

ZONING BOARD OF APPEALS
WEDNESDAY, OCTOBER 5, 2022
RESOURCE ROOM

Attendance: Chair Dan Heney, Vice chair Mike Fitzpatrick, John Bombara, Jim Palmer, Ron Forget, Ken Frasier Building Inspector

Chair Dan Heney called the meeting to order at 7:04 PM.

(7:04 PM) (0:10) 7:00 PM Public Hearing: Jason Walsh (#2022-07) 1 Pilgrim Court

Date of Application: 8/30/2022

Decision Date of Variance: 100 Days of Application (12/8/2022)

Variance request for side yard setback relief of dimensional regulations appendix B to replace a pool in a VR zone district. Mr. Heney stated that all certified mail was sent to the abutters and Jen Couture received all the green cards back. The applicants engineer joined remotely to go over the plans with the board. A tree fell on the pool and the house and the deck, and the pool was installed by the previous owner and only 2 feet from the lot line and in violation. Same size pool being replaced. Mr. Fitzpatrick asked if there was ever a permit pulled on this and Mr. Frasier responded that there was not.

(7:12 PM) (8:12) Motion to close the public hearing made by John Bombara, seconded by Ron Forget.

Roll call vote – Dan Heney, John Bombara, Jim Palmer, Ron Forget, Mike Fitzpatrick all in favor.

(7:12 PM) (8:48) Motion to approve the variance as submitted on the pool made by John Bombara, seconded by Ron Forget.

Mike Fitzpatrick asked if there will be as built required, Dan Heney stated they can make a condition.

Motion to add a condition of requiring an as built. Roll call vote – Dan Heney, John Bombara, Jim Palmer, Ron Forget, Mike Fitzpatrick all in favor.

Discussion:

1. (7:14 PM) (10:27) Amendment Proposals for Douglas Zoning Bylaws – Possible Votes

Matt Benoit Community Development Director joined remotely to go through the amendments with the board. The height definition, new solar bylaw and a petition for a general bylaw for earth removal. This is scheduled for public hearing with the planning board on October 13, 2022. Mr. Benoit and Mr. Frasier thought it would be a good idea for the ZBA to review this and in the future to review zoning by laws in advance before the process is started.

2. (7:21 PM) (17:05) Dermot Collins, 12 Cottage Colony

After the variance was approved the applicant has a septic company come out and they told him he couldn't put the shed where he was granted the variance. He has to go back 10 feet, but the public hearing was closed and they cannot discuss the matter. The board will sign the applicant's papers.

3. (7:24 PM) (20:56) 2023 Meeting Schedule – Possible Votes

(7:25 PM) (21:18) Motion to approve the proposed 2023 meeting schedule made by John Bombara, seconded by Jim Palmer. Roll call vote – Dan Heney, John Bombara, Jim Palmer, Ron Forget, Mike Fitzpatrick all in favor.

4. (7:26 PM) (22:25) North Brown, LLC

Town Council was going to be in contact with North Brown and the board has not heard anything back from Town Council. The board does have a new report from the consulting engineer that still lists things that have been on there for months and some cases years. Mr. Frasier gave the board his update on the project from meeting with Tim Barlow today when he

went up to the site to check it out. They moved the mulch pile off the road, they are trying to get their matte grass in place before the winter, they are in the process of getting power up the center road now. Mr. Barlow stated they have another P & S so they are going to put the next foundation in on the hole that is excavated, and he anticipates the first of spring early summer that he wants to start the final loop road done for phase IV. Mr. Frasier stated that it is looking good and things are moving. Water/sewer is not signing off on anything until they have the as builts. Mr. Fitzpatrick asked what the status of 63 was, and Mr. Frasier stated that they are in trimming now and its plastered.

5. **(7:33 PM) (29:29) Approve Minutes: June 22, 2022 & August 3, 2022 – Possible Vote**
(7:36 PM) (32:15) Motion to approve the meeting minutes of June 22, 2022 as written made by Mike Fitzpatrick, seconded by John Bombara. Roll call vote – Dan Heney, John Bombara, Jim Palmer, Ron Forget, Mike Fitzpatrick all in favor.
(7:36 PM) (32:54) Motion to approve the meeting minutes of August 3, 2022 as written made by John Bombara, seconded by Jim, Palmer. Roll call vote – Dan Heney, John Bombara, Jim Palmer, Ron Forget, Mike Fitzpatrick all in favor.

Upcoming Meeting: November 2, 2022 & December 7, 2022

(7:37 PM) (33:35) Motion to adjourn the meeting made by John Bombara, seconded by Jim Palmer. Roll call vote – Dan Heney, John Bombara, Jim Palmer, Ron Forget, Mike Fitzpatrick all in favor.

Respectfully submitted,

Stephenie Gosselin, recording secretary