



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Zoning Board of Adjustment Approved Minutes

March 25, 2014 @ 7:30pm

Board Members:

Heath Partington, Chairman – Present

Jim Tierney, Vice-Chairman – Present

Mark Samsel, Secretary – Present

Jay Yennaco, Member – Present

Mike Scholz, Member – Present

Mike Mazalewski, Alternate – Present

Tony Pellegrini, Alternate – Present

Kevin Hughes, Alternate – Present

Staff:

Nancy Prendergast, Code Enforcement Administrator

Laura Accaputo, ZBA Minute Taker

The Chair called the meeting to order at 7:30pm, introduced the Board and Staff, and explained the meeting process.

The Chair thanked the Board for their hard work during the past year.

Elections – Chair, Vice Chair and Secretary

Mr. Scholz motioned to elect Mr. Samsel as Chairman of the Zoning Board of Adjustment, seconded by Mr. Tierney. Motion passed: 5-0-0.

Mr. Partington motioned to elect Mr. Scholz as Vice Chairman of the Zoning Board of Adjustment, seconded by Mr. Yennaco. Motion passed: 5-0-0.

Mr. Tierney motioned to elect Mr. Partington as Secretary of the Zoning Board of Adjustment, seconded by Mr. Scholz. Motion passed: 4-0-1 with Mr. Partington abstaining.

Any reference to the Chair going forward in the minutes will refer to Mr. Samsel.

Mr. Partington read Case #8-2014 into the record along with the abutter list and a letter of authorization from the owner authorizing Edward Herbert Associates to represent them in this case.

Public Hearings

Lot 20-D-3001, Case #8-2014

Applicant – Edward N. Herbert Assoc., Inc.

Owner – Stephen Revocable Trust of 2007

Location – 6 London Bridge Road

Zone – Rural District and Wetland and Watershed Protection District (WWPD)

Variations from the following sections of the Zoning Ordinance are requested to permit a 2-lot subdivision where one lot will meet the requirements of the Zoning Ordinance and the other lot will require relief for lot frontage. Section 702 & Appendix A-1 to permit a subdivision where the frontage of one resultant lot will be 67.7 feet where 175 feet is required.

- Mr. Shane Gendron of Edward Herbert Associates addressed the Board. He explained this is a 4 ½ acre parcel in the Rural District. There is an existing home on the property that has recently been remodeled with frontage on London Bridge Road. The owner would like to subdivide the land into two lots and build a smaller home on the additional lot for her own use. The soils are very good and will meet lot sizing but there is a shortage of frontage; 67.7 feet where 175 feet is required. The shape of the lot is unique and if it were tilted 90 degrees a variance wouldn't be required. There is excellent sight distance. There is a WWPD setback shown on the plan and Conservation has no issues. He handed out a packet with photographs of London Bridge Road from the existing driveway and a copy of the Subdivision Plan which the Chair accepted as Exhibit A. He then read the five criteria into the record. He also noted the property is located along discontinued Johnny Hill Road.
- The Chair clarified they were looking for relief from frontage requirements only and Mr. Gendron confirmed. The Chair asked if the proposed driveway would be gravel or asphalt and Mr. Gendron answered asphalt and he also noted they put a turnaround in the driveway for Fire Department access.

The Chair opened the hearing to the public at 7:40pm.

- Gerrard Stevens, 4 London Bridge Road, addressed the Board. He stated he believes this proposed new home will negatively impact his property value, resale value, and privacy as it will be across from his pool. He stated the owner wants to subdivide for rental income and there is no guarantee they will live on the property. He also noted ledge is prevalent in the area and he is concerned about blasting and its impact on his water supply. He stated if a variance is allowed it will set a precedent for anyone that has acreage but not frontage and the ordinance exists for a reason. He believes since they have less than 40% of the required frontage this is a significant variance. He also stated there may be some historical significance to the stone wall on Johnny Hill Road.
- Mr. Partington read a letter of support into the record submitted by Rebecca Zachas of 22 Faith Road.
- Mr. Gendron stated the variance is for frontage only, not setbacks. Subdivision Regulations allow for 60 foot frontage in Open Space Subdivisions. He believes this proposal provides adequate access and is suitable for a driveway. He stated they would have no problem maintaining a 30ft no cut buffer on the side of the property that abuts Mr. Steven's property. He noted the Planning Board has an ordinance to take care of stone walls which they will adhere to. He also stated every property owner has the right to drill for a well on their property and he doesn't anticipate having to do any blasting on the site as the soils are great.
- The Chair asked if Highway Safety has weighed in on this and Mr. Gendron replied they have not but will before they go to Planning Board. He also noted the lot lines are subject to change through the Planning Board process.
- Mr. Stevens asked the Board to consider the precedent granting this variance will set for any property owner that has acreage and not frontage to subdivide their property for profit.

