

1 ZONING BOARD OF ADJUSTMENT  
2 268B MAMMOTH ROAD  
3 LONDONDERRY, NH 03053  
4

5 DATE: APRIL 15, 2009

6  
7 CASE NO.: 4/15/2009-1  
8

9 APPLICANT: BRIAN AND KATHLEEN DINGMAN  
10 18 CHARLESTON AVENUE  
11 LONDONDERRY, NH 03053  
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13 LOCATION: 18 CHARLESTON AVENUE, 7-103-9, AR-I  
14

15 BOARD MEMBERS PRESENT: VICKI KEENAN, CHAIR  
16 BARBARA DILORENZO, VOTING MEMBER  
17 JIM SMITH, VOTING ALTERNATE  
18 MATTHEW NEUMAN, VOTING ALTERNATE  
19 NEIL DUNN, ACTING CLERK  
20

21 ALSO PRESENT: RICHARD CANUEL, SENIOR BUILDING  
22 INSPECTOR/ZONING OFFICER  
23

24 REQUEST: SPECIAL EXCEPTION TO ALLOW A HOME OCCUPATION IN  
25 ACCORDANCE WITH THE PROVISIONS OF SECTION 3.12  
26

27 PRESENTATION: Case No. 4/15/2009-1 was read into the record with no previous cases  
28 listed.  
29

30 VICKI KEENAN: Just state your name for the record.  
31

32 BRIAN DINGMAN: Sure. My name is Brian Dingman. I reside at 18 Charleston Avenue in  
33 Londonderry. I did bring just a folder [see exhibits "A" through "C"], if I may, and that has in it  
34 a screen shot of my website where I sell wood pellet making equipment, which there is a picture  
35 of one there and behind that is a picture of what's called a hammer mill which produces  
36 sawdust to put into the pellet mill which makes wood pellets for pellet stoves. The name of the  
37 business is "Make Your Own Pellets, LLC." I am licensed in the State of New Hampshire and  
38 the website "makeyourownpellets.com". I also work, by the way, I have for twenty four and a  
39 half (24.5) years, for the United States Postal Service and I continue to do that, hopefully, until I  
40 get my retirement in another six (6) years or so. So this is a sideline business for me. I'm not  
41 asking for any signs out front and parking. It's not a retail kind of operation where I have  
42 customers coming to my door to purchase things on a daily basis or anything like that. I do  
43 actually use the equipment at my own home to make my own wood fuel for my pellets, so I do  
44 have a small machine there that I use for that purpose. Other than that, my machines come

45 crated and I order a very small amount but they're usually sold off long before the order arrives  
46 and it takes me about two (2) months before an order comes in. So, whatever I have is  
47 immediately shipped out, knock on wood, to customers in North America, Canada and the U.S.  
48

49 VICKI KEENAN: Okay. Does anyone have questions/  
50

51 NEIL DUNN: On the diagrams that you provided us, you state that the total living space is  
52 eighteen hundred (1,800) square feet...  
53

54 BRIAN DINGMAN: Yes.  
55

56 NEIL DUNN: ...and the space to be used is a hundred (100) square feet, but then on the  
57 drawing, you show the basement...is that a finished room where you're calling the "office"?  
58

59 BRIAN DINGMAN: It's not a finished room. It was at one time a finished room but we've put  
60 in...I've taken the walls down and the ceilings down to put in central air conditioning and so  
61 it's all disarrayed, so what's left of the finished room is basically a carpeted floor and two (2)  
62 walls that have wallboard and that's it. But it's an unfinished basement where I have the  
63 computer.  
64

65 NEIL DUNN: So, as far as calculations, do we calculate that as part of the...? That's what I was  
66 looking at. My thought was, it says there's no wall on one portion of that and therefore, it was  
67 going into the unfinished basement and you don't calculate unfinished area, I guess I was trying  
68 just to get a read on that.  
69

70 RICHARD CANUEL: Yeah, you know, being unfinished area, that's not considered part of the  
71 normal living space. So we wouldn't consider that as being part of the base square footage, so,  
72 basically, you're only looking at about twelve hundred (1,200) square feet of living space for the  
73 home, not counting that basement, so...  
74

