

STURBRIDGE ZONING BOARD OF APPEALS

MINUTES OF

Wednesday, May 25, 2005

Present: Mary Blanchard
Theophile Beaudry
Marge Cooney
Robert Cornoni
Pat Jeffries
Ginger Peabody, Chairman
Bruce Sutter

Also in Attendance Lawrence Adams, Town Planner
Nancy Campbell, Clerk

G. Peabody opened the meeting at 7:00 PM and read the agenda. The Board introduced themselves. The minutes of May 11, 2005 were reviewed.

Motion: to approve the minutes of May 11, 2005, as presented, by M. Blanchard
2nd: M. Cooney
Discussion: None
Vote: All in favor

G. Peabody noted that all departments had received the revised Spaho Corporation plans on April 25, 2005 and were asked for comments. To date, all had responded except the Water and Sewer Commissioners. She added that the Board granted a withdrawal without prejudice for the Spaho Corporation variance petition # 04-27-05-1V at its May 11th meeting.

Mary Blanchard recused herself as an abutter at 7:05 PM

PUBLIC HEARING CONTINUATION – 02-09-05-1SP – THE SPAHO CORPORATION – TO PERMIT THE CONSTRUCTION OF TWENTY-ONE AGE RESTRICTED CONDOMINIUM UNITS LOCATED AT 30 FARQUHAR ROAD

G. Peabody continued the public hearing at 7:05 PM and recognized Attorney Robert George who stated the plans had gone before the Planning Board on the previous evening and were well received. He then asked Calisto Bertin, principal of Bertin Engineering, Inc. to give an overview of the revised plans, dated 04-20-05, particularly site plan Sheet S-1 and enlarged site plan Sheet L-3 as follows:

- The site is a 23 acre parcel with frontage on Main Street and Farquhar Road
- The open space to the south of the project measures 13 acres and would be deeded to the Conservation Commission with 3.3 acres of Conservation Easements and the building area measuring approximately seven acres.
- The access pathway to Farquhar Road had been increased from six feet to ten feet; had slopes of 1% to 7%; and would have water and sewer lines.
- There would be 20 townhouse units, age restricted 55 years and over, in a cluster format with five buildings with four units each; and two car garages with 16 foot wide driveways measuring 34 feet to 67 feet in length providing sufficient parking.
- The grades and slopes had been revised to avoid steep slopes and excessive retaining walls.

- The main access driveway was proposed at approximately 1,400 feet in length and 24 feet wide; entered off Main Street; a sidewalk would run from Main Street to the center of the project; and a bridge would cross over an intermittent brook.
- The initial designs had a roadway through to Farquhar Road.
- The units would be one floor with a basement – inside units at 2,000 square feet and the outside units at 2,400 square feet.
- The initial concept design had a road through to Farquhar Road. The Conservation Commission granted its approval with a condition that the project not use the access from Farquhar Road since the southern wetlands area (there are two wetlands areas on the site) was deemed a higher quality.
- Two on street parking areas added an additional eight spaces.
- A 7,400 square foot village common (situated on top of a detention basin) provided passive recreation with four park benches and a gazebo; a park bench would be located by the bridge crossing.
- The street would be lined with oak and maple trees and landscaping around the buildings.
- Street lighting would be provided by goose necked style lights spaced 100 feet apart; building units would have lights on the garages (on timers) and porches.

