The Zoning Board of Adjustment met for a public hearing for an Equitable Waiver of Dimensional Requirements for the Dublin School. Present were Susan Peters, Paul Delphia, and alternate Jerry Bird. Mary Langen was absent. Michelle Knapp and Susan Phillips-Hungerford recused themselves because of conflict of interest. Also attending were Andy Hungerford, representing Dublin School, and Ellen Avery, representing Emmanuel Church.

Susan Peters opened the meeting at 7:00 and appointed Jerry Bird as a full member in place of Mary Langen for this meeting. The applicant agreed to hold the meeting with only three members, realizing that a unanimous vote of all members will be necessary to approve.

Minutes from ZBA Meeting on October 26, 2017
The board reviewed the minutes. Paul moved to accept the minutes as written. Jerry seconded the motion and it was approved unanimously.

Public Hearing for Dublin Schools Application for an Equitable Waiver of Dimensional Requirements, 18 Lehman Way, Map 16, Lot 23
Susan opened the public hearing at 7:05 PM. Susan reviewed the rules of procedure for public hearings before the ZBA.

The secretary read the public notice and its posting at Town Hall, Post Office and General Store and the town website. Certified notices were sent to Dublin School and Emmanuel Church. Emmanuel Church sent a letter of support.

Andy Hungerford explained that a corner of the building is 31 feet rather than 35 feet from the property line. He had presented the plans to the Planning Board and there was an oversight on the setback requirement because the plan did not show the adjacent property or the property line. The property line runs down the middle of the stone wall on the other side of Lehman Way. The southwest corner of the Howe Administrative Building is opposite the northwest corner of the Emmanuel Church property. Mr. Hungerford discovered the mistake after the substantial completion of the shell of the structure. He talked with representatives of the church, the code enforcement officer and the planning board and apologized for the mistake. All directed him to come to the ZBA after accepting his apology. He referred to the support letter from Emmanuel Church. The board members reviewed the letter of support.

Andy then went through the questions on the application and explained why the requirements for a waiver have been met. The church operates only in the summer and Dublin School has reduced activity in the summer, and the mistake does not negatively impact the church or the school. The cost to move the building four feet, would far outweigh any negative impact to anyone. There would be no
substantial change in the use of either property or the visual impact if the building was moved. Dublin School provides water and future electric service to the church so they have interconnections. Ellen spoke on behalf of Emmanuel Church and explained that although it was a mistake, the local wardens met to be sure everyone is in support of the waiver and they are good with its approval. She explained that there is a positive relationship with the Walden School, which conducts a summer camp at Dublin School in the summer.

Susan asked if the board members had any questions. Susan reviewed the requirements of an Equitable Waiver and noted there was no bad faith because the applicant followed all appropriate approval steps, including review by the Planning Board. Susan moved to grant an equitable waiver of the dimensional requirements set forth in Article V, Section B.3 to reduce the distance from the property line from 35 feet to 31 feet for Dublin School’s Howe Administration Building, at Map 16, Lot 23. Seconded by Jerry. The motion passed unanimously.

The board discussed coming applications and the possibility of needing a meeting on November 30. The secretary will send an email to members advising them of the possibility that the Board may need to hold a meeting at the end of November.

Paul moved to adjourn at 7:50. It was seconded by Jerry and the motion passed.

Respectfully submitted,

Neil R. Sandford
ZBA Secretary