

APPROVED
TOWN OF PELHAM
ZONING BOARD OF ADJUSTMENT MEETING
September 14, 2020

Chairman Bill Kearney called the meeting to order at approximately 7:00 pm.

PLEDGE OF ALLEGIANCE

Secretary Mathew Hopkinson called roll:

PRESENT ROLL CALL: Bill Kearney - Present
 David Hennessey – Present
 Matthew Hopkinson - Present
 Jim Bergeron – Present
 Alternate John Westwood – Present
 Alternate David Wing – Present
 Alternate Jeff Caira - Present
 Planning/Zoning Administrator Jennifer Beauregard - Present

ABSENT/NOT PARTICIPATING: Peter McNamara
 Alternate Karen Plumley

The following notice was read aloud “A Checklist To Ensure Meetings Are Compliant With The Right-to-Know Law During The State Of Emergency” (*regarding access to the meeting*)

Mr. Kearney explained the Board’s role and hearing procedure.

REQUEST FOR REHEARING

Case #ZO2020-00018

Map 13 Lot 4-139-26

BILLINGS, Donovan T. – 9 Collins Way – Seeking a Variance concerning Article XII, Sections 307-74, G, 1 & 3 of the Zoning Ordinance to permit an Accessory Dwelling Unit within an existing detached garage for a single-family home on an undersized lot (1.3 acres where 1.5 acres is required for a detached ADU) with slops in excess of 20%. Motion for rehearing made by Stephen Kelly of 24 Collins Way.

Mr. Bergeron stepped down. He explained he was also a member of the Planning Board and didn’t want to sit (as a voting member) on both boards. He noted he had stepped down for the initial hearing and was doing the same for the request to rehear.

Mr. Kearney appointed Mr. Wing and Mr. Westwood to vote. He then explained the Board’s rehearing process.

Mr. Hennessey thought Ms. Beauregard’s explanation (in the member packets) was excellent. He described how the Board (in the past) would review requests for re-hearing and understood it included arguments other than if the Board felt they made a mistake. He believed the Board needed to go through the letter and points raised by Ms. Kelly. One point was the property being presented at 1.3 acres; he noted in the

paperwork received, it said 1.23 acres when in fact (in the Assessor's records) it's 1.15 acres. He didn't see that as a material change in what was presented and not germane as it did not materially change his view of the issue. Mr. Hennessey felt they needed to address the fact that a variance by definition is a change or exception to the rules and required under State law. He pointed out that the State changed the rules pertaining to accessory dwelling units ('ADU') and made it a priority to encourage them. He noted the only thing that changed in this case was that detached ADU require a larger lot, which was the reason for the variance request. Mr. Hennessey commented he based his decision on the fact that the State was encouraging them. In terms of a hardship, he pointed out the Board had a mixed vote, but it was a judgement call. He thought it would be an unnecessary hardship to not allow it to continue given what was presented to the Board. He didn't feel they could overturn a previous decision just based on judgement; they would need to have a policy question or factual mistake in order to allow a rehearing. He didn't think the Board should be looking at a judgement call to overturn a decision. Mr. Hennessey believed other items in the letter were already addressed in the record and summarized those points.

Mr. Hennessey asked Ms. Beauregard if the Town heard back from the State regarding the septic. Ms. Beauregard replied it was a condition and would have to be settled before the applicant can get an occupancy permit. She didn't recall seeing the State approval yet. Mr. Hennessey pointed out the variance was subject to State approval of the septic and did not have to have a new septic installed; they had to have a plan on record. He didn't know what else to say regarding the request to re-hear other than the misunderstanding as to why the Board votes regarding variances. He was not in favor of a rehearing and didn't see anything in the letter other than the lot size being presented as 1.3 acres when in fact it is 1.15. Ms. Beauregard noted the application specified 1.23 but believed one of the notices contained a typo internally. Mr. Kearney recalled the Board addressed this point during their meeting. Ms. Beauregard told the Board they corrected that information at the beginning of their hearing.

Mr. Kearney agreed with Mr. Hennessey and felt the Board addressed every issue contained in Ms. Kelly's letter. The one error was the size of the lot. He said he was the lone dissenting vote and felt the Board had a spirited discussion that covered all the issues. He added everyone had the opportunity to speak and provide input and personally felt the Board 'covered the bases'.

