

**ZONING BOARD OF APPEALS
TOWN OF HAMILTON
AUGUST 13, MINUTES
16 BROAD STREET**

Present: ZBA Members—Harmon Hoff, Chair, Patricia Cook Blocklin, Harvey Kliman, Jeff Schindler

Absent: Erwin Lamb

Guests: Tori & Ed Carhart, Brian Chapin (surveyor for Carharts) Carolyn Todd, Bill Todd and Paul McGinnis

Purpose: A hearing to review and act upon a zoning law variance presented to the ZBA for Ed and Tori Carhart (Excell Motorsports properties). Their concerns in to subdivide their properties in order to sell a parcel to be put into a wetland trust. The applicant is seeking relief from the minimum lot width requirement of 150 feet of frontage on Route 12.

Discussion: Harmon asked the Carharts to present their request to the Board. They wish to sell property and the new owner wishes to put this parcel into a wetland trust. The property is located behind the Brodel Energy property (tax map 171.00-1-29.22) This involves approximately 28.61 acres.

Patty Cook Blocklin inquired about the flag lot. Tori Carhart indicated that piece would stay with the property. A map layout was viewed to bring out a better understanding of the property layout. Harvey Kliman provided an aerial picture that helped with the visual layout. A letter from the Wetland Trust read: The Wetland Trust was in the process of purchasing this parcel for use as a wetland protection and restoration site that will be put under a permanent Conservation Easement by the Wetland Conservatory. An easement spells out there will be no building or any type on construction on the site.

Planning Board Involvement

Harmon indicated that the Carharts had been before the Hamilton Planning Board for the Brodel subdivision. The Planning Board in that previous approval allowed two properties across Route 12 to be connected by a 50 foot wide strip of land, effectively creating a flaglot out of the property which is under consideration for lack of sufficient frontage even though the land on the opposites sides of the road remained as one tax parcel.

Harmon indicated that with the granting of the variance the ZBA has a right to set standards and criteria. Harmon suggested approval of the variance with the restriction that no buildings or structures be placed on this parcel. Harmon will contact Steve Jones, Town attorney, and Mary Galvez of the Planning Board with ZBA's recommendation. ZBA would like the restriction to appear on the deed.

Motion

Jeff Schindler made a motion to grant the variance contingent with the restriction that no building or structure be placed on this parcel. Harvey Kliman seconded the motion. Motion carried. Upon this approval, this will go back to the Planning Board for final decision on the subdivision request.

A motion for adjournment was made by Patty Cook Blocklin and seconded by Jeff Schindler. Meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Carol Dewey

