

**Foster Zoning Board of Review  
Minutes of the December 12, 2007 Meeting**

The December 12, 2007 meeting of the Foster Zoning Board of Review came to order at 7:00 pm in the Benjamin Eddy Building. The following members were present:

Carl Saccocio, Chairman  
William Gibb, Vice Chairman  
Heidi Colwell  
Scott Pollard  
Paula Mottshaw, Alternate  
Joseph Walsh, Alternate  
John J. Bevilacqua, Town Solicitor  
Robert Fallon, Building Official  
Ann-Marie Ignasher, Town Planner  
Stenographer

**Minutes:**

William Gibb (WG) made a motion, seconded by Scott Pollard (SP), to approve the minutes from the November 14, 2007. Motion carries.

**Decisions:**

Decisions will no longer be read.

**Hearing #07-08 Continued**

Frank & Natalie Arnold - Plat 2, Lot 79, Moosup Valley Road, the applicants are requesting a 50 ft. dimensional variance from the western property line and a 78 ft. dimensional variance from an intermittent stream on the property for the placement of an ISDS system for a single-family residence.

Frank Arnold testified that there was only one place where the house could go. As a result, these two variances are needed.

Norbert Therien from National Surv-Dev, Inc. testified that the minimum relief possible was being sought. The hardship is created by the land, not by the petitioner. The requirements set forth by the Department of Environmental Management has been met.

Elaine Savattere spoke neither in favor or opposition to the petition. She wanted to fully understand the situation (i.e. hardship) and is concerned about possible pollution with the stream. Carl Saccocio (CS) stated that a state of the art ISDS system is being put in so there won't be an issue with pollution.

Natalie Arnold testified that Elaine Savattere's property abuts the back of the Arnold property, which will remain as woods.

Robert Fallon testified that the site selected for the house is the best solution.

No one spoke in opposition to the application.

Norbert Therien: 58.0826 acre; proposed 7.7409 acres of that for the subdivision.

**Discussion**

WG asked if the zoning board decision would be pending further discussion by the Planning Board. The Town Planner responded in the positive.

Scott Pollard (SP) asked that since the lot is separated, can it be re-divided. The Town Solicitor indicated that the land could not be re-divided.

Heidi Colwell (HC) said that state law requires a minimum of a 100-foot separation from any pond, stream, spring or brook whereas the town of Foster requires a 200-foot separation. Since the minimum as indicated in the state law has been reached, HC does not have concerns.

WG moved, SP seconded the motion, and it was so voted that two variances were granted: a 50 ft. dimensional variance from the western property line and a 78 ft. dimensional variance from an intermittent stream on the property for the placement of an ISDS system for a single-family residence. The variances were granted based on facts that the land created a hardship, pending further approval by the Planning Board.

Carl Saccocio - approve  
William Gibb - approve  
Heidi Colwell - approve  
Scott Pollard - approve  
Paula Mottshaw - approve

**Hearing #07-13 Continued, Barbara Fell – Plat 14, Lot 35A**

Willoughby Young Road, the applicant is requesting a 35 ft. dimensional variance from the front property line and a 75 ft. dimensional variance from the rear property line in order to construct a one-story garage.

Barbara Fell testified that she wanted to build a one-story garage, using the location of a former structure. The current foundation needs to be replaced; the new foundation will be the same size.

This lot is not a substandard lot of record as it has the required frontage and acreage.

No one spoke in favor or in opposition to the application.

WG asked Robert Fallon (RF) if he did a site visit. RF responded that the current foundation doesn't go down deep enough.

WG made a motion, seconded by HC, to approve a 35 ft. dimensional variance from the front property line and a 75 ft. dimensional variance from the rear property line in order to construct a one-story garage.

No Discussion.

Carl Saccocio - approve  
William Gibb - approve  
Heidi Colwell - approve  
Scott Pollard - approve  
Paula Mottshaw - approve

WB moved to adjourn (seconded by SP) the December 12, 2007 Foster Zoning Board of Review meeting.

Respectfully submitted by Paula Mottshaw, Alternate.

*For informational purposes only, see Book Foster Zoning Board of Review on Page 284*