ZBA Decision Tracker 2022

## January – December 2022

| Code Description | Relief Granted |
|---|---|
| Wetlands and Wetland Buffer | 79 |
| Dimensional requirements | 61 |
| Non-conforming buildings | 22 |
| Septic systems | 11 |
| Coastal Area | 6 |
| Off-street parking | 6 |
| Stormwater Management | 1 |
| Non-conforming uses | 1 |
| Signs and outdoor advertising | 1 |
| Powers and duties | 1 |
| **Total 2022** | **189** |

Total demolitions (tear down and replace) 9

December

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Generator too close to side boundary | Granted | 5 to 0 | | 2 | 0 | 0 | 0 |
| New home too close to boundary with septic too close to wetlands | Granted | 5 to 0 | Monica Kieser | 6 | 0 | 3 | 7 |
| | Denied | 3 to 2 | | 7 | 0 | 0 | 0 |

November

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Propane Tank too close to wetland buffer | Granted | 5 to 0 | Richard Rousseau | 2 | 0 | 0 | 2 |
| Generator too close to side boundary | Granted | 5 to 0 | No | 1 | 0 | 0 | 0 |

October

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| House, Septic, Driveway, Walkway too close to the wetlands | Granted | 4 to 1 | John Cronin | 6 | 2 | 0 | 7 |
| Expansion with deck, barn, driveway, walkway and retaining wall too close to the wetlands | Granted | 5 to 0 | No | 7 | 1 | | 3 |
| Expansion of a non-conforming structure | Granted | 5 to 0 | No | 4 | 0 | 0 | 0 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Tear down and rebuild with lot line adjustment | Granted | 5 to 0 | Tim Phoenix | 4 | 0 | 0 | 0 |
| Deck and walkway too close to boundaries | Granted | 5 to 0 | No | 4 | 0 | 0 | 1 |
| Deck too close to boundaries and Expansion of non-conforming structure | Granted | 5 to 0 | No | 3 | 0 | 0 | 0 |

September

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Parking too close to boundary | Denied | 5 to 0 | No | 0 | | | |
| Tear down and rebuild with septic too close to wetlands | Granted | 5 to 0 | Monica Kieser | 6 | | 1 | 7 |
| Soak pool and patio in wetland buffer | Granted | 5 to 0 | Ben Stout | 2 | 0 | 0 | 6 |
| Hot tub too close to the boundary | Granted | 5 to 0 | No | 1 | 0 | 0 | 0 |

August

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Tear down and rebuild | Granted | 5 to 0 | Derek Durbin | 5 | 2 | 1 | 7 |
| Septic system too close to boundary and not meeting new construction standards | Granted | 5 to 0 | Chris Mulligan | 3 | 0 | 1 | 0 |
| Expansion of structure / lot coverage / too close to all boundaries | Granted | 5 to 0 | Monica Kieser | 6 | 0 | 0 | 1 |

July

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Tear down and rebuild | Granted | 5 to 0 | Chris Mulligan | 4 | 0 | 0 | 7 |
| KOI pond too close to the wetland | Denied | 5 to 0 | Chris Mulligan | 1 | 0 | 0 | 0 |
| Building on a non-conforming lot | Granted | 3 to 2 | Monica Kieser | 9 | 0 | 0 | 2 |

June

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Shed increases lot coverage and parking too close to side boundary | Granted | 5 to 0 | No | 3 | 0 | 0 | 0 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| AC unit too close to rear boundary | Granted | 5 to 0 | No | 1 | 0 | 0 | 0 |
| Expansion of non-conforming structure too close to front and side boundaries | Granted | 5 to 0 | No | 3 | 0 | 0 | 0 |
| AC unit too close to rear boundary | Granted | 5 to 0 | No | 1 | 0 | 0 | 0 |
| AC unit too close to side boundary | Granted | 5 to 0 | No | 1 | 0 | 0 | 0 |
| Shed too close to side and rear boundaries | Granted | 5 to 0 | No | 2 | 0 | 0 | 0 |
| AC unit too close to side boundary | Granted | 5 to 0 | Karnacewicz | 1 | 0 | 0 | 0 |
| Carriage House Restaurant additional parking | Granted | 4 to 1 | Tim Phoenix | 2 | 0 | 0 | 6 |
| Non-conforming patio increase lot coverage and is too close to side boundaries | Granted | 5 to 0 | Tim Phoenix | 4 | 0 | 0 | 0 |

May

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Deck and patio within 28' of the tidal marsh | Granted | 5 to 0 | Monica Kieser | 2 | 0 | 1 | 3 |
| Patio within the 100' Tidal wetlands | Granted | 5 to 0 | No | 1 | 0 | 0 | 2 |
| Expansion of non-conforming structure / lot coverage | Granted | 5 to 0 | Tim Phoenix | 5 | 0 | 0 | 1 |

April

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Impervious coverage over limit | Granted | 5 to 0 | No | 1 | 0 | 0 | 0 |
| Expansion of non-conforming structure | Granted | 5 to 0 | Monica Kieser | 4 | 0 | 0 | 0 |
| Expansion of non-conforming structure / lot coverage | Granted | 4 to 0 | Monica Kieser | 5 | 0 | 0 | 0 |
| Lot coverage 47% and shed too close to side boundary | Withdrawn | NA | Gamester | 0 | 0 | 0 | 0 |

March

| Description | Result | Vote | Attorney | Variance | Special Exception | Building Code Relief | Conditions |
|---|---|---|---|---|---|---|---|
| Extension of a barn within 75 ft of wetland buffer | Granted | 4 to 0 | No | 3 | 0 | 0 | 2 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Non-illuminated advertisement sign | Granted | 5 to 0 | Patricia Weathersby | 0 | 2 | 0 | 1 |
| Expansion of non-conforming structure | Granted | 5 to 0 | No | 2 | 0 | 0 | 0 |
| Patio too close to the side boundary | Granted | 5 to 0 | Tim Phoenix | 1 | 0 | 0 | 1 |
| Expansion of non-conforming structure | Granted | 5 to 0 | Peter Loughlin | 3 | 0 | 0 | 0 |

February

| **Description** | **Result** | **Vote** | **Attorney** | **Variance** | **Special Exception** | **Building Code Relief** | **Conditions** |
|---|---|---|---|---|---|---|---|
| Tear down and rebuild septic in wetland buffer. Overall, less wetland impact | Granted | 5 to 0 | John Bosen | 6 | 2 | 0 | 4 |
| Tear down and rebuild (previously approved for expansion) | Granted | 5 to 0 | Monica Kieser | 4 | 0 | 0 | 5 |
| Generator 19 ft from side boundary | Granted | 5 to 0 | Brian Lewton | 1 | 0 | 0 | 0 |
| Swing set in the wetland buffer. Appeal of decision. | Denied | 4 to 1 | No | 0 | 0 | 0 | 0 |

January

| **Description** | **Result** | **Vote** | **Attorney** | **Variance** | **Special Exception** | **Building Code Relief** | **Conditions** |
|---|---|---|---|---|---|---|---|
| Tear down and rebuild with septic in wetland buffer | Granted | 5 to 0 | David Brown | 11 | 1 | 3 | 4 |
| Platform deck too close to neighbors | Denied | 5 to 0 | No | 0 | 0 | 0 | 0 |
| Patio in wetland buffer and walkway partially in wetland buffer | Granted | 5 to 0 | No | 1 | 0 | 0 | 2 |
| Generator 40 ft from the wetland | Granted | 5 to 0 | No | 1 | 0 | 0 | 0 |