G. Peabody read the following review letters and memorandums:

- Board of Health, dated 04-25-05 – no issues
- Fire Chief, dated 05-25-05 – no issues, he was comfortable with the location of the fire hydrants and the curvature of the roadway.
- Conservation Commission (ConCom), dated 05-20-05 – requested a formal list of project revisions, the most recent project plans and drainage information; an Amendment to the Order of Conditions or a new Notice of Intent may be necessary.
- Department of Public Works, dated 5-10-05 – felt the plans had improved a great deal and noted issues with the traffic island, retaining walls, PG U-1, Note 3.2 and PG U-2.
- Police Chief, dated 4-26-05 – concerned with the impact of increased traffic at the entrance/exit; the area was on a curve and within a short distance of a confusing intersection (Farquhar/Willard and Route 131; and a deceleration /turning lane should be provided on the west side entering the proposed development. Michael Loin, Bertin Engineering, had met with MassHighway and they preferred the sweeping radius into the site to a deceleration lane.
- Building Inspector, dated 05-10-05 – felt the request would create more traffic issues at a point on Route 131

PUBLIC HEARING – 05-25-05-2V – VARIANCE - THE SPAHO CORPORATION – TO ALLOW AN ACCESS DRIVEWAY OFF MAIN STREET/ROUTE 131 WHICH IS NOT THE LEGAL FRONTAGE OF THE LOT AT 30 FARQUHAR ROAD AND TO ALLOW RETAINING WALLS WITHIN TWO FEET OF THE PROPERTY LINE ALONG THE PROJECT’S PROPOSED ACCESS DRIVEWAY FOR A LOT AT 30 FARQUHAR ROAD

At 7:25 PM G. Peabody opened the public hearing and M. Cooney read the legal notice.

G. Peabody preceded with the review materials:

- Judith Nitsch Engineering, Inc., dated 05-24-05 – the traffic review addressed – 1) site and project descriptions; 2) field reconnaissance/sight distance; 3) accident research; 4) trip generation; and 5) site plan review. It concluded that the area roadway network could accommodate the age restricted residential development and recommended the following:
 1. Erect a stop sign and stop line at driveway approach to Main Street.
 And working with MassHighway –

2. Erect an advance intersection warning sign facing southbound traffic prior to the Main Street/Willard Road/Farquhar Road intersection.
 3. Include pavement markings for the channelization of the approaches to Main Street.
 4. Investigate whether a flashing beacon would be appropriate for the Main Street/Willard Road/Farquhar Road intersection.
- Planning Board memorandum, dated 05-25-05 – commented that – 1) the modifications made a better development; 2) cross section details of significant changes of grades and evaluate the resulting slope and the suitability of stabilization methodologies and materials, safety and aesthetics would be necessary; and 3) recommended that the location of the parking area for the open space be at the Farquhar Road frontage portion of the parcel.

G. Peabody recognized Sandy Brock, civil engineer with Judith Nitsch Engineering, Inc., who presented the peer review answers to the Board's submitted questions as follows with C. Bertin's responses and the Board's questions or comments for this review appearing in italics.

Question #1 – Clusters – the project generally conformed, it could be said there were two clusters, S. Brock was okay with the proposed project as one cluster since there was no specific definition of what a cluster should be. *C. Bertin commented that the previous plans had a building on the east side which had been moved due to topography.*

Question #2 – Layout – felt the plan was “as good as anything”, JNEI submitted a different sketch for the purpose of discussion. S. Brock noted that this was a tight site, that the layout was efficient, but maximized. *C. Bertin noted that the site was tight as a result of the thirteen acre open space parcel approved by ConCom. When asked by M. Cooney if the size had been dictated by ConCom or was there a variable, C. Bertin stated there had been a variable.*

Question #3 – Roadway Width – felt the width could be reduced from 24 feet to 22 feet (lessened the impervious surface) if on street parking was prohibited; it would be necessary to ensure that fire equipment could still access the roadway. *C. Bertin noted the Board had requested the 24 feet, he was willing to reduce it to 22 feet.*

Question #4 – Route 131 Access – felt the Route 131 access did not conform to the right angle intersection requirement. However, the island at the approach would create a one car length perpendicular condition. S. Brock informed the Board that MassHighway would have the final say on the access design relative to the first 34 to 40 feet into the driveway and due to the width of the entrance, MassHighway would prefer the island to avoid safety issues. *R. Cornoni asked if the island was removed, was there a design alternative – C. Bertin commented that MassHighway had required the island and S. Brock added MassHighway was the governing body.*

