

1 **TOWN OF SUNAPEE**

2 **ZONING BOARD**

3 **SEPTEMBER 12, 2013**

4 **PRESENT:** Edward Frothingham, Chair, Dick Katz, Daniel Schneider, Clayton Platt, Aaron Simpson,  
5 William Larrow, Alternate, Roger Landry, Zoning Administrator

6 **ABSENT:**

7 **ALSO PRESENT:** See Sign-in Sheet

8 Chairman Frothingham called the meeting to order at 7:00 pm.

9 **MINUTES**

10 Changes to the minutes from the August 08, 2013 Zoning Board Meeting: Change line 27 to read "...the  
11 backside of the building and will not be visible from Lower Main Street..." Change line 38 to read "...are  
12 below DES limits..." Change line 39 to read "...do not qualify as a hazardous waste generator." Change  
13 line 40 to read "...close to DES limits..." Change line 44 to read "...advised the applicants to request a site  
14 review..." On line 51 change "parkin" to "parking". On line 56 change "rust" to "rusted". Change line 61  
15 to read "work would be acceptable..." On line 82 change the word "applications" to "applicants".  
16 Change line 159 to read "...said that one of the abutter's..." On line 164 change "Town Rd" to "town  
17 road". Change line 171 to read "due to the fact..." Change line 173 to read "floor and it is dangerous."  
18 Change 328 to read "The motion passed unanimously."

19 Daniel Schneider made a motion to approve the minutes as amended. Dick Katz seconded the motion.  
20 The motion passed unanimously.

21 **(CONTINUATION) CASE # 13-26: PARCEL ID: 0148-0024-0000: SEEKING A VARIANCE OF ARTICLE III,**  
22 **SECTION 3.50-B-5 TO ALLOW THE HEIGHT OF A NEW BUILDING IN AN ENCROACHMENT TO BE**  
23 **INCREASED FROM 25' TO 33'. JOSEPH & CAROL MORALDO, 8 HAMEL RD.**

24 Chairman Frothingham read a letter to the Board from Mr. Moraldo requesting the application for the  
25 Variance be withdrawn (See attached).

26 Aaron Simpson made a motion to accept the withdrawal. Dick Katz seconded the motion. The motion  
27 passed unanimously.

28 **(CONTINUATION) CASE # 13-28: PARCEL ID: 0113-0023-0000: REHEARING ON DENIAL OF A VARIANCE**  
29 **TO CONSTRUCT A DECK OVER PRE-EXISTING FOOTPRINT. DAVID HOWLAND, 56 RIDGEWOOD RD.**

30 Mr. Landry told the Board that he had received information for them regarding this hearing. The  
31 members of the Board explained that they had all received an email from Mr. Howland's attorney that  
32 he was withdrawing the case. Mr. Landry passed copies of a change to a Shoreland Permit and a letter  
33 from the Town's attorney suggesting that they allow the rehearing based on the definition of a

34 structure. Mr. Landry also gave the Board a copy of a letter from Mr. Howland's attorney and explained  
35 the letters.

36 Mr. Howland's attorney does not feel that they need a Variance and will appeal Mr. Landry's decision  
37 regarding the need for a Variance. This will be on the agenda for the next meeting and also, should the  
38 Board decide that a Variance is needed, the hearing for a Variance will be on the next agenda as well.  
39 Mr. Simpson said that he is concerned with accepting a withdrawal based on any conclusions that are  
40 not being presented by the applicant. There was further discussion regarding this issue. The Board also  
41 discussed the definition that of a structure and how it means that a patio is a structure as well as  
42 surveying the location of the deck / patio.

43 The Board decided not to accept the withdrawal and to continue the hearing until the next meeting.

44 Aaron Simpson made a motion to continue the hearing until the applicant is back in front of the Board  
45 with his other two cases. Clayton Platt seconded the motion. The motion passed unanimously.

46 **CASE # 13-30: PARCEL ID: 0119-0009-0000: SEEKING A VARIANCE OF ARTICLE III, SECTION 3:40-(0) TO**  
47 **REDUCE 25' BUFFER TO 15' APPROX. ACCOMMODATING ERECTION OF A BUSINESS SIGN. PLEASANT**  
48 **ACRES PROPERTY MAINTENANCE, LLC, ROUTE 11.**

49 Mr. Landry gave the Board copies of the original application to the Planning Board for the Board to  
50 review. Mr. Schneider asked and Mr. Landry confirmed that this has been before the Planning Board  
51 and they decided to continue the case until Mr. McClay has had a chance to ask the Zoning Board for a  
52 Variance to cut into the buffer. The Variance was approved for the property to be used as a  
53 Contractor's Yard and not for retail.