75 BRIAN DINGMAN: Actually, no, without...there's about seventeen hundred (1,700) without  
76 the basement.  
77

78 NEIL DUNN: So then we're looking at zero (0) percent.  
79

80 RICHARD CANUEL: Excuse me?  
81

82 NEIL DUNN: We're looking at zero (0) percent of the premises being used for, because it's not  
83 finished, when we look at the magic twenty five (25) percent number?  
84

85 BRIAN DINGMAN: It's really...all that takes up my computer desk and a couple of file  
86 drawers. That's really all I use.  
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88 VICKI KEENAN: Will there be anything stored outside?

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BRIAN DINGMAN: No, I have a garage. I have a twenty four (24) by twenty four (24) garage, which, as I say, I really don't hold anything for...if I do, it's for a week so I can turn it around and ship it back out. But again, I order in the five (5) to six (6) piece range every two (2) months, kind of thing, so it's not like a hundred (100) pieces coming in. And so far, everything's been selling. Prior to it coming, it's been deposits on the equipment and then payment comes and then I ship the equipment. And I also have four (4) people that do demonstrations for me. I have one (1) in New York, I have a gentleman in Maine, I have a gentleman in Michigan and a gentleman in Iowa and I actually ship them pieces as well that they retain for demonstration purposes and for sale for customers from their regions, so...The business is growing, I will say that. Again, that's a good thing. But do I...I don't...no, my home is my home. It's my residence, you know, I respect my neighbors certainly and if it ever gets to a point where it's a full fledged business and it affords me the ability to retire from the postal service, I'll certainly move into an industrial zone over by the airport where I'm close to terminals and carriers to transport the equipment, but, it's not needed at this point.

BARBARA DILORENZO: Is it Federal Express that delivers and picks up at your home or...?

BRIAN DINGMAN: No, actually, my equipment comes in through the New York customs terminal. It's imported. I import from China and I have a trucking company out of Boston that brings the equipment to me.

BARBARA DILORENZO: Okay, and approximately how many times a week or a month or whatever?

BRIAN DINGMAN: Once every two (2) months to three (3) months.

BARBARA DILORENZO: That you would have a delivery at your home?

BRIAN DINGMAN: Yes.

BARBARA DILORENZO: And then...

BRIAN DINGMAN: And that's about five (5) or six (6) pieces.

BARBARA DILORENZO: Okay, and then you would then, in turn, then that truck would come back, or some truck, and they would ship it to somewhere else?

BRIAN DINGMAN: No, I actually take it myself or, piece by piece, of the five (5) or six (6) pieces, to the...there's a roadway terminal that transports most of my stuff over in Bedford, or the UPS terminal sometimes gives good shipping quotes so I'll go through them to transport to wherever it may be going.

BARBARA DILORENZO: Okay. So, in other words, the product comes in...

133  
134 BRIAN DINGMAN: Mm-hmm.  
135  
136 BARBARA DILORENZO: ...but then you personally dispose of it.  
137  
138 BRIAN DINGMAN: Right.  
139  
140 BARBARA DILORENZO: Okay.  
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142 BRIAN DINGMAN: Yup. It's already crated. It's in wood crates, so all I have to do is basically  
143 load it onto my truck and take it to where it's going. And in the meantime, it's stored in the  
144 enclosed garage, so, it's not making an eyesore anywhere.  
145  
146 VICKI KEENAN: Go ahead.  
147  
148 MATT NEUMAN: How big are these crates?  
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150 BRIAN DINGMAN: The biggest machine is about half the size of that desk. This table area  
151 here.  
152  
153 MATT NEUMAN: Mm-hmm. And, you know, next month is a busy month and you get an  
154 order for twenty (20)...?  
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156 BRIAN DINGMAN: I don't do it that way. I actually...I have to prejudge two (2) months out,  
157 two and a half (2.5) months out, what might be happening and that's hard to do with a brand  
158 new business. You don't have year over year experience, seasonally wise. People right now  
159 aren't thinking winter and heat, they're thinking warmth and...  
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161 MATT NEUMAN: Mm-hmm.  
162  
163 BRIAN DINGMAN: But actually now is the best time to make pellets because the sawdust is  
164 warmer and it's easier to mold. So I don't have that kind of foreknowledge of what I might  
165 need. But the benefit of a growing business is, you know, it's good to be in that position where  
166 you don't have enough equipment to satisfy your order. And generally, people do not preorder  
167 or prepay so I'll just say, 'okay, I'll need six (6) pieces,' I'll order six (6) pieces. If those are gone  
168 and somebody, the seventh person, comes in, they'll just have to wait for the next order to come  
169 in.  
170  
171 MATT NEUMAN: Do you demonstrate it at your house?  
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173 BRIAN DINGMAN: I have done that, yes.  
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175 MATT NEUMAN: So you have people coming in?  
176