Question #5 – Storm water management – concurred with the method used to analyze the pre development vs. post development since it followed standard engineering practice. JNEI agreed with the design points and the overall drainage scheme. S. Brock reviewed how the project met the Department of Environmental Protection (DEP) and noted that JNEI had included various comments. It was JNEI's opinion that the applicant had used a conservative approach to the drainage for the project and suggested that the applicant reduce the size of the detention basin. This would reduce the impact to the wetlands. *C. Bertin would look into reducing the surface detention basin and would try to document the water infiltration calculations.*

Question #6 – Access, Main Street vs. Farquhar Road – technically one road was no better than the other. They were both close to the wetlands.

Question #7 – Clusters – generally the buildings conformed, again JNEI considered the site to be tight.

Question #8 was taken up at the end of the review.

Question #9 – Right of Way/Private Road – considered the driveway as such and not a right of way.

Question #10 – Slopes – recommended the applicant submit to the Board how the slopes would be stabilized. *C. Bertin agreed to add geotextile fabric as a stabilizer under the planting areas.*

Question #11 – Pump Station Location – located within standard engineering practices.

Question #12 – Underground Detention Structure – it provided appropriate drainage, but must be maintained.

Question #13 – Regulatory Factor – not clear on the question. G. Peabody noted it should be figured for the entire parcel. M. Cooney asked if the buildings were overburdening for the seven acres. S. Brock would do the calculations.

OTHER COMMENTS –

14. A National Pollutant Discharge Elimination Systems (NPDES) would be required.

15. An amendment order for a Notice of Intent to the DEP was required and a DEP Sewer Connection with Pump Station permit application must be submitted.

16. Revise the sidewalks on the plan to address the drop in grade by adding pedestrian guard.

17. If approved, a condition should be included that required the submittal of stamped drawings of retaining walls four feet or higher be stamped by a Massachusetts Professional Structural Engineer.

18. If approved, a condition should be included that required the submittal of drawings stamped by a Massachusetts Professional Structural Engineer, detailing the Con-Span precast arch bridge prior to construction.

19. If there was to be outdoor common dumpsters, detailed drawings should be submitted for screening and location.

20. There should be a plan submitted to detail snow storage areas.

21. Verify that the 5% lot coverage include buildings, roads, and parking areas.

C. Bertin agreed to accommodate all site detail issues including contacting MassHighway on the blinking lights. M. Cooney asked if the applicant would consider any of the units to be affordable - C. Bertin felt his client would not.

S. Brock discussed Question #8 relative to JNEI's interpretation of zoning bylaw Section 21.13 which required a front façade to face the open space (village green) for a length of at least 60 feet. As part of its review JNEI had provided a sketch which demonstrated an interpretation of the full façade bylaw. S. Brock noted that the interpretation might not reflect the history or intent of the bylaw, but stated that it was the opinion of JNEI that Buildings 3-5 did not face open space. She suggested the Board refer to previous projects for comparison.

G. Peabody asked L. Adams for comments relative to the façade issue. He noted that no previous projects had incorporated the design of a full façade; therefore there had been no precedents. He felt the intent of the bylaw was to provide open space for the residents and questioned whether it was the front (roadway) or the rear of the buildings which provided the open space. He based this comment on the interpretation that the architectural design features were on the back of the buildings and that the important views were those looking toward the open spaces (the wetlands) and not to the roadway (service area). In terms of a residential neighborhood, he felt the spirit of the intent of the full façade was met though a literal intent may not be. S. Brock commented that JNEI's sketch may not be appropriate for this site since the back of the buildings had not been considered a possibility for the façade. S. Brock concluded by stating that JNEI's general review of the 20 units had no project changing comments with the proposed plans as submitted.