54 Matt McClay presented the merits of the case. Mr. McClay explained that he is not looking at reducing  
55 the buffer; he is looking to plant behind the sign to continue a buffer and everything replanted would be  
56 evergreen to help with the buffer. Mr. Landry said that they are going off the original application to the  
57 Planning Board which is why they had it as reducing the buffer. Mr. McClay said that the sign has to be  
58 75' from the centerline which puts it into the buffer. He wants to cut some of the existing buffer to  
59 make the sign visible, then replant behind it to help screen the shed and the area he would be cutting.  
60 He thinks it would help screen everything year round. Mr. Landry asked and Peter White, Chairman of  
61 the Planning Board, confirmed that the Planning Board was under the impression that Mr. McClay was  
62 going to cut a "V" into the green space. Mr. Landry asked and Mr. McClay confirmed that he now just  
63 wants to divert the green space and Mr. McClay explained that he told this to the Planning Board.

64 Chairman Frothingham asked where on the property the sign will be placed because he does not see it  
65 on the Plan. Mr. McClay gave the Board copies of the Plan showing the sign. Mr. Platt asked if the  
66 original Site Plan showed a sign and it was explained that the sign was originally down by the driveway.

67 Mr. Platt noted that if the sign were to be closer than 75' to the center of the Right of Way it would be in  
68 the Right of Way and farther than 75' will be in the buffer. Mr. McClay confirmed this and said that he  
69 was hoping his plantings would help people be less upset. Mr. Platt said that he went to the Planning

70 Board and said that he did not think that the buffer was 25' wide. Mr. Landry wrote a letter saying that  
71 the buffer is 25' wide. After receipt of this application, Mr. Platt explained that he and Mr. Landry went  
72 to the property and measured 75' from the centerline and the buffer is 10' – 15' wide and then the rest  
73 of the trees behind this have been cut.

74 Mr. White said that he believes the 75' is from the centerline of the Right of Way and not the centerline  
75 of the highway but the Planning Board was not clear exactly where the centerline of the Right of Way is  
76 located. Mr. White continued that a suggestion that the Planning Board had for Mr. McClay was to  
77 research the location of the Right of Way and to find out if the road is centered. Mr. McClay said that he  
78 found one of the pins on the northwest corner that indicates the Right of Way which lines up with the  
79 road being roughly center. Mr. McClay said that in his original Site Plan Review he indicated that it was  
80 the edge of the woods and he was measuring his 25' buffer off of that.

81 Mr. Schneider said that his issue is that the Board approved the property to be used as a Contractor's  
82 Yard which is "an area used by builders, electricians, plumbers, excavators, roofers, yard maintenance,  
83 or other similar contracting service establishments for the storage of materials and equipment." Mr.  
84 Schneider asked why such as Use requires a sign. Mr. McClay explained that the sign is for visibility and  
85 that he is not looking for people to stop there. Mr. McClay continued that he is happy to have the  
86 property well screened and he is not looking to have it highly visible like Scott's Yard Care. He wants to  
87 have a sign that people can see for advertising purposes and then have everything behind it well  
88 screened. Mr. Platt said that he agrees with Mr. Schneider and he does not feel as though an  
89 advertising sign is appropriate for a Contractor's Yard. Mr. Schneider said that he thinks that the  
90 problem is that it changes the character of the area which is Zoned Residential and they made an  
91 exception with the Variance.

92 Chairman Frothingham asked and Mr. McClay confirmed that he will have an office in the building. Mr.  
93 McClay said that he was under the impression that signs are allowed in a residential area. Mr. Landry  
94 explained that he feels as though a concern the Board has is that there will be people stopping at the  
95 building as new customers to talk with Mr. McClay. Mr. Platt said that another concern is that it is a  
96 residential neighborhood and people have said that they really don't want commercial properties here.  
97 He feels that during the hearing the Board was clear that this was not to be a retail establishment. Mr.  
98 Platt continued that he thinks a sign is more associated with retail than a Contractor's Yard. Mr. McClay  
99 said that he is happy to reduce the size of the sign as he was going with the size that he thought was  
100 allowable. He just wants people who drive by to see something but he does not need it look like a  
101 billboard.