177 BRIAN DINGMAN: It's not like they're coming in every day. I've had people come in,  
178 probably twice in the last two (2) months. Because a lot of my calls actually are not from the  
179 local area. One of those people that came down, came down from, actually, Quebec for the  
180 demonstration. 'Cause the machinery is quite expensive. It can range from three to six  
181 thousand (3,000-6,000) dollars per piece, so it's not an every day saleable item but certainly if  
182 somebody wants to see it and I don't have somebody in their local area and they wanna come  
183 see me, then they can come see me but I have since added on a person in upper New York,  
184 Heuvelton, I believe it's pronounced, which is about an hour away from Ottawa, which,  
185 actually now is easier for those folks to go see, than to come down to me.

186  
187 MATT NEUMAN: And under hours of operation, "nine (9) to seven (7)," were you talking with  
188 you being in the office or...?

189  
190 BRIAN DINGMAN: As I say, I work for the postal service too, so that's a nine (9) to five (5) job,  
191 so I've done demonstrations, basically, on the weekends or, you know, four (4) o'clock in the  
192 afternoon kind of thing on a Saturday afternoon or sometimes ten (10) o'clock in the morning. It  
193 all depends on the availability of the person. But it's very far and few between. Most of my  
194 sales do come from well outside two hundred (200) miles range. Midwest mostly, Michigan,  
195 Iowa, Ohio.

196  
197 VICKI KEENAN: Does the equipment come manufactured? There's no manufacturing on site?

198  
199 BRIAN DINGMAN: Correct. It's all assembled and crated and I try to leave it that way.

200  
201 VICKI KEENAN: Mm-hmm.

202  
203 BRIAN DINGMAN: The only time I would take a crate apart is sometimes I'll order spare  
204 parts within a crate and they'll ship them within a crate and I have to open that up and take out  
205 the spare parts and then reseal it up but, yeah, there's no assembly at the site at all.

206  
207 VICKI KEENAN: Does thee equipment make a lot of noise when you demonstrate it or...?

208  
209 BRIAN DINGMAN: They're diesel motors, there's electrics and there's diesels and I sell them  
210 without motors entirely as well. But no more than a lawnmower. Yup. They're eight (8)  
211 horsepower, fifteen (15) horsepower and twenty two (22) horsepower and I've only had the  
212 eight (8) horsepower running, actually, at the site, so...That's the model I use, is a small eight (8)  
213 horse machine.

214  
215 VICKI KEENAN: Okay.

216  
217 JIM SMITH: Now, on the days of operation, you've got Saturday and Sunday. You wouldn't...

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219 BRIAN DINGMAN: I actually don't even really list the days of operation because my phone is  
220 always ringing, hopefully, with potential buyers, and the only times, of course, I don't answer it

221 is after five (5) o'clock at night, generally, I'm with my family, so hours of operation, you could  
222 technically put down as nine (9) to five (5) but it's pretty loose, as a new business is. You try to  
223 answer the phone when somebody wants to talk to you about spending money.