G. Peabody recognized Tom Chamberland, Tree Warden, and representative for Design Review Committee (DRC) who had the following concerns – that a detailed landscape plan should be given to

DRC; that the landscape plans for buildings should be drawn by a landscape architect; that the plant species may mature beyond or conflict with the designated areas; that the percentage of species types did not conform to the 25% mix; that the landscape maintenance plan should reflect five years throughout the document; that the open space not be deeded to the Town because with the trail, the Town's cost of actual maintenance would be increased. He recommended the open space remain with the condominium association and the trail be included with the utility easements. C. Bertin commented and agreed to satisfy these concerns.

G. Peabody asked if there was anyone wishing to speak from the public.

- David LaPointe, of Beals and Thomas, Southborough, MA – represented an abutting property owner and asked for site plans for the project.
- Mary Wheeler, Willard Road – asked for an estimate from ConCom on the wetlands acreage; had ConCom approved the revised plan; agreed with Chief Button's comments; and questioned the information on the traffic review. G. Peabody noted the revised plans would be revisited by ConCom.
- Carol Goodwin – concerned the lighting would be seen from the Public House. G. Peabody noted the plans will be submitted for site plan review.

The Board took a short recess from the Spaho Corporation public hearing to entertain previously scheduled public hearings. M. Blanchard stepped back onto the Board at 8:41 PM. G. Peabody noted that she would proceed with the Chamberland hearing since the Yankee Spirit's representative was not present.

PUBLIC HEARING – 05-25-05-1V/SP – WILLIAM AND JOAN CHAMBERLAND – VARIANCE/SPECIAL PERMIT – TO PERMIT THE CONSTRUCTION OF A 28 FOOT BY 44 FOOT TWO FAMILY DWELLING ON A LOT WITH 332 FEET OF FRONTAGE AND AN AREA OF 36,016 SQUARE FEET AT 47 BROOKFIELD ROAD

G. Peabody opened the public hearing at 8:40 PM and M. Cooney read the legal notice. William and Joan Chamberland were present and stated that the lot was an irregular shaped parcel; it was serviced by Town water and sewer; and the proposed single building would have two parking spaces for each unit.

J. Chamberland reviewed the size and layout of the duplex; stated their intent had been to renovate the small bungalow that had been on the property; due to safety reasons the bungalow had been torn down; and had they tried to swap frontage for additional land from an abutter without success (purchasing the additional land would not have satisfied the required 40,000 square feet).

G. Peabody felt it would be difficult to find in favor of the requested variance since the criteria could not be met. She did not see a hardship since the applicant could build a single family dwelling. She acknowledged that there were other two family dwellings in the neighborhood, but felt the absence of 4,000 square feet of area was significant. W. Chamberland commented the duplex would help them recoup some of the money they had invested in the property.

R. Cornoni appreciated G. Peabody's comments, but felt the proposed house was not large, it would meet all the setbacks and there were other two family dwellings in the area. Though he felt W. Chamberland made good points, B. Sutter noted that the Board needed to respect its bylaws and felt this was a self created hardship. M. Cooney agreed and noted that since the applicant had recently purchased the property, this bylaw requirement had been in effect at that time; took issue with the two family dwelling, added that a larger single family dwelling could be built; and agreed that it was an irregular shaped lot. M. Blanchard,

T. Beaudry and P. Jeffries concurred. G. Peabody asked for any other questions or comments from the Board and the public. There were none.

Motion: to close the public hearing, by M. Blanchard

2nd: P. Jeffries

Discussion: None

Vote: All in favor

Motion: to deny the variance petition for William and Joan Chamberland for 47 Brookfield Road, Assessor's map 023, lot 047; Worcester Deed Book 34360, page 388; Plan Recording 629, 82, based on the finding that the request does not meet the required criteria, by M. Blanchard

2nd: M. Cooney

Discussion: None

Vote: All in favor

Motion: to deny the special permit applicant for William and Joan Chamberland for 47 Brookfield Road, Assessor's map 023, lot 047; Worcester Deed Book 34360, page 388; Plan Recording 629, 82, since the variance petition was not granted, therefore the Board cannot proceed with the special permit, by M. Cooney