Mr. Hopkinson also agreed. When voting he said he was trying to determine if the request was because of a financial hardship on the person or land; ultimately, he concluded there were multiple hardships occurring and voted accordingly.

Mr. Wing agreed with the comments that the Board was bending the rules and understood that was the role of the Zoning Board because not every parcel fits the rules.

Mr. Kearney stated in order for the Board to conduct a re-hearing there would need to be an obvious error or new information that was brought to the table. He asked the Board for a vote. A 'Yes' would be a vote in favor of a re-hearing; a 'No' would be to not have a re-hearing.

To Re-hear Case #ZO2020-00018**ROLL CALL VOICE VOTE:**

Mr. Kearney – No
Mr. Hennessey – No
Mr. Hopkinson – No
Mr. Westwood – No
Mr. Wing – No
There will not be a re-hearing.

Mr. Bergeron returned.

Case #ZO2020-00022

Map 4 Lot 9-144-15

AKERMANN, Kristofer & Brittani – 4 William Drive – Seeking a Special Exception concerning Article XII, Section 307-74 of the Zoning Ordinance to permit construction of an Accessory Dwelling Unit over a 3-car garage attached to a Single-Family Home.

Mr. Hopkinson read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Representing the applicant was David Givens via Zoom.

Mr. Hennessey saw on the agenda that the applicant was seeking a variance and questioned if it should be a special exception. Ms. Beauregard stated they were seeking a Special Exception not a Variance.

Cable Coordinator Jim Greenwood informed there were technical issues with Zoom. Mr. Hennessey pointed out for Special Exception if the Board has the data it will be approved; this is a different procedure than a Variance.

Ms. Beauregard stated the application had been reviewed and the Building Inspector reviewed all the plans. All criteria have been met. From what she understood they were working with a septic designer; however, she has not received an approval back from the State.

Mr. Kearney explained the Special Exception review process; if the applicant achieves the required items, the Board will have to vote in the affirmative. He understood the septic plan had not yet been received by the Town.

Mr. Kearney opened the discussion to public input.

Mr. Kearney confirmed everything was fine with the application, with the exception of the septic plan. Ms. Beauregard stated that was correct. Mr. Kearney asked Mr. Greenwood if there was a way to inform the applicant of the Board's position. Ms. Beauregard stated if the Board approves the Special Exception with the stipulation that the Town receives a State approved septic design, a decision notice will be mailed out right after the meeting.

MOTION: (Hennessey/Hopkinson) Any approval is conditioned upon the State receiving and approving a septic design.

ROLL CALL Mr. Kearney – Yes
VOTE: Mr. Hennessey – Yes
Mr. Hopkinson – Yes
Mr. Westwood – Yes
Mr. Bergeron – Yes
(5-0-0) The motion carried.

Mr. Bergeron noticed on the application that the representative's name was written. Ms. Beauregard replied typically the name of the owner was listed on the application under 'Name of applicant'. For the record, Mr. Bergeron asked that the application show Mr. Givens is the applicant's representative. He wanted to protect the criteria that an owner had to occupy one or the other units. There was no objection.

Case #ZO2020-00022

ROLL CALL VOTE: Mr. Kearney – Yes; with stipulation of septic
Mr. Hennessey – Yes

Mr. Hopkinson – Yes
Mr. Bergeron – Yes
Mr. Westwood - Yes
(5-0-0) The motion carried.

SPECIAL EXCEPTION GRANTED

Mr. Kearney noted there was a 30-day right of appeal.

Case #ZO2020-00023**Map 30 Lot 11-149**

OUELLETTE, Lance & Laurie – 13 Gaston Street – Seeking a Variance concerning Article III, Sections 307-7 & 307-8,C of the Zoning Ordinance to permit the removal of a loft and roof on an existing Single-Family Home and increasing the height to accommodate a second floor consisting of 2-bedrooms and a bathroom.