224

225 JIM SMITH: Would you give demonstrations on days other than Saturday and Sunday, if  
226 somebody requested it?

227

228 BRIAN DINGMAN: I do have Mondays off, yeah, so...

229

230 JIM SMITH: Well, maybe you ought to change the days of operation that...

231

232 BRIAN DINGMAN: I'm listing them as...?

233

234 JIM SMITH: Saturday dash Sun..."Sunday dash Saturday..."

235

236 MATT NEUMAN: Or is that "Sunday through Saturday"?

237

238 BRIAN DINGMAN: Yeah, I try to...I think either I wasn't clear on what my options were or...it  
239 generally could be seven (7) days a week but it's...

240

241 JIM SMITH: Okay, so that's what you were...

242

243 BRIAN DINGMAN: Yeah.

244

245 JIM SMITH: Okay, just so we're clear on that.

246

247 BRIAN DINGMAN: Yeah. Sure.

248

249 MATT NEUMAN: Yeah, I think the big concern with that is that you don't have people coming  
250 and going...

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252 BRIAN DINGMAN: Absolutely.

253

254 MATT NEUMAN: I mean, if you're answering the phone at seven (7) o'clock on a Saturday  
255 night, I mean, no one really cares, to be honest with you. It's just a matter of, do you have  
256 people, do you have shipments coming in at seven (7) o'clock on a Saturday night.

257

258 BRIAN DINGMAN: Yeah. They're during the day and usually I make arrangements on my  
259 lunch hour. I happen to know the trucking company out of Boston and they call me and I say, 'I  
260 need you to come between eleven (11) and twelve (12),' and they do a pretty good job of doing  
261 that and I've been able to get my lunch hour during those periods to take care of that. It's all of  
262 a fifteen (15) or twenty (20) minute offloading kind of thing and really, that's it. Yup?

263

264 BARBARA DILORENZO: How much does this weigh?

265  
266 BRIAN DINGMAN: Well, they can vary. They're cast iron and steel, so the smaller ones weigh  
267 about three hundred (300) and they can go on up to seven hundred (700) pounds.  
268  
269 BARBARA DILORENZO: So, do you need another piece of equipment to offload that or...?  
270  
271 BRIAN DINGMAN: I have a pallet jack. Yup, I have a pallet jack and I have forklift as well.  
272  
273 MATT NEUMAN: You have a forklift at your house?  
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275 BRIAN DINGMAN: Yes.  
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277 MATT NEUMAN: Do you have to have a special license for that? A forklift?  
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279 BRIAN DINGMAN: No.  
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281 BARBARA DILORENZO: I don't think so. No.  
282  
283 BRIAN DINGMAN: I've been running them for years anyway but...  
284  
285 MATT NEUMAN: At the post office?  
286  
287 BRIAN DINGMAN: Yeah, when I was at the plants. Yeah. I know work at the Windham Post  
288 Office. I'm a supervisor over there but I started off in Boston back in the '90's...or '80's,  
289 actually, and I paid a lot of dues there, so...[inaudible] too soon, so...  
290  
291 BARBARA DILORENZO: Mm-hmm.  
292  
293 NEIL DUNN: Where do you keep the forklift?  
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295 BRIAN DINGMAN: The forklift, right now, is in an instant garage. The tents or...are you  
296 familiar with it?  
297  
298 BARBARA DILORENZO: The portables? Yeah.  
299  
300 BRIAN DINGMAN: Which, actually, I had originally bought to be, in fairness to me, I had  
301 originally bought that for...I have two (2) cars, a motorcycle and my truck as well as my snow  
302 blower and two (2) generators and I can only fit the two (2) cars in the garage, so I did originally  
303 buy that for that. But, so, I am storing that forklift in there, out of the weather.  
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305 NEIL DUNN: Are you storing any other of the business, are the skids of the product in the  
306 instant garage?  
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308 BRIAN DINGMAN: Any of the...say again?

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NEIL DUNN: Any of the product that you're selling, is that stored in the instant garage?

BRIAN DINGMAN: I have one (1) hammer mill in there. That's all I have right now, is one (1) hammer mill. And in the regular garage, I have, as I say, some of the equipment, people don't want the motor with it, so I will take the motor off the unit and I store the motor in my regular...my standard garage.