Mr. Partington motioned to go into Deliberative Session, seconded by Mr. Scholz. Motion passed: 5-0.

- Mr. Partington stated he does not believe this will threaten public health, safety, or welfare or alter the character of the locality. He believes the cost to school children in town would be made worse by splitting properties like this. He thinks it comes close to diminishing the value of

surrounding properties relative to privacy concerns. He also does not think literal enforcement of the ordinance will result in unnecessary hardship as the lot being larger does not make it unique.

- Mr. Mazalewski stated he does not see the hardship in this.
- Mr. Scholz agreed and stated both lots will meet the size requirement but he struggles with the fifth criteria.
- Mr. Tierney agreed and stated he does not see uniqueness to the property in regards to frontage.
- The Chair stated they have seen similar requests in the past and he is fine with the first four criteria. They are only seeking relief from frontage and they have the required setbacks relative to the neighbors' pool. He would be comfortable except it hasn't been delineated before being presented to the Board (proposed dimension versus what exists).
- Mr. Yennaco stated he has no problem with the first four criteria and is struggling with the fifth one. He believes the comment of everyone with extra land can make two lots is an embellished statement as most would not have enough land. He noted this is an older road with an older parcel and that makes it somewhat unique. It is not cookie cutter.
- The Chair also noted his concern that in reality they could tear down the existing home and make three lots.

Mr. Scholz motioned for Case #8-2014, Lot 20-D-3001, to deny relief from Section 702 & Appendix A-1 to permit a subdivision where the frontage of one resultant lot will be 67.7 feet where 175 feet is required, seconded by Mr. Partington. Motion to deny passed 5-0-0. Mr. Partington stated and the Board agreed the application didn't meet the hardship criteria and there are no special conditions of the property that distinguish it from other properties in the area.

The Chair advised of the 30 day appeal period.

Mr. Partington read Case #9-2014 into the record.

Lots 17-L-78, Case #9-2014

Applicant – Joseph Maynard of Benchmark Engineering and Thomas J. Leonard Esq.

Owner – Michelle C. Fontaine Revocable Trust

Location – 30 Horseshoe Road

Zone – Residence A and Cobbetts Pond/Canobie Lake Overlay Protection

Variances from Sections 703, 616.8, 616.6.4.1, 616.6.4.2, 702 & Appendix A-1 of the Zoning Ordinance are requested to allow the construction of a detached garage on a vacant parcel of land across the street from the primary dwelling unit where the frontage, lot area, setbacks (side, rear and front), building coverage, impervious coverage, and Cobbetts Pond buffer requirements are not met.

Mr. Tierney questioned the order of the agenda relative to Case #9-2014 being heard before Case #5-2014 asking if hearing the variance first would mean the Board is conceding to two lots. Ms. Prendergast explained they are going forward with this application under the assumption it is one lot and if denied the applicant will ask the Board to consider as two lots. Thomas J Leonard Esquire, on behalf of the owner, explained they worked out with the Town to hear this case first without either party giving up any rights as to whether it is one lot or two lots. He stated it is two parcels but for the purposes of this case they will assume it is one lot. The Chair asked the Board if they were comfortable with the explanation and they agreed they were.

Mr. Partington read into the record the abutter list and a letter of authorization from the owner authorizing Joseph Maynard of Benchmark Engineering to represent them in this case.

- Mr. Joseph Maynard of Benchmark Engineering addressed the Board. He explained this piece of property is bisected by a 20ft swath of the road and the total for both sides is 24,384 square ft. The existing impervious coverage is at 25.2 % for both sides. They are proposing to construct a detached garage on the land on the east side of Horseshoe Road which is a mix of gravel, dirt, and weeds and currently used as a parking lot. There is an encroachment of 10ft of pavement by the Town of Windham on the property and the Highway Agent would like it to stay. With this encroachment they are at 32% impervious coverage. The lot currently has 13% building coverage and with the proposed garage will have 17.3% coverage. There is a septic system on the side of the property with the existing house which prevents a garage from going in on this side. There is a required 100ft buffer along the edge of the wetland discharging into Cobbetts Pond and one corner of the garage will be about 7ft from that wetland. The setbacks they are requesting, which are similar to other accessory building setbacks in the area, are 15ft and 22ft side setbacks where 30ft is required; 15ft rear setback where 30ft is required; and 20ft front setback where 50ft is required. Conservation Commission has no comments at this time. To mitigate drainage runoff they will make some of the driveway permeable to allow for some infiltration and they will put in dry wells to capture runoff before it makes it to the wetland. This will offer a greater method of protection for the wetland than exists today. The home on this lot has a very small 22ft garage and expansion on the existing garage would put them closer to Cobbetts Pond and the abutting home.