Mr. Hennessey stated he had a personal business relationship with Mr. Ouellette as well as being a church trustee at the First Congregational Church who has hired Mr. Ouellette to do plowing/landscaping. He knew under State law the only person who could decide whether or not to recuse from a case was the member; however, he noted procedures allowed someone to poll the Board for their opinion. He asked the other members of the Board if they felt he should recuse himself. There was no objection voiced by the Board or any other.

Mr. Kearney appointed Mr. Caira to vote.

Mr. Hopkinson read the list of abutters aloud. Ms. Angela Terry owner of 4 Andover Street believed she was an abutter. Ms. Beauregard noted there was an added list included with the file. She provided Ms. Terry's father with notice. Mr. Kevin Crooker owner of 2 Andover Street noted he was listed as 3 Methuen Street but didn't own that property. Ms. Beauregard stated Mr. Crooker had been listed under 3 Methuen Street; however, the administrative assistant caught the mistake and corrected the notification to Mr. Crooker's P.O. Box.

Lance and Laure Ouellette came forward in person to discuss his variance request. He explained they currently owned a home off Gaston Road that contained a loft. Last October they had a property in the neighborhood that caught fire and the insurance dealings were extensive. Since then, they had the insurance company come to their house to make sure they had correct coverage and was informed that the house had no legal bedrooms, it didn't meet conformity, the windows are undersized, egress standards were not met, etc. He explained they were hoping to retire at the location and needed to make it legal for insurance and their family. Mr. Ouellette read aloud a prepared statement/letter of intent that described the proposed renovations that would not exceed the footprint of the foundation and would only increase in height. The existing home is seated 5ft. below the abutting street level and on a declining elevation. The proposed renovation will decrease the total square footage area of the current roof (12/12 pitch) to a 10/12 or less pitch. Because of these things no Shore Line permit is required. Mr. Ouellette read aloud the responses to the variance criteria as included in the variance application.

Mr. Kearney asked for clarification regarding the current and proposed number of bedrooms. Mr. Ouellette replied since the time they've owned the home in 1998 he and his wife resided in the loft as their bedroom. In 2003 they had their first child who took over his office; in 2006 they had a second child who took over the loft area and re-conformed the home with the sunroom (overlooking the lake) becoming his (and his wife's) bedroom. They have been using the house and residing in three rooms that were not legal bedrooms. Mr. Ouellette stated the application was to construct a second floor onto the house and create two legal

bedrooms with closets and a full set of egress stairs down to the first floor. The small rooms in the basement will possibly be made into a space for his wife who now works from home. The home is approximately 1,000SF in size. Mr. Kearney wanted to know the current height of the roof. Mr. Ouellette saw a note on the plan that indicated on the front of the house (on Gaston Street) was 17.5ft. tall (from the sill to the peak). He displayed a proposed plan showing the height at 27ft. 1 3/4inches.

Mr. Bergeron understood the reasoning for decreasing the pitch from 12 to 10. He referenced page 6, which still showed a 12 pitch. Mr. Ouellette believed that drawing showed the existing home. Mr. Bergeron inquired if there were other homes in the area that had two levels. Mr. Ouellette answered yes.

PUBLIC INPUT

Ms. Donna Bibeau, 6 Andover Street brought two photographs for the Board to view. She believed (with the proposed) she would lose the value of her house and the view of the lake. From her porch she can currently see the Girl Scout camp and in the winter months she can see fire and rescue (on the lake). She watches the sunrise and the sunset and can see fireworks over the trees at the Girl Scout camp. She watches the boats, water skiers, sailboats on the lake. Even with Mr. Ouellette's house being lower (in grade from her home), Ms. Bibeau believed the proposed height would cause her to lose her view to the Girl Scout camp. She's lived there over thirty-five years and had the view her whole life.

Mr. Kearney asked Ms. Bibeau if she was located directly behind the applicant. Ms. Bibeau replied she was in between the applicant and the house next door to the applicant. She said years ago the applicant built a garage, which she was okay with; however, after it was built, she lost the (view of the) right side of the lake from the Girl Scout camp over. She said she was previously able to see planes taking off but had now lost that ability. She explained to the Board that the lake was her peace and serenity. She added that her husband was handicapped, and they had moved their bed into the living room area for a change of scenery. She said they really appreciate the view and hoped they didn't lose it. She said she couldn't comprehend the proposed height. She brought photographs showing the view from inside her house in the living room on her bed, another shows the view from her front porch and the last shows her view from her front lawn.