102 Mr. Landry said that Mr. McClay indicated earlier that he was not just cutting a "V" he was moving the  
103 25' buffer but keeping it a buffer, just moving it back. Mr. Simpson asked if it is really a 25' buffer. Mr.  
104 Landry said that it is, though some is in the State Right of Way. Mr. Platt said that the definition of the  
105 buffer is that it is from the edge of the Right of Way. Mr. Landry said that there is an accepted buffer  
106 there and that the Board has to determine whether a Variance is needed. Mr. Simpson asked how there  
107 is an accepted buffer and Mr. Landry said that the Planning Board signed off on the Site Plan last year.  
108 Mr. Platt said that the Site Plan shows 25' from the edge of the Right of Way.

109 Mr. White said that he does not feel as though there is a question as to whether Mr. McClay is allowed a  
110 sign as he believes he is allowed one. He thinks the question is more about the location of the sign and  
111 the buffer. Whether there is 25' is not up to the Planning Board. Chairman Frothingham asked if the  
112 Planning Board would find the proposal acceptable if he kept a 25' buffer and Mr. White said that he  
113 was not sure what the Planning Board's decision would be if Mr. McClay were to be granted a Variance  
114 for the sign. However, Mr. McClay would have to return to the Planning Board to discuss the plans for  
115 buffering if it were to be approved. Mr. Platt said that it doesn't seem as if it matters if Mr. McClay  
116 brings a Site Plan to the Zoning Board with what he wants to do as the Planning Board can make  
117 changes.

118 Mr. Landry asked where on the Plan the sign will be located. Mr. McClay explained the location of the  
119 sign. Mr. McClay explained the reason for the change from the edge of the driveway. Mr. McClay said  
120 that he was happy to work with the Board as to having a sign at the end of the driveway saying "no  
121 customers" or something like that.

122 Mr. Simpson said that he has concerns regarding the size of the sign as it looks like as though it is 96  
123 square feet. Mr. McClay said that his proposed sign is 48 square feet per side and is double sided. Mr.  
124 Landry said that in that Zoning District 48 square feet per side is allowed under Section 5.31. Mr.  
125 McClay said that he understands that it is a bigger sign than what fits the area and he is happy to  
126 negotiate the size of the sign.

127 Mr. Simpson said that he is concerned about granting the Variance unless the Board is clear about the  
128 location of the setback. Mr. Schneider said that the Rule states that for all new construction projects in  
129 the Rural Residential District the existing 25' vegetated buffer is extending back from the State Right of  
130 Ways. It does not mean extending back from the cut in the State Right of Way.

131 Mr. Landry asked if the front line of the property had ever been surveyed and Mr. McClay stated that he  
132 is not aware of any survey. Mr. Simpson said that he is not prepared to grant a Variance on something  
133 when the Board does not know where it is. Mr. Landry explained that the Board is concerned that they  
134 may grant a Variance and it still may be on State land.

135 Mr. Simpson said that he is also concerned that Mr. McClay has an office in the building when he does  
136 not know if it was shown on the Plan. Mr. Platt said that he does not know if a Contractor's Yard is a  
137 business. Mr. Landry explained that the Site Plan approved the building which included the garage for  
138 storing his equipment and an office. Mr. Platt said that his recollection of the meeting was that there  
139 was to not be any retail and just a Contractor's Yard. Mr. Landry said that the decision of the Zoning  
140 Board was that it was not to be used for commercial purposes and in essence that no customers are  
141 allowed on site.

142 Mr. McClay said that there are two signs on the Plan including the small one that is already there which  
143 is to direct away from Mr. Huff's driveway. There was one that was supposed to be on the end of the  
144 driveway as well.

145 Mr. McClay said that the office was on the Plan and he is going to use it to do office work and billing, not  
146 to meet with customers. Mr. White said that the Planning Board approved the Site Plan thinking that  
147 they were seeing the same Plan that the Zoning Board had approved the Variance for. Mr. Simpson said  
148 that he is not sure that the Plan that was presented to them had a building on it with an office.

149 Mr. Platt asked if they could get the Right of Way and the sign location staked. Mr. Platt recommended  
150 continuing the hearing so this can get done and in order for the Board to be able to review the original  
151 application.

