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TOWN OF WESTMINSTER

**TOWN OF WESTMINSTER
ZONING BOARD OF APPEALS
11 SOUTH STREET
WESTMINSTER, MA 01473**

Meeting Minutes
October 20, 2022

Call to Order

The meeting of the Zoning Board of Appeals was called to order at 6:00 p.m. at Westminster Town Hall, 11 South Street, Westminster, MA by Chairman Matthew Kotoski.

Roll Call

The following members were present: Alan Twomley, Matthew Kotoski and John Bowen
Applicant: Michelle Regan and Jason Regan
Abutters: Marilyn Gauvin, Ed Bond, Leo O'Brien, Cliff Kinney and Bob Gilmat

Voted to accept meeting minutes, motion made by member John Bowen, seconded by member Twomley, all approved motion passed.

Case Number: #22-08 Jason and Michelle Regan 1 Lake Drive East

Michelle and Jason have submitted an application for a **variance** to add an addition to the existing structure at 1 Lake Drive East, which currently meets the maximum lot coverage of 20%. The proposed coverage with the addition will be 26% and will not meet the minimum 15 foot side lot line setback according to Section 205, Attachment 2, Land Space Requirements of the Westminster Zoning Bylaws. Property is located in an R-1 Zoning District. Michelle stated during planning their renovation they found out they do not actually own part of the driveway, front yard and septic. They are in the process to figure out the owners. Maps were presented by abutters. Marilyn Gauvin of 4 Lake Drive East provided an old map showing the area in

questions used to be Town of Westminster property before former owners little by little encroached on the space. The Regan's did a title search when purchasing the property, however, no staking or taped survey occurred and no title five. The Regan's engineer did submit other plans that fall in the guidelines if their variance is not approved. Marilyn asked what the addition is, Regan's replied it will be a two story garage. Regan's stated that the shed will be removed as well as some trees. The larger addition would cause them to have only 13' instead of the required 15' away from the O'Brien's plot line. The Regan's showed their layout to the O'Brien and Gauvin families. Marilyn questioned the height and she is concerned she will lose her view. Member Twomley stated that the variance has no effect on the height and that they are in compliance with two stories. The alternate proposal provided by the engineer will still be two stories but will be two feet less, they will not expand the deck, and the large shed will be removed, making them in compliance. The two concerns of abutters is the run off of water when the elevation of the finished floor of the garage is higher, it will go into the private road that is already struggling with water issues. Chairman Kotoski stated the run off of water issues would be dealt with by the Conservation Commission or Board of Health. Chairman Kotoski stated the best option would be to withdraw and resubmit to the building department within compliance, since the engineer had supplied plans that would meet compliance. Although abutters have a legitimate concern, since it is not in jurisdiction of the Zoning Board, Member Twomley advised the abutters to go to the Select Board or Conservation Commission to present the issue. The Regan's decided to withdraw their submission and signed the document to do so.

Motion to adjourn by Mr. Twomley 6:10 pm.

Next meeting scheduled for November 17th 2022.

Respectfully submitted,

Jennifer ML Duquette
Zoning Board Secretary



Matthew Kotoski
Zoning Board President

