

Zoning Board of Adjustment
Minutes
June 14, 2017

Members Present: Wayne Flynn, Tom Dyar, Rick Eichler and Lenny Knowles (Alt)

Members Excused: Steve Roy

Members Absent: Keith Roberge (Alt)

Members of the Public: John Scarinza, Jake Ottolini, John Carlson and Benjamin Dutil

Call to Order: Meeting was called to order at 7:08 by Chairman Flynn

Appointment: Chairman Flynn appointed Lenny Knowles as a full voting member

Minutes of April 18, 2017 – On a motion from Rick Eichler with a second from Tom Dyar, all members voted to approve the minutes as presented.

Minutes of May 23, 2017 – On a motion e not a quorum of members present who were present at the April 18, 2017 meeting, the minutes were passed over and will be on the next agenda.

Chairman Flynn informed the applicants that, because there were only 4 members present, the applicants could reschedule their hearings at a later date when a full 5 member board could be present. The applicants chose to proceed with 4 members.

Case #03-2017 – Ferre/Lang Living Trust – Special Exception

Jake Ottolini and John Carlson of GoSolarNH presented the case to the board. The property owners would like to install a ground mounted, All-Earth Tracker Solar Array on the property. This is a 24 panel system on a dual axis which follows the sun throughout the day at 8 minute intervals. The system has an anemometer in it which will automatically lower the array to a flat position and lock it in place when it senses wind speeds in excess of 35 mph. The system when flat can withstand wind speeds of up to 130 mph. The panels will not stand back up until there is wind speed below 35 mph for a period of at least 3 hours. The system will be over 100' from the property line. The panels are also made with anti-glare technology and the frame is black to reduce the potential for glare. The panels are approximately 9' from the ground when lying flat and are 16' – 20' at their highest point when extended. The tracker system produces the same wattage as a 45 panel, fixed or roof mounted array. As there was no one present to speak in opposition or in favor of the application, Chairman Flynn closed the public hearing at 7:14 and the board completed the finding of facts and worksheets. Rick Eichler made a motion to grant the application which received a second from Lenny Knowles. Chairman Flynn called for a roll

call vote: Tom Dyar – Yes Rick Eichler – Yes Lenny Knowles – Yes Wayne
Flynn – Yes

Case #04-2017 – Brennon/Lepage – Special Exception

Mr. Ottolini and Mr. Carlson also presented this case to the board. This system is the same as the Ferre/Lang system except it is only 20 panels instead of 24 and the layout is a little different due to the site. As there was no one to speak in opposition or in favor of the application, Chairman Flynn closed the public hearing at 7:27 and the board completed the finding of facts and the worksheets. On a motion from Lenny Knowles to grant the application with a second from Tom Dyar, Chairman Flynn called for a roll call vote Tom Dyar – Yes Rick Eichler – yes Lenny Knowles – Yes Wayne Flynn – Yes

Case #05-2017 – Valor Properties, LLC – Variance

Benjamin Dutil representing Valor Properties presented his case to the board. His company owns the property at 20 Androscoggin Street and has been working to bring the property up to code. A secondary egress from the third floor apartment has been mandated by his insurance company to meet life safety codes. He met with both Fire Chief Watkins and Code Enforcement Officer Scarinza to discuss potential remedies. Currently there is an aluminum ladder attached to the outside of the house which acts as the secondary egress. This ladder already lands within the property setbacks. The new egress will have a code compliant window to access it but no door so there will not be any foot traffic. The main egress is at the front of the building so the secondary egress should be located on the other side of the building which will place it within the property setbacks. Mr. Dutil has spoken to the most affected neighbor who doesn't have an issue with the location as it will land on the property line next to their driveway. Per Code Enforcement Officer Scarinza, this would make a dangerous situation better. As there was no one present to speak in favor or in opposition to the application, Chairman Flynn closed the public hearing at 7:36 and the board completed the Finding of Facts and the worksheets. On a motion from Tom Dyar with a second from Rick Eichler to grant the application, Chairman Flynn called for a roll call vote. Tom Dyar – Yes Rick Eichler – Yes Lenny Knowles – Yes Wayne Flynn – Yes.

New Business - Chairman Flynn briefed the board on proposed legislature to change voting practices on variances. Currently a vote is taken on the whole of the criteria and if a board member feels one criteria does not meet requirements for granting the variance then they must vote to deny the variance. The proposed legislature would allow each criteria to be voted on individual. This is something the board will watch.

Old Business – Chairman Flynn sent a message out on Planlink regarding offering to reschedule a hearing until a full five member board could be gathered and though this is no longer a statutory requirement, every one of the towns that responded said their bylaws require them to make that offer to an applicant which is the same as the boards bylaws. The board agreed to watch this to see if a change should be made in the future.

Public Comment – None

Adjourn – On a motion from Rick Eichler with a second from Tom Dyar, the board adjourned at 7:45 pm

Respectfully submitted



Michelle M. Lutz

June 15, 2017

Approved July 27, 2017