152 Chairman Frothingham asked if there were any abutters who would like to comment.

153 William Trainor said that he supported Mr. McClay when he wanted to put the business in this location.  
154 However, his concern is the lack of the buffer. Mr. Trainor continued that what is there now is minimal  
155 and you can see right through it. If there was a way to beef up the buffer it would make him happier to  
156 have something green there all year round. Mr. Landry explained that a problem with the site was the  
157 lack of evergreens and Mr. McClay was allowed to clear the dead debris out of the area as well which  
158 opened it up even more. Mr. Landry continued that if the Board wants to add a condition to require  
159 more evergreens to be planted before allowing the cut for the sign they are entitled to do this. Mr.  
160 Schneider said that it is obvious the buffer isn't large enough and he sees no reason to approve the  
161 Variance to cut into it and make it smaller.

162 There was another discussion regarding the vegetative buffer and doing a survey to show the Right of  
163 Way.

164 Aaron Simpson made a motion to require that the applicant come back with a surveyed front line and  
165 the actual location of the sign before the Board considers his application. Dick Katz seconded the  
166 motion. The motion passed with four in favor and one opposed (Daniel Schneider).

167 **CASE # 13-31: PARCEL ID: 0136-0033-0000: SEEKING A SPECIAL EXCEPTION AS PER ARTICLE III,**  
168 **SECTION 3.50 (I) TO ALLOW A CHANGE IN ROOFLINE HEIGHT TO ACCOMMODATE A NEW**  
169 **FOUNDATION AND AN EXTRA LEVEL OF LIVING SPACE. ROBERT H. SCHAPIRO, 343 LAKE AVENUE.**

170 George Neuwirt of George Neuwirt Construction in Sunapee presented the case on behalf of the  
171 Schapiro's. Mr. Neuwirt explained that they are going to be raising the house by three feet to install a  
172 full foundation underneath. Mr. Neuwirt showed the Board a copy of the floor plan of the lower level of  
173 the house.

174 Mr. Neuwirt explained to the Board that he is in the process of submitting his Shoreland Permit to the  
175 State. Mr. Landry said that the Board was concerned at the last meeting because they felt that if the  
176 Shoreland Permit was accepted but had changes or conditions then it would affect the approval. Mr.  
177 Schneider said that he believes the Board should see the Shoreland Permit before they approve it. Mr.  
178 Simpson recommended that, if the Board approves the application, they make it contingent on following  
179 the conditions of the Shoreland Permit. There was further discussion regarding this issue.

180 Mr. Neuwirt said that the vegetation that is on Site will be put back in relatively the same spots. Mr.  
181 Schneider asked about the deck that is on the property. Mr. Neuwirt said that the current deck is being  
182 removed and then reattached three feet higher.

183 Mr. Neuwirt went over the criteria needed to satisfy the need for a Special Exception under Section 3.50  
184 (i). Mr. Neuwirt said that there is not going to be any horizontal enlargement of the structure. The  
185 existing structure is a single family residence. The existing structure is a story and a half high and will be  
186 three stories including a full finished basement, an existing level, and then bedrooms upstairs. Mr.  
187 Schneider asked and Mr. Neuwirt explained that the height will be approximately 30' from the lowest  
188 grade to the highest level.

189 Mr. Neuwirt continued that they are creating a lower level that is 8' tall. The post construction roof  
190 height will be under the Zoning maximum set forth in the Regulations. There was a discussion regarding  
191 the roof height requirement. Arlene Palmeri asked if the 25' requirement is only for a new structure and  
192 not for a pre-existing structure. Mr. Landry explained that at the starting point of the encroachment the  
193 roofline cannot exceed 25'.

194 Mr. Neuwirt said that in regards to whether, in the judgment of the ZBA, no abutter will be adversely  
195 affected by the enlargement he does not believe so, however, he does not know how to answer this  
196 question. Mr. Simpson asked about the parking on the property and Mr. Neuwirt explained that the  
197 existing parking will not change and it is on site as it is quite a large property. Mr. Simpson asked if they  
198 are adding bedrooms and Mr. Neuwirt confirmed that bedrooms are being added downstairs. Mr.  
199 Simpson explained that he is asking about parking because many houses on Lake Ave have people who  
200 park on the road and he feels as though adding to this would be an adverse effect on the neighborhood.  
201 There was further discussion regarding this and it was explained that the lot is large and there is plenty  
202 of parking.

203 Mr. Landry asked how many bedrooms there will be and Mr. Neuwirt said that he does not know how  
204 many bedrooms are upstairs. They will be creating three bedrooms, two bathrooms, a home theater, a  
205 stairway and will potentially be installing an elevator. It was asked and Mr. Neuwirt explained that the  
206 house is on Town Sewer. Mr. Simpson said that they will require another hookup for Sewer as there are  
207 already five bedrooms in the house.