MATT NEUMAN: What do you do with the motor?

BRIAN DINGMAN: I'll order a piece without a motor and so when that comes in, if I need, I'll match it up.

MATT NEUMAN: So you don't have a bunch of motors hanging around or anything.

BRIAN DINGMAN: I have two (2). I have two (2). Again, I'm not ordering twenty (20) pieces at a time, so it's not as though it's becoming a motor shop. I'm not a motor head but I'm not...

NEIL DUNN: Richard, if you could help me with this instant garage and interpreting its application in a home occupied business?

RICHARD CANUEL: Well, under our ordinance, you know, a garage is allowed to be used as part of a home occupation.

NEIL DUNN: Right.

RICHARD CANUEL: Attached or detached garage. I wouldn't consider this temporary or portable garage, whatever you wanna call it, as a typical detached garage and I don't think that's the intent of the ordinance, is to include that sort of structure as part of what is considered an accessory garage. I mean, I guess, my take on it would be if the garage is to be used as part of the business, a garage should be a typical, stick built, accessory type garage. Otherwise, it should be the garage already part of the structure as part of that business.

NEIL DUNN: Because we really don't recog...temporary, one of these instant or whatever they are, aren't really a structure or a foundation, so, trying to interpret 3.12.1, then that probably wouldn't qualify, putting anything in there.

RICHARD CANUEL: That's right.

NEIL DUNN: Thank you.

VICKI KEENAN: Did you purchase the forklift solely for the business use?

BRIAN DINGMAN: Yes.



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VICKI KEENAN: Anymore questions? Okay, we'll open it up to the public for comment. Is there anyone in the audience here to speak in favor of the application? Anyone here that has questions or who is opposed to the application? No? Okay, great. Then we will close the public comment portion and the Board will take it under advisement and we'll deliberate.

BRIAN DINGMAN: Very good, thank you. Did you need this, too? Or are you all set?

VICKI KEENAN: I think...do we wanna keep that for the record, Jaye?

JAYE TROTTIER: We could make it part of the record.

BRIAN DINGMAN: Yup, you can do that.

VICKI KEENAN: Yeah, great. Thank you.

DELIBERATIONS:

VICKI KEENAN: Does anyone wanna start out with comments?

NEIL DUNN: I guess mine, I'll start I guess, my initial concern is that product is...I drove by there and I saw the instant garage and it, to me, if something's in there then that doesn't look like it complies with the ordinance. I mean, we've all seen them. They look like a little half circle with the...so my thought is, if we were to allow it, that all the material, the forklift and the product would need to be in the legal garage, if you will. Or the real garage.

BARBARA DILORENZO: You're saying you don't like the idea of the forklift being in the portable garage?

NEIL DUNN: No, all I'm saying is when you look at 3.12, it says it has to be within the home or the garage and this instant garage doesn't really qualify as a garage. It's more of a tent than anything, if you...So I would...I guess my thought would be, you know, it looks like it's...well, I mean, he didn't get into the exterior renovations on that...His percentage, he meets, he doesn't want a sign, he meets that, the family employees, he's not really gonna have parking, no exterior renovation or construction, so it gets back to everything being contained within the home or the garage and I don't see the instant garage as qualifying, so I would want the stuff out of there in order to stay in the step with the spirit of the ordinance. I mean, it's so the stuff is protected, people can't get at it, you know, it's...So that's all my concern is, you know, the next thing you know, if we allow it to go in the instant garage and something happens to it and then it's sitting outdoors or it's no longer contained as required by the ordinance. That's my thought. I don't know what anybody else thinks of it.

BARBARA DILORENZO: Of course, we could always attach...

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397 VICKI KEENAN: A condition.

398

399 BARBARA DILORENZO: ...a condition...if necessary.

400

401 VICKI KEENAN: Mm-hmm. I'm not sure what...I mean, I agree with what you're saying  
402 when you read that but I'm not sure what harm it does by having it in the portable garage  
403 versus the garage. I don't know, does anybody have...?

