

ZONING BOARD OF APPEALS
WEDNESDAY, OCTOBER 2, 2024
RESOURCE ROOM

Attendance: Chair Dan Heney, Vice chair Mike Fitzpatrick, Jim Palmer, Ron Forget, Margaret Bacon

Dan Heney called the meeting to order at 7:06 pm.

1. (0:10 TS) 7:00 PM Public Hearing Continued: Scott Tessier (#2024-09) 19 Cobblestone Lane
Date of Application: 7/30/2024
Decision Date for Special Permit: 90 days after close of public hearing
They discussed the previous concerns of whether Scott Tessier was a contractor or in the trucking business and the truck registered at 26k pounds stored at the property. Mr. Tessier read to Board and public what he put together to explain his argument of what type of business he runs and his property and the town bylaws and the safety concerns voiced by neighbors at the previous meeting. There was discussion about the bylaw and what is allowed in an RA zone between the Board members and Town Counsel and what was voiced by the applicant, that he does not do business out of his home but only stores vehicles on his property. Town Counsel stated that it is clear by the towns table of uses that if his property is the base of his operation then it is not allowed but if he is just using the property as vehicle storage, it could be considered allowed. Town Counsel suggested that they need to figure those facts out. There was lengthy discussion back and forth between the Board, the applicant and Town Counsel about whether this is a contracting business versus trucking business and whether they believe his home is his base for his business. Nancy Stockwell 11 Cobblestone Lane voiced her opinion on this being an equipment storage yard as the language in the bylaw states. Richard King 23 Cobblestone Lane stated he thinks it is as simple as just bringing your work truck home at the end of the day.
(33:35 TS) Motion to close the public hearing made by Mike Fitzpatrick, 2nd by Jim Palmer. The vote passed unanimously.
(34:40 TS) Motion to approve the special permit for Scott Tessier for case # 2024-09 made by Mike Fitzpatrick, 2nd Margaret Bacon. Jim Palmer, Ron Forget, and Margaret Bacon in favor, Mike Fitzpatrick and Dan Heney opposed. For a special permit, the applicant needs 4 votes, the application is denied. Town Counsel asked the opposed voters to explain the reason for the denial and they did explain.
2. (38:35 TS) 7:00 PM Public Hearing: Lloyd Morin (#2024-12) 175 & 181 Southwest Main St
Date of Application: 9/5/2024
Decision Date for Special Permit: 90 days after close of public hearing
Lloyd Morin, the applicant, is seeking to reconstruct a single-family home with a detached garage on a pre-existing non-conforming lot on his property. Mr. Morin explained what he is proposing to do on the property.
(57:35 TS) Motion to continue the public hearing case #2024-12 to December 4, 2024, made by Margaret Bacon, 2nd by Jim Palmer. The vote passed unanimously.
3. (58:15 TS) 7:00 PM Public Hearing: David & Dallas Keeney (#2024-14) 13 Yew St
Date of Application: 9/11/2024
Decision Date for Special Permit: 90 days after close of public hearing

David and Dallas Keeney, the applicants, are requesting permission to operate an animal sanctuary on their property. David Keeney explained the process they have gone through on the federal level and the state level and what they are looking to do on their property. Dan Heney read the reports from an inspection done by the Board of Health. There was concern from the Board about the amount of acreage for the number of animals on the property and how to get that confirmed. Jesse and Jen Halter 19 Yew Street stated his many concerns about the animal sanctuary, Paul Stansky 14 Yew Street voiced his frustration over the number of animals versus the acreage, and Craig Peters 9 Yew Street stated there is an increase in rodents. The Board discussed doing a site visit to see the property and have the property owner come up with a business plan so the Board can have more information on this and address the concerns of all the neighbors.

(1:45:30 TS) Motion to continue the public hearing case # 2024-14 to November 6th, made by Mike Fitzpatrick, 2nd by Ron Forget. The vote passed unanimously.

Discussion:

4. (1:47:20 TS) North Brown, LLC – Ken Frasier the Building Inspector updated the Board that he has been in contact with both Tim Barlow and Neil Rybicki and Haley Ward, and he would like to request that they come before the Board next meeting to discuss their plans and where they are at and when the completion will be, the Board also talked about having their engineer and Town Counsel at the meeting as well.

(1:50:50 TS) Motion to enter into executive session for the purpose of discussion of 3 Hough Road Land Court case 24 MISC 000164, holding it in open session in public would be detrimental to the discussion of the litigation and to leave executive session for the sole purpose of adjournment, made by Mike Fitzpatrick, 2nd by Jim Palmer. Roll call vote – Jim Palmer, Ron Forget, Margaret Bacon, Dan Heney, Mike Fitzpatrick all in favor.

Upcoming Meetings: November 6, 2024 & December 4, 2024

Respectfully submitted,

Stephenie Gosselin