2nd: P. Jeffries

Discussion: None

Vote: All in favor

PUBLIC HEARING CONTINUATION – 01-12-05-1SP – YANKEE SPIRITS – TO REPLACE THE EXISTING 42 SQUARE FOOT GROUND SIGN WITH A 39 SQUARE FOOT GROUND SIGN AT A HEIGHT OF 21 FEET, 1 INCH AT THE CURRENT ZERO SETBACK AT 376 MAIN STREET

G. Peabody continued this hearing at 8:55 PM and recognized Hazel Wood Hopkins and Larry Lauretano, representative for Yankee Spirits who requested to a withdrawal without prejudice for the ground sign in order to allow time to provide a better presentation for this sign.

Motion: to allow the withdrawal without prejudice for Yankee Spirits requesting to replace the existing 42 square foot ground sign with a 39 square foot ground sign at a height of 21 feet, one inch at the current zero setback at 376 Main Street, by M. Blanchard

2nd: P. Jeffries

Discussion: None

Vote: In favor – B. Sutter, M. Blanchard, G. Peabody, P. Jeffries and R. Cornoni
Abstain – M. Cooney and T. Beaudry

The Board took a short recess. M. Blanchard stepped off the Board at 9:00PM.

The Board proceeded with the variance petition for the Spaho Corporation. C. Bertin reviewed the requested variances and stated that the variance regarding the access was a hardship created by the shape, topography and conditions of the site due to the pristine wetlands to the rear of the site. ConCom had requested the applicant avoid traversing near the wetlands which prevented access from the legal frontage on Farquhar Road. Therefore the applicant had access from the non-legal frontage through a narrow (approx. 50 feet) section of the property. The variance for the retaining walls was due to topography and the conditions on the site due to an intermittent brook. The wetlands set the height of the road requiring the construction of retaining walls for the bridge structure. The applicant failed in an attempt to acquire rights to slope the land on the adjoining property. It was C. Bertin's opinion that if the Board did not grant the

variance for access off the non-legal frontage, the applicant did not have access to the 23 acre site. Without the variance for the retaining walls, again the applicant did not have access.

G. Peabody asked for questions from the Board.

M. Cooney asked when the property had been purchased – M. Loin stated it was purchased in 2001; when the property was purchased were the existing conditions the same as the present conditions – C. Bertin stated they were; had the wetlands changed significantly – C. Bertin stated they had not; when the parcel had been divided into four lots were all the frontages was shown on Farquhar Road and not Main Street – C. Bertin stated they were on Farquhar Road; and were there wetlands existing on the abutting properties (Public House, Rom's and Boutelle) – C. Bertin stated there were. It was M. Cooney's interpretation that this property was not unique to the zone in which it existed and that all four lots were buildable. C. Bertin agreed that four lots had been created and three of those lots had been passed off. However, with the decisions made by ConCom, there was no access to this lot due to a restriction prohibiting the applicant to pass south of the buildings onto land ConCom had asked the applicant not to touch. M. Cooney stated there was frontage for lot 2 and asked if a house could be built. C. Bertin said a house could be built. M. Cooney stated that after researching M.G.L. Chapter 40A, Section 10, she felt there would be a detriment to the public good given the traffic onto Route 131 and its proximity to Hall Road, Willard Road and Farquhar Road; felt that there was a derogation from the intent of the bylaw; and that a land owner's wish to maximize his profits did not constitute substantial hardship. She felt the lot was being over burdened and, given her comment, could not support the granting the variance request. In referencing CPTC's Fall 2002 Variance material, she felt this added support to her opinion. She recognized the project had progressed relative to the special permit, but that she had problems with the variance requests. In addition, she questioned the interpretation of the Chapter 19 and Section 21.12.

