

ZONING BOARD OF ADJUSTMENT  
November 20, 2012

**APPROVED:**

12/4/12\_\_jrl\_\_\_\_\_

AGENDA: 12VAR06 CONT. VARIANCE: JONATHAN WHITE, 545  
Pleasant St., #228-005

12SE04 SPECIAL EXCEPTION: JOHN & GAIL MARTELL,  
44 Lakeside Road, #107-100.03

12VAR07 & 08 VARIANCES: JOHN & ELIZABETH  
MORRISON, 230 Summer St., #223-089 & -089.1

ATTENDING: Alan DeStefano (Chairman), Richard Laflamme (Vice Chairman),  
Lorraine Bohmiller, Larry Denton, Ashley Dolloff

ABSENT: -----

OTHER: Public, Michael Capone (Town Administrator)

The meeting opened at 6:04pm. with a quorum.

**CONT. VARIANCE: JONATHAN WHITE**

Based on what was filed with the Board since the last meeting, R. LaFlamme made a MOTION, second by L. Denton, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED.

Mr. White explained that 32 square feet is what is allowed for a sign but the sign delivered to him is 33.4 or .5 sq. ft. The Family Dollar will not accept the building as complete until the sign is up. Mr. DeStefano asked Mr. White to further explain Hardship. Mr. White answered that it impacts him greatly as each sign is \$6,000 and take 6 weeks to get done. He was hoping to get Family Dollar in by Christmas. Due to the size of the building, you will not notice the difference in size.

With no other questions from the Board, Mr. DeStefano asked for public comment. There was none. Mr. Denton asked if the new pictures received are of Mr. White's building and he answered that it is. Mr. Denton felt that the new pictures give more detail. Mr. DeStefano then read from the Feb. 22<sup>nd</sup> Planning Board minutes in which Mr. White stated that the signs would conform to the town regulations and it was determined

**WHITE VARIANCE continued:**

that the signs would be down-lit. Mr. White stated that the signs are externally lit by gooseneck lights. J. P. Morrison asked to speak and stated that this would only be about an inch bigger all around; you would hardly notice it.

With no further comments, Mr. DeStefano closed the public portion of the hearing. Mr. Denton stated that Mr. White has provided what the Board needed. Mr. DeStefano added that it is the same size as the one in Plymouth only that one is on a smaller façade.

Having met all criteria, L. Denton made a MOTION, second by R. LaFlamme, to APPROVE THE VARIANCE FOR JONATHAN WHITE AS PRESENTED. The motion CARRIED and Mr. DeStefano explained the 30-day grace period where anyone can file an Appeal.

**SPECIAL EXCEPTION: JOHN & GAIL MARTELL**

The secretary read the application, the abutters notified, where the hearing was advertised and stated that there were no telephone calls or written responses and she received no comments from the Dept. Heads.

R. LaFlamme made a MOTION, second by L. Denton, to ACCEPT THE APPLICATION AS COMPLETE. The motion CARRIED.

Mr. Martell explained that he presently has 2 ridgelines at a 4 pitch. Snow is causing the roof to sag and when he looked into replacing it, he learned that a 6 pitch roof is now required. This causes him to need a Special Exception as it will be over the 1' allowed. He feels that the 1' rule is tough. Mr. DeStefano explained that the Planning Board sets the Ordinance regulations.

When asked for, there were no public comments.

Mr. DeStefano closed the public portion of the hearing. Mr. Denton asked if we should go through the articles. Everyone felt that the explanations on the application are enough. Mr. Denton then asked if his cottage is closed now and was told that it is. Mr. DeStefano stated that the town shuts the water off for this association. Mr. Denton feels that this is pretty straight forward. Mr. DeStefano added that the cottage in back will not be affected. Mr. Martell added that the Association voted unanimously for this. Ms. Bohmiller had no problem with this and Ms. Dolloff agreed.

L. Denton made a MOTION, second by R. LaFlamme, to APPROVE THE SPECIAL EXCEPTION FOR JOHN AND GAIL MARTELL AS PRESENTED. The motion CARRIED and Mr. DeStefano again read off the 30 day Appeal time.

**2 VARIANCES: JOHN & ELIZABETH MORRISON**

Mr. DeStefano read the correspondence received from the land owner in which was stated that they knew nothing about this project and are not in favor of.

Based on an incomplete application, R. LaFlamme made a MOTION, second by L. Bohmiller, to DISMISS THE MORRISON APPLICATION AS NOT ACCEPTABLE. The motion CARRIED.

Mr. Morrison's lawyer asked to let Mr. Morrison speak and Mr. DeStefano stated that the Board cannot allow that. The lawyer then asked if the Court said that it must be heard, would the ZBA hear it and Mr. DeStefano stated that they would if it is Court ordered.

**MINUTES OF OCTOBER 2, 2012:**

R. LaFlamme made a motion, second by A. Dolloff, to approve the minutes as read. The motion carried.

There were no Communications or Old or New Business before the Board.

**NEXT MEETING:** The next meeting of the Board will be on Dec. 4, 2012. There is a Variance for Heidi V. G. Cogan on the agenda.

With no other business before them, L. Denton made a motion, second by R. LaFlamme, to adjourn at 6:30 p.m.

Respectfully submitted,  
Jan Laferriere, recording secretary