Mr. Jay Bibeau, 6 Andover Street told the Board when the applicant first moved into the neighborhood, they were a young family, they took away a little of the lake, but he had no problem with that. He said when the applicant was going to build a garage he was told it wouldn't be any higher than the road; however, once it was built it ended up being a whole story higher than the road which took away his view of the right side of the lake. He said then they added a bump-out to the front side of the house that took away even more of their view to the lake. Mr. Bibeau said the applicant now wanted to take away more of their view to the lake; all they will be able to see is the cove.

Ms. Angela Terry, 4 Andover Street strongly urged the Board not to approve the variance for a number of reasons: 1) while not increasing the footprint, adding another story to the existing home would block her view of the pond from her property thus decreasing her property value, 2) current the property has zero parking spots and cars are parked at 5 Andover Street (across the street), and 3) property is located on .08 acres so adding a second story would overbuild a water front property. Ms. Terry was not in favor of the variance as it would negatively affect the property values in the neighborhood and potentially cause larger problems on the waterfront shoreline protected area being overbuilt.

Mr. Kearney inquired where Ms. Terry's property was located. Ms. Terry replied her property was next to the Bibeau's home; diagonally from the applicant she can see the top of the applicant's home.

Mr. Kevin Crooker, 2 Andover Street told the Board he lived in the neighborhood since 1964 and at his current address since 1979. He said he had seen neighbors come and go and some good changes as well as

some not so good changes. In all those years he had never asked that a variance not be granted or permitted; this was the first time. Mr. Crooker explained he believed the request would negatively impact the neighborhood. Under the criteria he believed adding more living space on .08 acres (3,485SF) would add strain to Little Island Pond especially since it was a waterfront property. He said if they kept overbuilding the small waterfront lots the pond would become polluted and not add value to anyone's property and would in fact do the opposite. He believed increasing the height of the property would cause a reduction of pond views to homes/property located in back of 13 Gaston Street. He felt the house in its current state can be used for its intended purposes. He said if it needed updates it didn't mean they needed to add an additional floor; from the water it looks like it has three floors because of the walk-out basement, floor above it and a loft. He spoke to adding bedrooms and felt it would be a bad idea knowing how small it was on the waterfront. Mr. Crooker reiterated his belief that some properties would be negatively impacted due to a partial loss of pond view. He felt the property had been granted a lot of relief in the past, which he never complained about. That relief included lifting the home, putting a foundation in (2000) and converting a ground-level patio/porch area into living space (2003). He added the home already encroached onto Gaston Street. In past permitting he noticed it was stated there were two enclosed and four outdoor parking spaces; in fact, there are zero off-street parking spaces for the property, and cars for 13 Gaston Street park at 5 Andover Street. He said if properties were sold separately, 13 Gaston Street would have no parking and leave the neighborhood with cars parked in the street which would be almost impossible in the winter and cause a dangerous situation. Mr. Crooker respectfully urged the Board not to approve the Variance.

Mr. John Charest of (corner property) 5 Methuen Road and 15 Campbell believed if the Variance were granted it would be a hardship on his house because he would no longer be able to sell it as a water view property. He had a photograph (and submitted such to the Board) showing his already limited water view and believed if the applicant's home increased in height the view would be lost. He added he already lost half of his view because of the applicant's garage. He said he would have fought it but was never notified. Mr. Charest stated he lived in his home since 1996 and previously had a beautiful view of the lake but would lose all of it.

Mr. Kearney asked for a description of where Mr. Charest's property was in relation to the applicant's property. Mr. Charest replied his property was two house lots behind the applicant (who was approximately in the direction of 10 o'clock).

Mr. Dan Webster, 3 Gaston Street hoped the Board would conduct a walk-through of the property. He noted there were major issues with parking and didn't think they knew everything about the septic especially given the applicant had another building they wanted to build across the street. He was unsure about the drainage ramifications. He was against the variance.

