

ZONING BOARD OF APPEALS  
WEDNESDAY, DECEMBER 7, 2022  
RESOURCE ROOM

Attendance: Chair Dan Heney, Jim Palmer, Ron Forget, John Bombara (remotely), Ken Frasier Building Inspector

Absent: Vice chair Mike Fitzpatrick – excused

Chair Dan Heney calls the meeting to order at 7:00 PM

(7:00 PM) (0:14) 7:00 PM Public Hearing: Kevin Morse (#2022-09) 17 Churchill Road

Date of Application: 11/9/2022

Decision Date for Variance: 100 Days of Application (2/17/2023)

Mr. Morse is requesting a variance for side yard setback relief for chicken coop. Regulations in an RA zone district require 25 feet and 12 feet has been provided, all the certified mailings have been returned. Kevin Morse stated that he has secured an engineering firm so that he can provide a certified plot plan as to the placement of the coop, but the firm is backlogged. Allen Engineering projects that they will be able to get the survey done in 45 days, so Mr. Morse is requesting a continuance so that he can provide the board with the certified plot plan as well as the architectural drawing.

(7:05 PM) (5:33) Motion to accept the request for a continuance to January 4, 2023 at 7:00 PM made by John Bombara, seconded by Jim Palmer. All members in favor.

The abutters to Mr. Morse asked what happens if they are not able to attend the next meeting for this matter. The abutters are concerned that they will not be able to voice their concerns about this. The abutter questioned what the survey would show because the applicant is stating his septic system as a reason; Mr. Heney stated that most often it is the property lines for the variance. Mr. Morse stated that there is a plot plan with the board of health that shows where the septic is located and Mr. Heney asked that Mr. Morse have that available for the next meeting. The abutters stated their concern multiple times, about whether the meeting will happen in January or will it be moved again. Mr. Heney stated that they are more than welcome to call the Community Development department a few days in advance of the meeting to find out if it will be continued again. The abutter asked if a hearing could be continued at an abutter's request. Mr. Heney stated that he would have to ask the Town Council that question. Mr. Morse stated that he is more than happy to continue the hearing again if the abutters are unable to attend the January meeting.

Discussion:

1. (7:16 PM) (16:25) North Brown, LLC

There is an invoice for the Board to sign; Mr. Heney stated that he received a report from the engineers that are doing the review work for this project. Mr. Frasier stated that he had a conversation with the engineer today about the items in the report. The problem with the lower outlet control for one and two is that they do not have any wrap in and around the swale that it is coming out; they are waiting until there is frost on the ground so that nothing is disturbed. The electrical is in and Mr. Frasier has signed off on another occupancy permit for one Nautical Way. He feels that the sidewalk is fine the way it is. Mr. Frasier went over the rest of the concerns. Mr. Frasier should be in there in the next two weeks to a final on the affordable. Mr. Heney stated that he spoke to Bob Sullivan and was concerned because he

did not have any as built plans for the water main. Mr. Frasier stated that he told the applicant that when he submits the as builts for phase two he also wants a complete set of all the as builts at the same time. Spring of 2023 they are looking forward to putting phase 4 road in.

2. (7:21 PM) (21:45) ZBA Application Forms on Viewpoint – Possible Votes  
Jen is working on getting the applications so that residents can do them online. Ken Frasier explained how the online system works to the board.
3. Approve Minutes: September 7, 2022 & October 5, 2022 – Possible Votes  
The board will hold off on the minutes until the other members are present.

**Upcoming Meetings:** January 4, 2023 & February 1, 2023

(7:26 PM) (26:48) Motion to adjourn the meeting made by Jim Palmer, seconded by Ron Forget. Roll call vote – Dan Heney, Jim Palmer, Ron Forget, John Bombara all in favor

Respectfully submitted,

**Stephenie Gosselin, recording secretary**