Questions/Comments from the Board

- The Chair asked Mr. Maynard to substantiate his request for relief from Section 616.8.2 and Mr. Maynard explained single family houses are technically exempt from having to do a hydrologic study and they will submit something similar to meet shoreline protection standards for review by the Planning Board.
- Mr. Tierney asked since this is a two story garage what the setback from the staircase is and Mr. Maynard replied egress stairs are exempt from the setback requirement. Mr. Tierney asked why the stairs aren't inside the garage and Mr. Maynard answered it takes up valuable garage space.
- The Chair asked Mr. Maynard to summarize each section of the five criteria.
- Mr. Maynard read a summary of the five criteria into the record.
- Mr. Scholz asked if they went to TRC regarding the 10ft encroachment and Mr. Maynard answered typically zoning doesn't go to TRC and if this variance is granted they will proceed to Planning Board which will require a TRC process. Mr. Scholz stated his concern was sight distance and Mr. Maynard stated since they are on the inside of the curve they get a decent amount of sight distance at this location and meet the town standard of 150ft.

The Chair opened the hearing to the public at 8:30pm.

- Sue Chapman, 26 Horseshoe Road, addressed the Board and distributed a presentation which the Chair accepted as Exhibit A. She stated being on the shoreline of a struggling pond requires extra care with the decisions we make. Building on wetlands within the protected shoreline is not conducive to helping the pond or the environment. The town has already given generous variances for the construction of the house with garage within the 50ft waterfront buffer. This project is in violation of 8 Zoning Ordinances and requiring this many variances is not in the spirit of the community and contrary to public interest. It will dramatically affect the overall appearance of the area and the neighboring property. There is constant water running through the site from the hills runoff. The applicant wants to change how the water will run into the pond and she is concerned how this will affect neighboring properties and the water quality of the pond. She also noted there has been backfilling going on at the site. She does not feel it is right for the community, wetlands, or environment to allow a structure of this magnitude to be built on such a

small lot. She stated other garages in the neighborhood have been built next to homes and not across the street and this side of the street has been left untouched. She believes this structure will create more runoff, alter the character of the neighborhood, and impact property values in the area. She also believes it will affect neighboring properties as it will be out of place. She stated this 26 X 42 ½ ft, 1050 square ft structure on a 1.2 acre parcel of wetland is excessive and she requests the Board deny the application. She submitted a letter from Ellen Patterson of 24 Horseshoe Road in opposition of this request, which was read into the record by Mr. Partington. The Chair accepted this letter as Exhibit B. She also submitted a letter from Robert Chapman of 26 Horseshoe Road in opposition of this request, read into the record by Mr. Partington. The Chair accepted this letter as Exhibit C.

