

## APPROVED

Minutes of the July 24, 2008 Zoning Board Of Appeals meeting.

The meeting was called to order at 2000 hrs by Chairman Peters. Roll call was taken and all members were present.

Also present Mike Parks, John Walker, Gerald Wheeler, Zenith Carol DeVico, and Steve Haywood, Assessor/Building Insp.

The minutes of the June 2008 meeting , a series of Notice of Actions from the May 2008 meeting, were presented. A motion was made by Kurt Allman to approve the presented Notice of Actions. Seconded by Leigh Furnal. Approved.

Appeal No. 741

John Walker, 3483 Lake Rd., requesting a Special Use for a wind powered generator for domestic use.

Mr. Walker spoke on his own behalf about installing said wind powered generator. Mike Parks, Sales Agent for the equipment, explained basic facts about the generator including the following:

- The generator will produce 1.8 kw.
- The unit will be 45 feet tall, with approximately five feet of that height recessed into the ground on an engineered footing. The overall height will be 48 +/- feet including blade length. Factoring in the code required 25 feet safety factor from any property line the actual distance from the sideline should be 73 +/- feet.

As part of the Special Use approval Mr. Walker is asking for relief from the sideline safety factor due to the fact the best wind area to operate this tower is at the proposed location on the site map (information derived from a previous wind study), and moving the tower closer to the center of the lot may obstruct view. Mr. Parks stated his company has never had a tower fall.

The property owner to the east, Randy Williamson, is not necessarily in favor of the tower being located closer to the line than code allows. Discussion ensued.

Chairman Peters has opted to do the Full Environmental Assessment form upon completion of the site plan review.

Seeing all applications for wind powered generators require referral to the Planning Board, a motion was made by Ernie Norton to refer Appeal No. 741 to the Planning Board for a comprehensive site plan review and recommendations. Seconded by Bruce Akins. All in favor.

Appeal No. 742

Zenith Carol DeVico, 3534 Ridge Rd., requesting a Special Use for a Farm Stand.

Zenith DeVico and Gerald Wheeler spoke on their own behalf in regard to having a Farm Stand to sell produce grown on their 13 acre farm. Discussion ensued.

Chairman Peters has opted to do the Short Environmental Assessment form upon completion of the site plan review.

David Kreutzer is the only neighbor having any concern, which is in regard to site distance and traffic ingress/egress from the farm stand.

Seeing all applications for a Farm Stand require referral to the Planning Board, a motion was made by Bruce Akins to refer Appeal No. 742 to the Planning Board for a comprehensive site plan review and recommendations. Seconded by Ernie Norton. All in favor.

In regard to the Final Approval for Whispering Woods, a resolution prepared by Arthur Williams, Esq., attorney for the Town, was read into the minutes by Chairman Peters. (see attached resolution)

A motion to accept the Final Approval was made by Ernie Norton. Seconded by Kurt Allman. All in favor.

Motion to adjourn by Kurt Allman. Seconded by Ernie Norton. All in favor.

Meeting adjourned at 2115 hours.

Minutes by Steve Haywood