404

405 NEIL DUNN: My thought would be is if it didn't hold up to the winter, it's not a permanent  
406 thing.

407

408 VICKI KEENAN: Right.

409

410 NEIL DUNN: If it doesn't hold up to the winter and weather and the next thing you know, he  
411 has crates and forklifts sitting out there, it kind of is detrimental to the residential  
412 neighborhood.

413

414 VICKI KEENAN: I agree. But then he would have to move it to the structure, the home  
415 structure, right?

416

417 MATT NEUMAN: Well, I mean, not unless we put a condition on it...

418

419 VICKI KEENAN: Right.

420

421 MATT NEUMAN: But, I mean, again, he could certainly have a forklift if he wanted and he  
422 could keep it in there without...you know, if he didn't have a business. If he wasn't running a  
423 business out of the house, he could just have a forklift.

424

425 BARBARA DILORENZO: And it doesn't have to be in a garage or whatever, it could just be  
426 there.

427

428 MATT NEUMAN: Would he have a forklift without a business? Probably not. I thought about  
429 it. What am I gonna do with a forklift?

430

431 JIM SMITH: Yeah.

432

433 NEIL DUNN: Just 'cause it's on sale?

434

435 VICKI KEENAN: I think you're right. We definitely have to make sure we have a condition on  
436 it that all the equipment, including the forklift, is stored.

437

438 JIM SMITH: Yeah. As long as we have no outside storage, I think that's the key to it.

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440 VICKI KEENAN: Yeah.  
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442 MATT NEUMAN: I mean, I don't think it's unreasonable with the deliveries, if it's truly once  
443 every couple months, one (1) delivery and then the outgoing deliveries are no different than  
444 him leaving his house, so...  
445  
446 VICKI KEENAN: We may want to set some parameters around hours, though, to your point  
447 earlier.  
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449 MATT NEUMAN: Yeah, as far as the delivery times?  
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451 VICKI KEENAN: Exactly.  
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453 MATT NEUMAN: Yeah.  
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455 VICKI KEENAN: Otherwise, I have no other issues with this application. Does anyone else?  
456  
457 NEIL DUNN: I'm sorry, what?  
458  
459 VICKI KEENAN: I have no other issues with this application. Does anyone else have any other  
460 comment?  
461  
462 JIM SMITH: No.  
463  
464 VICKI KEENAN: Okay. Would anyone like to make a motion?  
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466 MATT NEUMAN: My first one, I don't know if I can do it.  
467  
468 VICKI KEENAN: You can do it.  
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470 MATT NEUMAN: I'll make a motion to approve with the condition that all equipment is  
471 stored...I don't know how we're gonna say...undercover or...?  
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473 VICKI KEENAN: Just say either 'within the attached garage to the dwelling or the portable  
474 garage'?  
475  
476 JIM SMITH: Yeah, 'stored within the existing, permanent garage or within the building.'  
477 Something to that effect.  
478  
479 MATT NEUMAN: And then hours are...'delivery hours are kept between nine (9) to five (5)'  
480

