

The regular meeting of the Zoning Board of Adjustments came to order at 7:30 PM with Mike Iafolla, Chairman, Mark Johnson, Russell McCann, Bob Field and Dick Wollmar in attendance.

The first order of business is the approval or correction of past minutes. Mr. Field starts to address the Board when Mr. Iafolla suggested that the minutes should wait until the end of the session. The Board accepted that.

Case 2002:03 -- 67 Winnicut Road, Louis Datilio, Settlement agreement vote to accept or reject the terms and conditions set forth by and between Mr. Datilio and Mr. Tutinas.

Michele Peckham for Mr. Datilio is now counsel of record. She came into the case after the negotiations had been completed. She has some issues with the Settlement Agreement the Board has requested.

The next question is does the Board have the have jurisdiction to sign the Settlement Agreement? The Superior Court remanded the case back to the ZBA for resolution by Judge Kenneth McHugh. The discussion then turned to if the Board of Selectmen should be involved in the authorizing of the Settlement Agreement. The ZBA could send the Settlement Agreement to the Board of Selectmen with a recommendation to sign the Settlement Agreement for the Town.

Mr. Field made a motion to have the Selectmen decide if the Settlement Agreement will be signed and the Special Exception expanded.

Mr. Iafolla stated that the Settlement Agreement is intended to expand the Special Exception. If all the abutters agree there should be no problems endorsing the Settlement Agreement to the Board of Selectmen. If we approve the Settlement Agreement all the abutters will have to abide by the decision.

A public hearing is needed to expand the Special Exception now in existence. The hearing will be noticed to all abutters.

Mr. Field amended his motion to include:

1. Act pursuant to the Court order and deem appropriate to send to the Board of Selectmen
2. Notice for hearing on February 6, 2002 to hear only the request for expansion of the Special Exception.

Mr. Jepperson seconded the motion. Vote: Unanimous.

Mr. Field made a motion for notice of decision to be given to the Board of Selectmen by the ZBA secretary with the Boards support. Mr. Wollmar seconded the motion. Vote: Unanimous.

Case 2002:4 -- 203 Lafayette Rd., Joe Roy, Application for Variance, Article V Section 501.2, for expansion of a self-storage facility.

Mr. John Chagnon representing Mr. Roy, 203 Lafayette Rd. Two buildings are already in existence. Mr. Roy would like to put in a third building that will face the other buildings. The Board already granted Special Exception what was needed was a variance. The drainage, septic and landscaping plans are before the Planning Board currently. This project was not expanded originally because of a water main problem. The water main and septic will be moved to accommodate the new building.

Mr. Field wanted to know how much footage would be between the new storage unit and the existing homes? Paul Charron and Joe Roy discussed the matter and there will be twenty feet between the structures. Mr. Field asked if the abutters in the homes were notified. Mr. Chagnon stated no that the renters don't need to be noticed. Mr. Jepperson, who had tenants, explains that he would only receive the notice not any of the renters on his property.

Mr. Field made a motion to approve the request for variance. Mr. Johnson seconded the motion. Vote: Unanimous.

Zoning Board Adjustments Minutes
01/16/02

Minutes Approval. Mr. Field had several corrections on September 19, 2001 regarding cases 2001:34, 36, 38. The corrections were given to the secretary for addition into the minutes.

Updated set of Procedures. Mr. Jepperson stated that we don't want 40 pages of procedures. Mr. Iafolla agrees that we need to make them as simple as possible. Mr. Field thinks we need to have a stiffer standard format.

Mr. Field would like his name corrected on the October 3rd meeting.

Mr. Iafolla spoke on the October 24, 2001 meeting. Case 2001:41 was tabled. Mr. Iafolla made a correction that Mr. Larry Miller didn't speak against the case. Please remove that line. Discussion ensued regarding the word "apparent" used in a letter regarding the case.

Mr. Field made a motion to amend Case 2001:41 to say "Building Inspector found, at this time, no violations of the OC." Mr. Wollmar seconded the motion. Vote: 2-3.

Mr. Field made a motion to adjourn. Vote: Unanimous

Respectfully Submitted,

Krista Tischendorf