Attorney George commented that Chapter 40A was subjective and that the evidence (JNEI Traffic Review) indicated traffic was not a legitimate issue; felt the Town had provided zoning for such development, therefore the project did not derogate from the intent of the bylaw; and felt a parcel of 23 acres with one house would be unique within the Town.

G. Peabody commented that she usually did not support variances, but that ConCom's decision created a hardship in that the applicant could not use his legal frontage. M. Cooney respectfully disagreed stating that the Board should not make its decision based on ConCom findings. P. Jeffries was not comfortable with the project accessing off Main Street, but felt ConCom had a strong "effect" on building within the Town. R. Cornoni commented that though the JNEI study had no issues with traffic, the Police Chief did; and agreed that ConCom provided substantial reasons for supporting the non-legal access. T. Beaudry felt the applicant did not have much choice. B. Sutter felt that ConCom was the Town and "wheeled" power on developments; felt the Board should consider the impact because a land owner could not predict ConCom's requirements when purchasing land; felt it made sense that the hardship was being created by the Town.

G. Peabody asked for those wishing to speak from the public.

- Carol Goodwin, 19 Orchard Road – commented that the Board had denied Chamberland variance because a single family house could be built and that this applicant could do the same; if the Board approved the variances she felt this would be an approval for the project; ConCom had not seen the revised plans; was an individual Board and did not make Zoning Board of Appeals (ZBA) decisions.
- Lynn Sarty, Farquhar Road – understood ConCom was not preventing the use of the legal frontage, but prohibiting the crossing of the wetlands to "get out" their frontage; a house could be built on the

lot and a variance should not be used to financially benefit a land owner; the property's 23 acres did not make it unique.

B. Sutter asked if the wetlands bylaws had changed since the property was purchased. G. Peabody said they had not. He noted that if the owner had done a survey of the land they would have been aware they were infringing on the wetlands buffers; and felt it was not the ZBA's responsibility to correct a property owner's mistake.

M. Loin offered that the local wetlands bylaw that implemented the no structure within the 50 foot buffer and the different provisions within the bylaw was implemented after the purchase of the property. B. Sutter asked that someone document the timing of the purchase of the property relative to the applicable wetlands bylaws. M. Loin added that the applicant had an upland access to put a driveway off Farquhar Road, but due to the nature of the wetlands and the proximity of the driveway to the wetlands, ConCom requested and preferred the applicant cross the other wetlands with a bridge and a driveway to Main Street. M. Loin added that ConCom "forced" the applicant to cross a wetland versus accessing Farquhar Road over an upland area which would have skirted a wetlands. The driveway would have been in a buffer zone, but a wetland crossing would not have been necessary. ConCom felt this preserved the pristine wetlands area.

C. Bertin felt that if the alternate access had not been an option, the driveway would have come out on Farquhar Road because no state laws would have been violated. G. Peabody asked L. Adams' opinion on the issue. He stated a variance existed because no law was perfect; the ANR (lot #2) existed because it had frontage and access; ANRs were silent on issues of zoning and development and did not mean that a lot was buildable. B. Sutter was unclear whether the wetlands issue was created by the Town or by the owner.

Attorney George felt the wetlands issues B. Sutter was concerned about did not matter. At the time the applicant applied to ConCom the condition was imposed and that was why the project was before ZBA. M. Loin gave some history on meetings with ComCom. He stated that by right the applicant could access through its upland area to Farquhar Road, but ConCom told the applicant it preferred that a bridge be put in and access come from Main Street. B. Sutter asked what options were available. G. Peabody offered that the Board could not honor ConCom's decision, but that was not usually its practice.

- Carol Goodwin – asked to know what law M. Loin had referenced.

The Board discussed the relevance of the timing of the wetlands regulation to the purchase date of the property. B. Sutter still wanted the applicant to define if there had been a change to the wetlands bylaw. M. Loin explained that this request was immaterial because the state's Wetlands Protection Act always had buffer zones in place. ConCom chose not to condition its decision to allow access to Farquhar Road. B. Sutter clarified that it was not unreasonable to request use of the buffer under State law to access off Farquhar Road, but ConCom asked for the other route which created the hardship. M. Loin concurred.