481 VICKI KEENAN: So we have a motion to grant the special exception with two (2) conditions:  
482 that all equipment, including the forklift, be stored within the attached garage or the portable  
483 garage and that the...  
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485 JIM SMITH: No, not the portable.  
486  
487 MATT NEUMAN: Well, yeah, I think as long as...because I think that's what we talked about  
488 as far as the...  
489  
490 JIM SMITH: Well, a portable is...  
491  
492 MATT NEUMAN: Again, if you just have a forklift, who's to say you can't just keep it in a  
493 portable garage?  
494  
495 VICKI KEENAN: Why don't we...wanna finish the motion and then we'll have some  
496 discussion about it? So, either within the attached garage to the dwelling or the portable garage  
497 and also that hours are restricted from nine (9) am to five (5) pm. So is there any discussion  
498 about the motion?  
499  
500 JIM SMITH: Well, the only objection I have about the portable garage, some of them are not  
501 very well designed and given the winter conditions we have, some of them have collapsed, so  
502 it's not the secure storage that you would expect that you would have in a regular garage.  
503  
504 VICKI KEENAN: So if it collapses, then he has to move everything to the permanent garage.  
505 Everything couldn't be one or the other, it has to be stored, period, in either one, so if one goes  
506 away, then the other one has to be the storage area, right?  
507  
508 MATT NEUMAN: Yeah, I think as long as we add the stipulation that it has to be stored.  
509  
510 VICKI KEENAN: Mm-hmm.  
511  
512 JIM SMITH: Yeah.  
513  
514 NEIL DUNN: My concern there is, though, that if people start putting up these temporary  
515 garages and then wanna have a home occupation and storing stuff in it, that we're really  
516 straying away from maintaining the residential look in the neighborhood. If you wanna have a  
517 home business, you keep it in your physically attached or detached real garage, as the code  
518 would call the garage, and that's it. You know, that's my thought, you know, as we're  
519 discussing the motion. But if you wanna go ahead on the motion, then...  
520  
521 MATT NEUMAN: And I completely understand what you're saying, it's just a matter of...I  
522 mean, there is no ordinance saying you can't have a portable garage.  
523  
524 NEIL DUNN: No.

525  
526 MATT NEUMAN: So...  
527  
528 VICKI KEENAN: Except somebody could...  
529  
530 MATT NEUMAN: ...whether it's incidental to the business or not.  
531  
532 NEIL DUNN: Right, but once you come in and want a home business, we'd say, 'well, you  
533 have to keep the home business stuff in the real garage.' You know, if you wanna put your  
534 lawnmowers out in your portable one and your car or whatever, fine. If you wanna run a home  
535 business, a home occupation, the intent is let's not start making all these homes with little side  
536 things...I mean, that's my thought.  
537  
538 MATT NEUMAN: Yup, it's a valid point. Absolutely.  
539  
540 VICKI KEENAN: Do you want to amend your motion? Is there any further discussion on the  
541 motion?  
542  
543 JIM SMITH: Do we have the actual wording of the motion as it stands?  
544  
545 VICKI KEENAN: Sure. Matt has made a motion to approve the special exception with two (2)  
546 conditions: the first being that all of the equipment related to the business, including the  
547 forklift, be stored either in the attached garage or the portable garage and that the hours be  
548 restricted to nine (9) am to five (5) pm.  
549  
550 JIM SMITH: Well, didn't you say 'delivery'?  
551  
552 MATT NEUMAN: Yeah, I think...  
553  
554 VICKI KEENAN: That deliveries be restricted from nine (9) am to five (5) pm.  
555  
556 JIM SMITH: Okay.  
557  
558 VICKI KEENAN: Is there a second for the motion?  
559  
560 BARBARA DILORENZO: I'll second it.  
561  
562 VICKI KEENAN: Okay, so there's a second for the motion. Any further discussion? Okay, I'll  
563 bring it to a vote. All those in favor of approving the special exception with the two (2)  
564 conditions, signify by saying 'aye.'  
565  
566 JIM SMITH: Aye.  
567  
568 BARBARA DILORENZO: Aye.

569

570 VICKI KEENAN: Aye.

571

572 MATT NEUMAN: Aye.

573

574 VICKI KEENAN: Those opposed?

575

576 NEIL DUNN: Aye.

577

578 VICKI KEENAN: Okay. Abstentions? None.

579

580 RESULT: THE MOTION TO GRANT THE SPECIAL EXCEPTION WITH CONDITIONS  
581 WAS APPROVED, 4-1-0.

582

583 RESPECTFULLY SUBMITTED,

584

585

586

587 NEIL DUNN, ACTING CLERK

588 TYPED AND TRANSCRIBED BY JAYE A TROTTIER, SECRETARY

589

590 **APPROVED MAY 20, 2009** WITH A MOTION MADE BY NEIL DUNN, SECONDED BY  
591 MATT NEUMAN AND APPROVED 4-0-1 (LARRY O'SULLIVAN ABSTAINED AS HE HAD  
592 NOT ATTENDED THE MEETING).