

**Zoning Board of Adjustment**

**November 3, 2015**

**Memorial Building**

**7:00 p.m.**

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

**Members Present:** Peter Abair, Bryan O' Day, Susan Chiarella(Chairman), Justin Hastings, and alternates Tamara Butcher and Jim Bednar

**Others Present:** Tom Duling, George McCusker, Chris Fischer, and Leigh Callaway

**Approval of October 6<sup>th</sup> minutes-** Justin makes a motion to accept minutes with corrections Bryan seconds and all in favor

**Approval of October 24<sup>th</sup> site walk minutes-** Bryan makes a motion to accept minutes with corrections, Jim seconds, and all in favor

**Continued Scott Hazelton Hearing-** Susan explained to the public that the ZBA had a site walk visit for the Equitable Waiver RSA 674:33. Susan also states that there are four criteria that has to be met when granting the waiver.

Scott approached the board and gave copies of signed proposal and General Conditions and Warranty and the purchase and sales agreement through Remax.

Scott states that he had emailed Mark Brunelle regarding issues with the house. Scott also explains that there were lots of discrepancies between the plans and what he built. Bryan states that the numbers on the deed and the numbers that Mark Brunelle has on the site plan don't correspond. Scott states that the deed has the correct numbers. On November 15, 2013 Scott states he emailed Mark Brunelle because a boundary pin was laying on the road and the pin needed to be put back. PSNH put in a new boundary pin in June or July of 2014.

Susan asked Tom Duling (town inspector) what he recalled when he looked at the site. Tom stated at the time he received the building permit the foundation was already in the ground. Tom stated at that time he went back to the office and got Leigh Callaway (selectman). Mark Brunelle told Leigh and Tom that it was not a foundation that it was a stone in the ground. Susan asked Tom if he noticed the numbers presented on the application. Tom said he did not. Tom stated that Mark represented the boundaries as being 35' from the foundation. Leigh states that the selectmen don't always go out onto a property unless asked by Tom, and usually it's when wetlands are involved or complications, etc.... Leigh also stated he told Mark that that was NOT a rock in the ground, that it was a foundation, and there will be a fine to be paid or he will issue a cease and desist. Mark paid the fine.

Susan states she would like to hear from Mark Brunelle (former owner, and builder).

Scott states he was advised not to talk to him. Scott said in the past he has not returned emails or calls which have been made several times.

Susan said she could invite him on behalf of the ZBA.

The board discussed how sending the letter should be handled. Certified mail hasn't always been successful.

George McCusker makes a suggestion of having our Town law enforcement hand deliver it. The intent is to be sure that he receives the letter.

The board agreed that they would like to have Mike Beaulieu or Chief Tim deliver the letter to be sure it is received.

Susan reads to the board a letter to Mark Brunelle that she has drafted up.

The board agreed it sounded good.

Chris Fischer made the statement that the "stone in question" (foundation) was not too far gone at the time to be moved, and that Mark Brunelle the former owner misrepresented the boundary lines to two town officials.

Justin states that if the former owner isn't coming forward then the ZBA has to go by what they are presented with.

Peter Abair stated that the deck is even closer than the foundation to the boundary.

Jim Bednar makes a motion to continue the hearing until December 1, 2015 and send a letter to Mark Brunelle asking him to attend. Pete Abair seconds and all in favor.

Meeting adjourned at 8:15 p.m.

Minutes submitted by,

Susan Abair