Ms. Bibeau came forward for a second time to tell the Board she and her husband were both handicapped. She was worried about the value of her house and didn't know what the difference would be if the proposed building were allowed but was sure it would be significant. She also didn't know how it would affect her taxes and if they would also be decreased. Ms. Bibeau stated she didn't have much; all she had was her house and her view. She didn't feel the applicant's realized what she had for a view. She said her comments were coming from her heart. She understood where the applicant was coming from but didn't feel others knew the appreciation she had for the lake.

Mr. John Patterson, 7 Gaston Street and 1 Andover Street stated his garage (1 Andover Street) would be blocked if the variance was granted. He said it would be a hardship on the neighborhood to keep adding to the property as they were a special neighborhood that had dues; the applicant was currently behind, making it a hardship on the whole neighborhood. Mr. Patterson pointed out the applicant received a variance in 2000 and during that time stated the property was not within 250ft. (of shoreline); however, the property was on the water. He added the applicant had made the same statements during their variance requests of 2003 and 2008. He felt those approvals were under false pretense. He reiterated (if variance were granted)

there would be several properties that would have their view of the lake taken away. He submitted photographs for the Board to review.

Ms. Beauregard noted she would place all submitted photographs into the record unless they are requested back. Mr. Patterson noted several of the photographs being submitted would also be relative to the other variance request by the applicant (Map 30 Lot 11-153).

Ms. Emily Ianotti, 10 Andover Street told the Board her main reason for not wanting the variance granted was the view. She described the location of her home in relation to the applicant's two homes being discussed (this case and the next case). She stated they currently had a water view which would essentially disappear. She said she had added to her family and was planning to build a deck next year. She said if they were going to have a large house in front of their property it would ruin the purpose of trying to add to their property.

Mr. Kearney closed public input and brought the discussion back to the Board.

Mr. Hennessey recalled the Board had a number of cases on the other side of the pond; they have always conducted site walks, with one exception because there was no opposition. He believed they needed one for this case along with balloons to show the (structure) height.

MOTION: (Hennessey/Caira) To conduct a site walk.

ROLL CALL Mr. Kearney – Yes

VOTE: Mr. Hennessey – Yes

Mr. Hopkinson – Yes

Mr. Caira – Yes

Mr. Bergeron – Yes

(5-0-0) The motion carried.

Mr. Kearney pointed out everyone who came forward spoke about the view being the most important thing.

Mr. Ouellette encouraged the Board to walk the site. He wanted the opportunity to look at the submitted photographs and respond to the abutter's comments. He displayed an aerial map (Google Map) and pointed out the location of his home and the property in the area that he owns. He pointed to the location of the detached garage he built in 2001 by variance with no opposition; he was now hearing complaints about the height. He noted Angela Terry had just purchased a piece of property (with no house) that contained a foundation approximately sixteen years old. He showed the Board the location of the houses owned by Ms. Bibeau, Ms. Ianotti and Ms. Ronning in relation to his house. He displayed a picture of Ms. Bibeau's view from her driveway. Mr. Ouellette stated the elevation of his property was thirty-four feet lower than Ms. Bibeau's porch. He didn't dispute her view but wanted the Board to understand what view she had. With regard to parking for 13 Gaston Road, he showed the location of 5 Andover Street and went on to say there were six lots tied into his property on his deed.

Mr. Kearney confirmed the footprint of the structure would remain the same. Mr. Ouellette answered yes. He noted he was currently being taxed for two bedrooms but just found out (in the spring) he didn't have even one. He read aloud a letter received by the Town's Assessing Assistant Sue Snide dated September 11, 2020 relating to the inspection of 13 Gaston Street to verify the number of bedrooms within the home. The letter indicated neither the Town's Zoning Ordinance nor the written appraisal standards appear to define a 'bedroom' the accepted standard for assessing purposes is at least a 10ft.x10ft. area off of a common wall, hall etc. with a closet. The letter further indicated the applicant's home technically did not have any bedrooms and the property record card has been adjusted to reflect a one-bedroom in the loft area only. Historically property records for the property indicate 13 Gaston Street having only one bedroom.