- Larissa Nigro, 28 Horseshoe Road, addressed the Board. She stated she agrees with Ms. Chapman. It is important to note that there are no structures built on this side of the street and any structures Mr. Maynard referred to are built on the side with the homes. She asked the Board to maintain the charm of the neighborhood and woods around the pond by denying the request.
- Mr. Maynard distributed pictures of existing detached garages on the street to show this request is not out of character. He also stated if these properties had larger parcels on this side of Horseshoe Road he believes they would have utilized that space for their garages as opposed to taking up valuable real estate closer to the pond. He also stated they will not be filling in wetlands to develop this garage area and the runoff is going into a culvert on the property. The lot does extend across the road and is part of the package; it is rectangular with a buildable area for a garage. He also stated there will be no adverse impact to the pond and if anything will improve the water quality and runoff. The Chair asked if there is parking on this piece of the property and Mr. Maynard distributed a picture of the property and replied yes and with the garage all of the parking will be inside. The Chair accepted the pictures as Exhibit D.
- Mr. Scholz asked if the proposed garage is for three cars and Mr. Maynard replied it has two full bays and 1 smaller one for jet-ski's, etc.
- Attorney Thomas Leonard addressed the Board. He stated this use will not affect the water or wetlands. They are proposing to take an area that is presently used for parking and controlling it in a better way. A detailed engineered plan will be proposed to handle the roof water runoff. He also stated that the owners made inquiry before they bought the property about the two lots and building a garage and it was their understanding they would likely be able to do so. There are at least two other garages in the area that are as big as or bigger than the garage that is being proposed and this would not be out of character. He believes the reason there is nothing built on the other side of the road is there aren't any other lots that can support a building. If the owners are not allowed to use this land they will in effect lose this 5500 square feet because of the road. There will be no impact to water quality; they are suggesting an enclosed garage to handle vehicles that would otherwise be parked there. There is no change in water flow; the drainage is being handled appropriately and in a more protected way. He asked the Board to look at the purpose of these Ordinances and see if they are being accomplished. The purpose is to protect the water and watershed and they are accomplishing that. It is because it is an odd shaped lot and a town road bisects it that these variances are being requested.
- Mr. Tierney asked about the elevation of what is being proposed and Mr. Maynard answered 1 ½ stories.
- Mr. Partington asked Mr. Maynard to comment on Attorney Leonard's statement that water flow will not change. Mr. Maynard explained currently the lot is a hard pack surface and the water is sheet flowing directly off the lot and drains into the wetland. When they are done and have put green- scape around the lot, infiltration for the portion of the driveway that will be permeable, and add drywells, they will take any increase they will have due to the structure and infiltrate it to meet state and Cobbetts Pond Watershed guidelines.
- Ms. Chapman asked the Board to look at the pictures; they show it is not a hard surface, it is wet.

The Chair closed the Public Hearing at 9:00pm.

Mr. Partington motioned to go into Deliberative Session, seconded by Mr. Scholz. Motion passed: 5-0.

- The Chair stated there is a unique situation with the road dissecting the property and the number of variances requested is typical in areas of ponds and lakes in town.
- Mr. Partington stated he is borderline as far as the setbacks. It is a sizeable structure that is close to the road and setbacks. They have heard repeated testimony from the applicant that Cobbetts Pond will not be threatened, but he is still unsure of that. He is also wavering on the criteria of substantial justice because of any potential threat to the public due to detriment to the water. He does not believe the value of surrounding properties will be diminished. He believes the lot is unique for setback purposes but not for Cobbetts Pond purposes and does not meet the hardship criteria for any of the 616 Sections if he ignores the road. They are still close to the pond and require relief whether the road is there or not.
- Mr. Tierney stated he agrees and his other concern is the 7ft setback from one portion of the wetland, even with the mitigation they are proposing, is not enough protection. He stated he is not opposed to a garage but feels one of this size is too much.
- Mr. Scholz also agrees and if it was a smaller structure and away from the wetlands he would be more amenable to it. Regardless of the road they would still need relief from the setbacks. He struggles with the size of the structure given the size of the lot and the closeness and proximity of the wetlands.
- The Chair stated he shares some of these concerns. He does believe in looking at the setbacks, they are more generous than the house itself and improvements have been presented as the area is currently used for parking. He believes you cannot ignore the road in regards to uniqueness of the property and if you take that road out it would be a whole different paradigm when looking at where the garage could go on this particular lot. You would have better setbacks but be closer to the pond. His hesitation is with the size but unfortunately the size is what is in front of them. He does believe the property is unique and there are proposed protections being put in place. He would be comfortable in granting relief from 616.8.2 and at this point would vote in favor of granting relief.
- Mr. Yennaco stated he also agrees with some points. His concern is the pictures of the parcel from the abutter and Mr. Maynard seem different. They have to trust the applicants plan is accurate. He believes that 7 feet is not a lot of room at certain times of the year, and this is where he struggles the most. He believes they do have uniqueness with the lot but the footprint is too great for this area.
- The Chair asked the Board, in consideration of the motion, if size is a concern and Mr. Yennaco stated for him it is because it adds to the amount of runoff as well as its proximity to the wet areas. The Chair stated he asks this because should the motion be denied without prejudice, if it does come back smaller is that substantially different. Mr. Partington stated he believes if the Boards general testimony was that size was an issue and it comes back smaller it does become substantially different.

