

Zoning Board of Adjustment

October 22, 2013

Memorial Building

7:00 P.M.

These minutes are considered to be draft minutes until approved by the board at their next meeting.

Members Present: Susan Chiarella (chairperson), Bryan O' Day, Justin Hastings, B Manning, and alternates, Peter Abair, Cynthia Hayes, and Karen Cook

Others Present: George McCusker, Doug Peel, Hilary Cole, Michael Chiarella, Sandra Hastings, Laura Casella, Pam Richardson, and Mark Brunelle.

Review of minutes: per Cynthia Hayes change capital M in the word merit to lower case. Motion made by Bryan to accept minutes with correction, second by B, and unanimously approved.

Brunelle Hearing: Susan recuses herself and Bryan O' Day is acting Chairperson. Bryan first opens the hearing by asking Susan Abair if all registered mail went out to abutters on time and made sure public postings were done. Susan Abair verified that all was done. Second order of business was to appoint alternates to replace Susan Chiarella and Gene Hayes, whom was absent. Cynthia Hayes and Karen Cook are acting board members on the case.

Bryan explains that the reason for this re-hearing is the letter of appeal that was brought forward by the selectman. He then opens the hearing up to Mark Brunelle.

Mark Brunelle states that first and foremost he is very upset that Clayton Platt called him a fraud. He stated that Ryan Peterson, a representative from the town went to the site and came up with the same measurements as he did. He said the second issue he has a problem with is the fact that Clayton first says he's representing Baptist Pond trust and then he says he's not. Mark would like to know which one is it. B explains to Mark that they are there because the selectman brought forward concerns and B asks Mark to clarify some questions. There was a discrepancy of the ROW. Mark has 50' and it states 66' on the plan. B explains also that all they want to do is make sure the numbers are correct. The board felt that the ROW is clearly 66'. The second question B asks is where is the Baptist pond reference line. Mark states that the reference line is the high water mark of the pond. B also wants to talk about the concerns that Clayton Platt raised. Clayton claims that the edge of proposed leech field sits on state land. Mark states that Ray Fitch, surveyor went to land w/Mark and there is about 10' from state property line. Mark states that he is really not sure where Clayton came up with his measurements. There was discussion of where the state property is in regards to leech field. Bryan states that the state setback is 10' and the town goes by state standards.

Cynthia raises a concern that there are two separate maps, both stating different numbers and information and wants a surveyed map of the property. Cynthia would like an impartial party to survey the property.

George McCusker wanted to add that Clayton Platt is an expert and the board cannot disregard what he has said.

Karen states her only concern is the state boundary line.

Mark feels that this is undue hardship on his client. Cynthia makes a motion that the board recommend a surveyor to survey the property. Mark states that the board cannot tell his client who he has to use for a surveyor.

Mark also states that what she is asking will cost thousands of dollars. There was no second on her motion for survey of the whole property. B asks roughly what it would cost to have certain points in question surveyed. A figure of roughly \$3500 was quoted by Mark. The majority of the board felt they would be good with the five points being surveyed as they asked. Cynthia makes a motion to continue the hearing until the following five points are surveyed by a licensed surveyor and shown on a map. Second by B and all in favor.

- from the front of the deck to the High-water mark.
- from the N/E back corner of the house to the Wetland
- from the Leech field to the Wetland
- from the South Rear corner of the structure to the center line road
- from state property line to the closest point of the septic.

Mark asks if he can have the information emailed to him, and Susan Abair said yes that she would get the information out to him the next morning.

The continuation of the hearing is set to be held Tuesday, ~~November 2, 2013~~ November 5, 2013@7:10 P.M.

Susan Chiarella returns to the board. She wanted to express to the board that when there is a break in hearings she would like to make some changes to the ROP. There was some discussions as to whom was up for re-election in March.

Meeting adjourned at 8:15

Minutes submitted by,

Susan Abair