The appraiser in 2013 labeled the room in the basement as a bedroom but it does not have a closet; the appraiser is no longer with the Town and Ms. Snide could not explain why it was labeled as such. Mr. Ouellette reiterated his belief the Board should conduct a site walk to view the neighborhood. He said the hardship was paying taxes on a two-bedroom house and spending money for a fairly new septic system for a two-bedroom while now to find out he did not have a legal two-bedroom. He said he wasn't asking for something the Board had not granted within the last five years; there were four homes in the neighborhood granted two stories during that time. He pointed out he owned waterfront and several other lots. He showed the distance from his house to Mr. Charet's home and the tree clusters between the properties.

Mr. Kearney asked if the septic was approved for two bedrooms. Mr. Ouellette answered yes; the proposal was for two legal bedrooms with closets.

Mr. Kearney read aloud a letter submitted abutter by Raymond Gladu of 9 Campbell Road (pertaining to the current case and the next case on the agenda). The letter indicated Mr. Gladu had no problem with replacing the structure on 17 Campbell Road that was damaged by fire with a one-story single bedroom structure; however, he questioned the frontage, the septic system and the location being 250ft. of the pond. Mr. Gladu's concern was the view for four existing homes on Andover Street being blocked by the proposed two-story structure as it would decrease the values of the homes. The letter also stated adding a second floor to 13 Gaston Street will block the pond view to existing homes on Andover Street and it was not in the best interest of the neighborhood.

Mr. Hennessey asked how old the existing structure was. Mr. Ouellette replied it was originally built in the 1950s. Mr. Hennessey commented that Ms. Snide's letter was representative of appraisers in the State but not necessarily the view of realtors in the State. He said many older homes (older than 1950s) had rooms that were bedrooms by every way they were itemized without closets; they use wardrobes and other means. He said it may be 'generally accepted' but it was not everywhere. He pointed out the Board had wrestled with height on the lake for decades; there were no Town height restrictions. The Board had used some benchmarks over the years and noted thirty feet was the most common they had done while being sensitive to a view being blocked. Mr. Hennessey said in the past the Board had discussions with his background as a realtor; however, he had very little knowledge and would not put credential for valuation of views on the lake.

Mr. Bergeron requested the applicant have a physical way of showing the proposed structure height during the site walk. Mr. Kearney stated that would be required. Mr. Ouellette voiced no objection; he will fly a balloon and do his best if there is wind.

A site walk was scheduled for October 17, 2020 beginning at 8am.

The plan was date specified to October 26, 2020.

Case #ZO2020-00024

Map 30 Lot 11-153

OUELLETTE, Lance & Laurie – 17 Campbell Road – Seeking a Variance concerning Article III, Sections 307-7, 307-8, C & D to permit the reconstruction of a 2-bedrooom Single-Family Home on a pre-existing non-conforming lot after a fire that deemed the home a loss and non-livable and to permit the addition of a second floor.

Mr. Kearney appointed Mr. Wing to vote.

Mr. Hopkinson read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Lance and Laure Ouellette came forward in person to discuss his variance request. Mr. Ouellette began by reading aloud the submitted letter of intent. The letter explained their home caught on fire in October 2019; due to the severity it was deemed unrepairable. The size will remain within the existing foundation footprint. The variance is being requested to meet codes for the home to be elevated off the ground and at the same time to add a second floor. New Hampshire Shore Line permit has been approved and received. Mr. Ouellette read aloud the responses to the variance criteria as submitted with the application. He explained the foundation of the original home was fieldstone and reviewed by an engineering company and insurance company; a certified plot plan was done. He said there were some inconsistencies with the old foundation and will be asking relief for one (fieldstone) wall which was found to be crooked. It will be moved out but will not exceed the existing setbacks. He noted the insurance company had the foundation larger than measured, therefore he had an engineering firm and the Town's assessor for verification. The assessor advised they would accept the licensed engineer's plan; however, the assessing office has since gone to the site for verification.

Mr. Kearney wanted to know the existing height of the structure that burned. Mr. Ouellette replied the front (facing Campbell Road) was 14ft. 6in., the height facing Andover Street was shallower because it went up in grade. He said the house basically sits on the ground on three sides. He displayed an aerial photograph of the area and pointed out the location of structure and his existing garage. The side of the structure closest to the garage was 16ft. 6in. Mr. Kearney wanted to know the height of the proposed house with second floor and improved foundation. Mr. Ouellette didn't have the plan with him but believed it was 28ft.

