State and today got operation approval. Clough explained that the wetlands were created by the State when RT. 109 was re-routed. Setback from the lake is fine. Clough apologized for putting the cart before the horse. He now realizes he should have gotten the variance form the Town prior to the State. The tank will be monolithic made by Foss Manufacturing. #1 Bay Rd is exempt from shoreline permit there will be no expansion. # 3 Bay Rd. does have a shoreland permit because of future expansion of a porch.

There were no other questions.The board went through the 5 criteria.

1 They felt it was not contrary to the ordinance.

2 Spirit and Intent is observed.

3 Justice is observed. Yes system had failed and it now a better situation.

4 Surrounding properties value diminished. No.

5 Hardship: Yes because of size of lots and wetands it is a hardship.

Case # 491. Alicia made motion to grant variance. Amy seconded. All in favor

Case # 492 Mark made motion to grant variance. Tom seconded. All in favor.

Hearing adjourned.

Minutes; Case # 490. Alicia moved to accept minutes as written. Mark Seconded. All in favor.

Board reviewed Paul Zimmerman letter. They felt it was a non issue, he had passed the deadline for appeal.

Meeting Adjourned