208 Mr. Neuwirt said that in regards to the requirement that all State and local permits are acquired to  
209 insure compliance with Article VII of the Ordinance, they have already discussed that the Shoreland  
210 Permit is pending. Mr. Schneider said that he would like to wait until the Shoreland Permit is obtained.  
211 Mr. Katz said that the Board has made approvals subject to obtaining and following the conditions of a  
212 DES Permit. Mr. Platt said that he does not feel as though the Board can comply with this condition  
213 without a Shoreland Permit. There was further discussion regarding this issue.

214 Mr. Simpson said that he does not feel as though this is an application for a Special Exception as he does  
215 not feel as though it meets the criteria. He feels as though this should be an application for a Variance.  
216 Mr. Simpson said that he does not feel as though he can vote for this because he does not think the  
217 house qualifies as less than two stories high. There was a question about what is says on the tax card as

218 it shows 1.75 stories. Mr. Landry said that he does not know how the Board can argue that it is two  
219 stories if it is not assessed for two stories. Mr. Simpson said that the Board did not assess the house.  
220 There was further discussion regarding this matter.

221 Mr. Schneider explained his feelings regarding the need for a DES Permit before approval. Mr. Platt said  
222 that he does not feel as though the Zoning Board has the authority to waive requirements for a Special  
223 Exception.

224 Daniel Schneider made a motion to defer the application until such time as the DES Shoreland Permit  
225 has been approved and Mr. Landry and the applicant can determine if it is more appropriate to apply for  
226 a Variance as opposed to a Special Exception. Aaron Simpson seconded the motion. The motion was  
227 denied with two in favor, two opposed, and one abstention.

228 Clayton Platt made a motion to approve Case # 13-31: Parcel ID: 0136-0033-0000: seeking a Special  
229 Exception as per Article III, Section 3.50 (i) to allow a change in roofline height to accommodate a new  
230 foundation and an extra level of living space; Robert H. Schapiro, 343 Lake Avenue; said approval is to be  
231 conditional on receiving a Shoreland Permit and all construction is to comply with all conditions of said  
232 Shoreland Permit. Dick Katz seconded the motion. The motion passed with three in favor and two  
233 opposed.

234 **CASE # 13-32: PARCEL ID: 0112-0013-0000: SEEKING A SPECIAL EXCEPTION AS PER ARTICLE III,**  
235 **SECTION 3:50-(I) TO REPLACE EXISTING NON-CONFORMING STRUCTURE AND RAISE ROOF LINE TO**  
236 **ACCOMMODATE A 2<sup>ND</sup> FLOOR FOR ADDITIONAL SLEEPING AREA. WOODLAND POINT, LLC, 58**  
237 **WOODLAND ROAD.**

238 Clayton Platt recused himself from the case.

239 Aaron Simpson made a motion to appoint William Larrow as a voting member on the case. Dick Katz  
240 seconded the motion. The motion passed unanimously.

241 Mr. Schneider said that he is a neighbor but not an abutter of the property and he does not think it is  
242 necessary to recuse himself.

243 Peter White presented the case on behalf of Woodland Point, LLC. Mr. White gave the Board drawings  
244 of the existing and proposed project.

245 Mr. White was asked and explained that they will be putting in a new slab for this building. Mr.  
246 Schneider noted that if they are going to put in a new slab they will need a DES Permit. Mr. White  
247 agreed and explained that Charlie Hirshberg of CLD Engineers is doing it concurrently.

248 Mr. White explained that they have taken elevations and had a survey done so they know exactly what  
249 the conditions are, where it sits and the height. The owner renovated the existing house a few years  
250 ago and is looking to have one additional bedroom above this garage. The downstairs will remain a  
251 garage with a mechanical and storage area in the back and they will put in a stairway to go to the second

252 story that will be an open bedroom / sitting area and there will be a bathroom. The property is on Town  
253 Sewer so there is not an issue with a septic system.

254 Mr. White said that on the proposed Plan he has an elevation of 25' at the start of the encroachment  
255 and then it slopes back to 40' which is permitted in this Zone. Mr. Simpson said that he does not think  
256 the setback applies as the Zoning Regulations say the front setback. Mr. Landry explained that this was  
257 an error which will be changed next year.