Mr. Bergeron asked if there were other two-story structures in the area within sight of the building. Mr. Ouellette answered yes. Mr. Bergeron wanted to know if they were taller than the existing structure. Mr. Ouellette didn't know the height requirements of the variances that were granted, although he believed they were in the vicinity.

Mr. Wing reviewed the submitted information and asked if the plan sheets showing the single-story building were part of the package. Mr. Ouellette explained the rendering of a single-story building was that of the old home. He mentioned the engineer and architect were reluctant to go into the home.

Mr. Hopkinson saw the room on the top floor was labeled 'bonus room'. He believed it looked like a bedroom that could have a closet it wanted to. He was concerned based on what the Board was told in the previous case that other rooms were being used as bedrooms, such as a sunroom and a basement. He wanted to know why they wouldn't use the bonus room as a bedroom. He also wanted to know the size of the septic tank. Mr. Ouellette replied the single-story house was just over 1,000SF; the proposed house will be approximately 2,040SF with a two-bedroom septic.

PUBLIC INPUT

Mr. John Patterson, 7 Gaston Street and 1 Andover Street believed the abutters had a lot of the same concerns (as voiced in the previous case) and suggested the Board walk the site at the same time as the previous case (October 17th).

Mr. Kearney agreed and believed both cases would share the same concerns. He said if that is a consensus of the room (from the abutters) the Board will add this location to their scheduled site walk on October 17, 2020. He invited the public to come forward with any additional comments.

Mr. Kearney asked the applicant to fly a balloon showing the height of the proposed structure. Mr. Ouellette confirmed the balloon would be flown from sill height. Mr. Kearney stated that was correct.

Ms. Beauregard suggested if someone wanted comments part of the record, they may want to bring it forward. Mr. Kearney stated if there were other issues with the request/proposal they should be brought forward now.

Ms. Linda Costa, 20 Campbell Road understood the applicant was making a cellar the same size as the house which would double the size of the living space. She also understood there would be another living space on it and wanted to know if the applicant would live in the house; she thought it was a rental. She wanted to know why the applicant was making such a big house. She was upset about the proposal and the fact that it would be a rental. She noted the lots in the area were small and asked the Board to take that into consideration. She was also concerned with additional water usage.

Mr. Ouellette showed the Board a plan showing the existing foundation and the area of such that 'kicked in'. He reiterated they would not be encroaching on the 6ft. setback (ref. certified plot plan). He said they are asking for relief to straighten the wall out as it was built crooked with stones.

Mr. Bergeron saw there were photographs included with the application and wanted to know what address they were associated with. Mr. Ouellette replied 17 Campbell. He noted the elevation changes shown in the photograph so the Board could see how far down the sill was.

A site walk was scheduled for October 17, 2020.

The case was date specified to October 26, 2020.

MEETING MINUTES

MOTION: (Hennessey/Hopkinson) To approve the meeting minutes of June 8, 2020 as amended.

VOTE: (5-0-0) The motion carried.

MOTION: (Hopkinson/Wing) To approve the meeting minutes of August 10, 2020 as written.

VOTE: (5-0-0) The motion carried.

SITE WALK – October 17, 2020 beginning at 8am

Case #ZO2020-00023 - Map 30 Lot 11-149 - OUELLETTE, Lance & Laurie – 13 Gaston Street

Case #ZO2020-00024 - Map 30 Lot 11-153 - OUELLETTE, Lance & Laurie – 17 Campbell Road

DATE SPECIFIED CASE(S) – October 26, 2020

Case #ZO2020-00023 - Map 30 Lot 11-149 - OUELLETTE, Lance & Laurie – 13 Gaston Street

Case #ZO2020-00024 - Map 30 Lot 11-153 - OUELLETTE, Lance & Laurie – 17 Campbell Road

ADJOURNMENT

MOTION: (Hennessey/Hopkinson) To adjourn the meeting.

VOTE: (5-0-0) The motion carried.

The meeting was adjourned at approximately 8:58pm.

Respectfully submitted,
Charity A. Landry
Recording Secretary