- Barbara Martell, Farquhar Road – asked if the previously built three lots had an effect on the access of lot #2.

Motion: to close the public hearing pertaining to the variance request for access off Main Street, by P. Jeffries
2nd: B. Sutter
Discussion: None
Vote: All in favor

Motion: to close the public hearing pertaining to the variance request for retaining walls within the property setbacks, by P. Jeffries
2nd: B. Sutter
Discussion: None
Vote: All in favor

The Board agreed to table its vote on both variances. It agreed not to close the public hearing for the special permit. The Board requested that the regularity factor be checked for the entire parcel; noted it needed to determine if the Town or the condominium association should take ownership of the open space parcel; have the walking trail included under the easements; and determine where the public parking should be located. Attorney George, after comments, agreed to extend the deadline date to June 30, 2005 and signed an extension.

Motion: to continue the public hearing for The Spaho Corporation special permit to June 22, 2005 at 7:05 PM, by P. Jeffries
2nd: R. Cornoni
Discussion: None
Vote: All in favor

M. Blanchard stepped back onto the Board at 9:50 PM.

OLD BUSINESS

G. Peabody acknowledged a letter from Ward Palmer, dated May 16, 2005, and noted that he had withdraw his request for a farmers porch on his request for determination, but would like to proceed with the dormers as noted on his application. The Board had no issues with the granting of this request.

Motion: to grant a determination to Ward Palmer for dormers to the south side roof line since the request does not intensify or create any new non-conformities and that the owner may apply for a building permit for 233 Holland Road, by M. Blanchard
2nd: P. Jeffries
Discussion: None
Vote: All in favor

NEW BUSINESS

G. Peabody noted that the Board needed to formally approve the Judith Nitsch Engineering, Inc. Contract for civil and traffic review. M. Blanchard did not have an issue with the contract, but added that the discussions should occur before accepting the contract.

Motion: to approve the Judith Nitsch Engineering, Inc. Contract for The Spaho Corporation project known as The Estates at Sturbridge Farms for civil and traffic review, by B. Sutter
2nd: M. Cooney
Discussion: None
Vote: In favor - B. Sutter, M. Cooney, G. Peabody, P. Jeffries, R. Cornoni and T. Beaudry
Abstain - M. Blanchard

G. Peabody asked for the reorganization of the Board and opened the floor for nominations.

Motion: to nominate G. Peabody for Chairman, by M. Cooney
2nd: T. Beaudry

Motion: to close the nominations, by M. Blanchard
2nd: B. Sutter

Discussion: None

Vote: All in favor

Discussion: None

Vote: All in favor

1st Motion: to nominate P. Jeffries for Vice Chairperson, by M. Blanchard

2nd: R. Cornoni

Discussion: None

2nd Motion: to nominate B. Sutter for Vice Chairperson, by M. Cooney

2nd: G. Peabody

Discussion: B. Sutter declined the nomination.

Motion: to close the nominations, by M. Blanchard

2nd: G. Peabody

Discussion: None

Vote: All in favor

Vote: All in favor

Motion: to nominate B. Sutter as Clerk, by M. Cooney

2nd: P. Jeffries

Discussion: B. Sutter asked the duties of a clerk for the Board and accepted the nomination.

Motion: to close the nominations, by M. Blanchard

2nd: P. Jeffries

Discussion: None

Vote: All in favor

Vote: All in favor

G. Peabody commented that the Planning Board at its May 24, 2005 meeting had had discussion relative to planning resources and staffing. She thought it would be a good idea for the ZBA to provide input with the Planning Board and asked if there was anyone interested in participating. M. Cooney stated she would be interested.

Motion: to adjourn, by M. Blanchard

2nd: G. Peabody

Discussion: None

Vote: All in favor

Adjournment at 10:07 PM