258 Mr. Schneider asked if this proposal constitutes a dwelling unit and Mr. Landry explained that a dwelling  
259 unit is where one can eat, sleep, etc. Mr. White said that there are no kitchen facilities in this building.  
260 Chairman Frothingham suggested putting the condition that the building will not be a dwelling unit in a  
261 motion for approval. Mr. Landry said that it will also be noted on the building permit.

262 Mr. Simpson asked what will be in the loft area. Mr. White answered that the loft will be a little area,  
263 very low, right above the stairs where they will have a flat platform. Mr. Simpson asked how this is not  
264 another story. Mr. White said that the platform is the ceiling and asked how it would be another story  
265 as it is the ceiling above the stairs and bathroom in the triangular shaped space of the roof. Mr.  
266 Simpson said that it is not a full floor but a partial floor.

267 There was a discussion regarding the Zoning Ordinances and having them reviewed by the Town's  
268 attorney.

269 Mr. White went over the criteria for a Special Exception under Section 3.50-(i). Mr. White said that they  
270 are not going outside of what is there except the balcony which is in the buildable part of the lot. Mr.  
271 White continued that the existing structure is a garage and is a single story with a shed off the back. Mr.  
272 White said that they believe that the enlarged or replaced structure will be no more than one additional  
273 story higher than the pre-existing structure. Mr. White continued that they have met the requirement  
274 that the roof changes are within the height requirements set forth in this Ordinance. Mr. White  
275 explained that the direct abutter to this property is the owner of this property and there is no one  
276 across the street. Mr. White said that, in regards to if all State and local permits are acquired to insure  
277 compliance with Article VII of the Ordinance, they have a small corner that is within the 50' setback and  
278 are working on getting a Shoreland Permit. Mr. White continued that the enlargement is consistent  
279 with the intent of the Ordinance.

280 Mr. Simpson asked if Mr. White has a floor plan for the loft and Mr. White said that he does not. Mr.  
281 White said that the footprint is 12' x 12' but it is going to be very low. There is not going to be a vertical  
282 wall or a knee wall and will be a maximum of three to four feet in height.

283 Mr. Simpson asked why the balcony is not a horizontal extension. Mr. White explained that it is  
284 permitted by the Ordinance because it is not within the setback so it is within the buildable area of the  
285 lot. If the balcony was within the setback it would not be permitted.

286 Mr. Schneider asked Mr. White to describe the process of replacing the slab. Mr. White said that the  
287 builders will come in with excavation equipment and will tear down the existing building. They will then



288 excavate to do frost walls, though they could do a floating slab. The slab will be poured and they will  
289 build up from the slab. Mr. Simpson asked if there is currently plumbing in the building and Mr. White  
290 explained that there are currently hose bibs but no plumbing facilities in the existing building. The  
291 sewer lines will go up the driveway and part of the need for the Shoreland Permit is that the driveway is  
292 within the 150' buffer but they are not increasing the lot coverage nor are they decreasing the unaltered  
293 area.

294 Mr. Schneider said that he would like to see a Shoreland Permit before the application is approved.

295 Mr. Simpson said that it appears to be more than one story which is all that the Board is allowed to  
296 approve under the criteria for a Special Exception. There was further discussion regarding this issue.

297 Dick Katz made a motion to approve Case # 13-32: Parcel ID: 0112-0013-0000: Seeking a special  
298 exception as per Article III, Section 3:50-(i) to replace existing non-conforming structure and raise roof  
299 line to accommodate a 2<sup>nd</sup> floor for additional sleeping area, Woodland Point, LLC, 58 Woodland Road,  
300 with the condition on obtaining a Shoreland Permit and meeting all conditions stated therein. William  
301 Larrow seconded the motion. The motion passed with four in favor and one opposed.

302 **DISCUSSION**

303 There was a discussion regarding meeting with the Planning Board and Mr. Landry's desire to have the  
304 Town's attorney review the Zoning Ordinances. Mr. Landry explained that there are parts of the  
305 Ordinances that are contradictory. There are members of the Board who said that they would like to  
306 meet with the Planning Board. Mr. Landry said that there will be a working meeting of the Planning  
307 Board on Thursday, September 19<sup>th</sup> and told the Board that they are welcome to go.

308 Dick Katz made a motion to adjourn the meeting at 9:06 pm. Aaron Simpson seconded the motion. The  
309 motion was approved unanimously.

310 Respectfully submitted,

311 Melissa Pollari

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314 Edward Frothingham

Aaron Simpson

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316 Dick Katz

Clayton Platt

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318 Daniel Schneider

William Larrow, alternate member