

Town of Plymouth
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Zoning Board of Appeals
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Minutes

Linda Komaracke
TOWN CLERK

October 28, 2025

Call to Order: Zoning Board of Appeals Chairman Marty Sandshaw called the scheduled October 28, 2025, Zoning Board of Appeals Regular Meeting to order at 7:00 p.m., in the Assembly Room, Plymouth Town Hall.

Roll Call: Present were Zoning Board of Appeals Member/Chairman Marty Sandshaw, Zoning Board of Appeals Member Sarah Sandshaw, Zoning Board of Appeals Member Paul Schwanka, and Zoning Board of Appeals Member Thomas Tracy. Also in attendance were Director of Economic Development and Planning Margus Laan and Town Council Liaison T.J. Zagurski.

Pledge of Allegiance

Zoning Board of Appeals Chairman Marty Sandshaw led the Zoning Board of Appeals Members and the Public Audience in the Pledge of Allegiance.

Public Introduction by Acting Chairman

Zoning Board of Appeals Chairman Marty Sandshaw read the following statement into the record: "A peculiar or unique feature of a particular piece of property that prevents the landowner from making a reasonable use of the property in conformance with the existing zoning regulations. A hardship has nothing to do with the personal circumstances of the landowner. The fact that the owner might be able to make a more profitable use of the land if it were not for the zoning regulations does not equate to hardship. Proof of a true hardship is a legal requirement for a zoning board appeals to issue a variance."

Public Comment: Requested limit of no more than 3 minutes in duration. Note: Public Comment is for non-agenda topics; for agenda related items, comments need to be made during agenda item discussion for inclusion in the record on that issue

No report.

Public Hearing on Variance Application-11 Tomlinson Avenue/Assessor Parcel Number 033-024-003

Sarah Sandshaw made a motion, seconded by Thomas Tracy, to open the Public Hearing for Robert J. McIntosh for a Variance of Section 4.C. Front Yard Setback Requirement for the construction of a front deck; co-applicant Eric Chassee; Engineer James E. Jones, Jones Engineering, LLC. This motion was approved unanimously.

Application of Property Owner Robert J. McIntosh for Variance of Section 4.C. Front Yard Setback Requirement for the construction of Front Deck at 11 Tomlinson Avenue; co-applicant Eric Chasse; Engineer: James E. Jones, Jones Engineering LLC

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Application of Property Owner Robert McIntosh for Variance Cont'd.

Eric Chasse stated he owns the property at 11 Tomlinson Avenue and needs a Variance approval because the deck sticks out and encroaches into the front yard which violates the 40 foot rule. Eric Chasse distributed pictures for review and comment by the Zoning Board of Appeals Members.

When questioned by Zoning Board of Appeals Chairman Marty Sandshaw, Margus Laan stated Eric Chasse is looking for a Variance of approximately six and one half feet, noting it would be going from what was 21 feet to 14.5 feet. He further stated the existing house was non-conforming but that it was built in 1946 before Zoning Regulations were in effect; and the lot is undersized like many of our lots are in Town.

Eric Chasse stated that he was going to have the stairs go out the front but that would make the encroachment worse so he will be going out the back instead.

When questioned by Zoning Board of Appeals Commissioner Thomas Tracy, Eric Chasse stated the model that he built is all code.

Margus Laan stated Eric Chasse needs an entrance way no matter what; and he has shown the Commission how a nice deck will work in this situation, so a person would be entering from the end of the driveway onto the deck, and it would wrap around. He further stated the topography is very severe because it was so high up.

Zoning Board of Appeals Member Thomas Tracy stated that he liked the looks of the plan. Zoning Board of Appeals Member Thomas Tracy stated that looking from the road he can't see any other way to get to the front door other than the side entrance. He further stated that dumping it in the front yard would do Eric Chasse no justice and he'd be encroaching into the no-fly-zone even more.

Zoning Board of Appeals Member Sarah Sandshaw made a motion, seconded by Zoning Board of Appeals Member Paul Schwanka, to close the Public Hearing. This motion was approved unanimously.

Zoning Board of Appeals Member Paul Schwanka made a motion, seconded by Zoning Board of Appeals Member Thomas Tracy, to open the Regular Meeting of the Zoning Board of Appeals. This motion was approved unanimously.

Zoning Board of Appeals Member Sarah Sandshaw made a motion, seconded by Zoning Board of Appeals Member Paul Schwanka, to grant the Variance request for the Applicant Property Owner Robert J. McIntosh, Co-Applicant Eric Chasse, for the Variance of Section 4.C. Front Yard Setback Requirement for the construction of Front Deck at 11 Tomlinson Avenue.

Discussion: Marty Sanshaw stated he wanted to thank Eric Chasse for making the entrance off the deck to rear of the property instead of to the front, which kept the Zoning Board of Appeals from having a bigger Variance to look at.

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Application of Property Owner Robert McIntosh for Variance Cont'd.

Vote: This motion was approved unanimously.

Zoning Board of Appeals Chairman Marty Sandshaw stated there is a 15-day wait period before work can begin on the property, noting this is a condition of the Variance. He further stated the waiting period is in place in case someone requests that the Zoning Board of Appeals review the granted Variance request again.

Margus Laan stated he will get the necessary paperwork for Eric Chasse early next week which will need to be filed in the Town Clerk's Office.

Review, deliberate and motion and vote to approve, to amend or reject the minutes of August 26, 2025 Regular Meeting

Zoning Board of Appeals Member Sarah Sandshaw made a motion, seconded by Zoning Board of Appeals Member Thomas Tracy, to accept the August 26, 2025, Regular minutes as presented. Vote: Sarah Sandshaw/yes; Marty Sandshaw/yes; Paul Schwanka/abstained; Thomas Tracy/yes. Motion passed 3 yes/1 abstention.

Administrative Matters

Zoning Board of Appeals Chairman Marty Sandshaw stated he wanted to thank Zoning Board of Appeals Member Paul Schwanka again to the Board, noting this allows the Zoning Board of Appeal to assist people to make reasonable use of their property.

Marty Sandshaw stated the Zoning Board of Appeals needs to appoint a Regular Chairman and it can be brought up at another meeting.

Adjournment

There being no further business of the Zoning Board of Appeals, Zoning Board of Appeals Member Thomas Tracy made a motion, seconded by Zoning Board of Appeals Member Sarah Sandshaw, to adjourn at 7:18 p.m. This motion was approved unanimously.

Respectfully Submitted,



Patricia A. Hale
Recording Secretary