

Town of Bolton  
Development Review Board  
Notice of Decision

This matter came before the Bolton Development Review Board on the application of Joseph and Susan Vita (appellant/landowner) for a variance from Article VI, Section 8, Non-complying structures, sub-section 2, from the Bolton Zoning Ordinance, for permission to construct a 13' x 15' addition to an existing 15' x 40' barn, which is non-complying to the setback requirements. Having been duly warned, the Development Review Board conducted a public hearing on October 17, 2001.

Findings of Fact

1. Applicant owns a parcel of land situated on Bolton Valley Access Road. The parcel contains 37.2 acres and is located in the AR-1 District.
2. The existing structure has a setback of sixteen feet; the minimum setback is thirty-five feet.
3. The present and proposed use is agricultural. The barn contains horse stalls.
4. The property is also occupied by a single-family dwelling. The barn is an accessory use.

Conclusions

1. The property was developed prior to 1989 zoning by-laws. The unique physical circumstances prevents total compliance to setback requirements, in that Joiner Brook is located on the property in question.
2. The hardship was not created by the applicant. Structure in question constructed by others.
3. The essential character of the neighborhood will not be affected. Applicant will continue to board horses after the completion of the proposed addition.
4. The variance represents the least possible deviation from the Bolton Zoning Ordinance.
5. Clerk of the Development Review Board submitted a letter to the Board from two neighbors stating they are in support of the request, and that past renovations to the house and barn have been quality work.

Decision

Based on the Findings and Conclusions set forth above, the Development Review Board unanimously approves the applicant's request for a variance as submitted.

Signed,

\_\_\_\_\_ Date \_\_\_\_\_  
Michael Rainville  
Co-Chair Development Review Board

Members present and voting in favor: Michael Rainville, Ken Richardson, and Shirley Zundell.