

Jeff Hutchinson, No. 22 Pier 2, is also opposed to the extension. He is concerned that it would be unsafe. It would add 1/5 of the length to the structure. He feels the applicant should adapt the boathouse to fit the larger boat or purchase a smaller boat.

Dave Lucchesi, No. 20 Pier 2, noted that the applicant does have the space for an extension and he feels it would not have a negative impact. However, it would set a bad precedent for other boathouse owners. He is not opposed to the extension, but is opposed to the proposed length.

Mr. Brown noted that two written comments were received. Jadon Hoffman, owner of multiple boathouses on Piers 1 and 2, opposes the variance. Robert Sloan, No. 26 Pier 2, is also opposed. Both are concerned that approving the variance would set an undesirable precedent.

Chairman Bader asked if there was anyone else wishing to speak to the application. Seeing no one, he closed the Public Hearing.

Chairman Bader directed the discussion to the five-part test for the board to weigh the benefit of the variance to the applicant, against the detriment of the variance to the neighborhood.

Beginning with question #1: *Show that the granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.*

Chairman Bader said the location is unlikely to affect others; however, the close proximity to the bulkhead could cause damage. Mr. Wilmer agreed.

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Chairman Bader said the applicant could modify the inside of the boathouse to create a larger boat well. Mr. Wilmer and Mr. Brazill agreed.

Regarding question #3: *Show that the requested variance is not substantial.*

Chairman Bader said it is a 20% increase.

Mr. Wilmer noted that the applicant is not proposing a 40-foot length. It is presently 32 feet and he is seeking an additional 5 to 6 feet.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Chairman Bader said the extension would increase the length to be similar to the adjacent neighbor and therefore should have no environmental impact.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Mr. Wilmer noted that the applicant did not choose the existing length of the boathouse. Therefore, the hardship is not self-created.

Chairman Bader said the applicant's desire for a bigger boat created the hardship.

Chairman Bader asked if there were any other comments or questions. Hearing none, he called for a motion.

Mr. Brazill moved that the board **Deny** the application.

Mr. Wilmer seconded the motion, which **failed to carry** with a roll call vote of (3-2):

Ryan Wilmer	Voting	YES
John Roberts	Voting	NO
Roger Brazill	Voting	YES
Julie Harris	Voting	NO
Susan Haller	Absent	
Carol Henshaw	Absent	
Joseph Bader	Voting	YES

Chairman Bader asked for an alternate motion.

Mr. Wilmer moved that the board **Table** the application to allow the applicant to provide additional information requested by the board.

Mr. Roberts seconded the motion, which **carried** with a roll call vote of (5-0):

Ryan Wilmer	Voting	YES
John Roberts	Voting	YES
Roger Brazill	Voting	YES
Julie Harris	Voting	YES
Susan Haller	Absent	
Carol Henshaw	Absent	
Joseph Bader	Voting	YES

ITEM 02 Application #22-192: 317 South Main Street, ADVANCED ENDODONTIC SOLUTIONS, requesting an Area Variance necessary to install a ground sign within 6 feet of the property line. In accordance with Sign Schedule of the Zoning Ordinance, ground signs shall be setback 10 feet.

Dr. John Lepore presented the application via Zoom. He recently purchased the building and received approval from the Planning Commission to display a ground sign for his business. To place it within the required 10-foot setback would place it within the existing garden and trees. He would like to place it within 6 feet of the property line.

Chairman Bader opened the Public Hearing. No one came forward and Mr. Brown noted that no written comments have been received. Chairman Bader closed the Public Hearing.

Chairman Bader directed the discussion to the five-part test for the board to weigh the benefit of the variance to the applicant, against the detriment of the variance to the neighborhood.

Beginning with question #1: *Show that the granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.*

Mr. Brazill mentioned other signs in the area that are less than 10 feet from the property line. The ground signs for the fire department and John Polimeni’s law office are two examples.

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Chairman Bader said the sign could be hung from the porch, similar to the sign displayed by the previous business.

Ms. Harris said the ground sing would be more easily read than one installed on the building.

Regarding question #3: *Show that the requested variance is not substantial.*

Mr. Wilmer feels the sign is not big compared to some others in the area and would not look out of place at this location.

Chairman Bader said that a 6-foot setback, versus a 10- foot, is substantial.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Chairman Bader feels it would be safer to locate the sign closer to property line, to improve visibility.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Mr. Brazill said the existing landscaping interferes with placement of the sign complying with the required 10-foot setback.

Chairman Bader asked if there were any other comments or questions. Hearing none, he called for a motion.

Mr. Wilmer moved that the board **Approve** the application as submitted and presented for the following reasons:

- #1. The granting of the variance will not produce an undesirable change in the character of the neighborhood create a detriment to nearby properties.
- #2. The benefit sought by the applicant cannot be achieved by some other feasible means that would not require a variance.
- #4. The proposed variance will not have an adverse impact on the environmental conditions in the neighborhood.

Mr. Roberts seconded the motion, which ***carried*** with a roll call vote of (5-0):

Ryan Wilmer	Voting	YES
John Roberts	Voting	YES
Roger Brazill	Voting	YES
Julie Harris	Voting	YES
Susan Haller	Absent	
Carol Henshaw	Absent	
Joseph Bader	Voting	YES

ADJOURNMENT

Mr. Roberts moved to adjourn the meeting at 7:45, seconded by Ms. Harris and carried by unanimous voice vote (5-0).

Richard E. Brown, Secretary

Joseph Bader, Chairman