Mr. Scholz made a motion for Case #9-2014, Lot 17-L-78, to deny relief as requested per plan submitted, seconded by Mr. Yennaco. Motion to deny passed 5-0-0. Mr. Partington stated the reason for denial is the variance is contrary to the public interest and the spirit and intent of the ordinance is not observed due to the potential threat to Cobbetts Pond and the wetland next to the garage and it doesn't meet the hardship criteria as it is not unique for Cobbetts Pond purposes. Mr. Scholz stated he did not believe it met the criteria for Public Interest or Spirit and Intent.

The Chair advised of the 30 day appeal period.

The Board took a 15 minute recess at 9:15pm and reconvened at 9:30pm.

Mr. Partington read Case #5-2014 into the record along with the abutter list.

Lots 17-L-78 and 17-L-78L2, Case #5-2014 (Continued from March 11, 2014)

Applicant – Thomas J. Leonard Esq.

Owner – Michelle C. Fontaine Revocable Trust

Location – 30 Horseshoe Road

Zone – Residence A and Cobbetts Pond/Canobie Lake Overlay Protection

An Application to Appeal an Administrative Decision has been filed in reference to a letter written on January 9, 2014 by Nancy Prendergast, Town of Windham ZBA/Code Enforcement Administrator, to Joe Maynard of Benchmark Engineering regarding the Town's position that Lots 17-L-78 and 17-L-78L2 are one lot bisected by a roadway where the owner believes they are two lots.

- Attorney Thomas Leonard addressed the Board on behalf of the owner. He stated after hearing the last case and speaking with Mr. and Mrs. Fontaine, they will bring in a new proposal with a smaller building as the goal is to get a garage. If the Board is so inclined they would ask to postpone the appeal and leave it opened and unanswered without prejudice to any party.
- The Chair asked when they would be back before the Board and Mr. Maynard replied with filing requirements at least three weeks.
- The Chair asked what the Boards consideration was and Mr. Tierney stated he did not want to continue the case as it had already been continued. Mr. Partington stated he had no problem with continuing the case to a date certain. Mr. Scholz stated he would have no problem continuing it one more time. The Chair agreed.

Mr. Partington motioned to continue Case #5-2014 to the May 13, 2014 meeting, seconded by Mr. Scholz. Motion passed: 4-1-0 with Mr. Tierney in opposition.

Mr. Partington read Case #10-2014 into the record along with the abutter list and a letter of authorization from the owners authorizing Karl Dubay to represent them in this case.

Lot 11-A-317, Case #10-2014

Applicant –Karl Dubay, The Dubay Group.

Owner – MacThompson Realty

Location – 22 Haverhill Road

Zone – Limited Industrial District

Variations from the following Sections of the Zoning Ordinance are requested to permit the redevelopment of an existing commercial site to improve the parking lot and site circulation/access and the placement of a new freestanding sign. Sections 702.5 & Appendix A-1 Note #9 to allow a non-residential use closer than 100 feet to a residential zone without the required buffer/berm along Route 111; Sections 702 & Appendix A-1 allowing lot frontage situated along a right-of-way which is not Class V or better; Section 706.5.5 to allow a sign within the Class VI town right-of-way; Section 706.5.1.5 allowing an off-sight sign; and Section 706.8 allowing a sign to be zero feet setback to the state right-of-way where 10' is required.

- Mr. Karl Dubay of The Dubay Group addressed the Board. He distributed some colorized pictures which the Chair accepted as Exhibit A. He explained there is an existing two level four unit building with frontage on Haverhill Road. They are requesting to improve the parking lot

and site circulation/access and placement of a new freestanding sign. This property is in the Limited Industrial Zone and across the street is a Rural Zone, owned by the Town of Windham and the School District. In 2012 the Department of Transportation sent the Board of Selectmen a letter saying several pieces of land along Route 111, including the section in front of this lot, were deemed to be Class VI right of way. It was not shown this way on previous surveys and in 1965 the town thought they had discontinued the right of way. This has in essence taken away the frontage for this property and triggered the need for variances. There is an existing sign in the Route 111 right of way and they are proposing to put in a new free standing sign within the Class VI right of way at 0 feet instead of 10 feet. They have done a full survey of the property and have done a plan submittal to the Planning Board. The Board of Selectmen are not opposed to the proposal.

Questions/Comments from the Board

- Mr. Tierney questioned whether a variance is required from Sections 702.5 & Appendix A-1 Note #9 since there is not a residential zone within 100 feet of this property and Mr. Dubay agreed but since he was directed to apply for a variance he wanted to be safe and ensure he had no problems down the line.
- Mr. Partington asked what permits he would need from the town and Mr. Dubay answered he needs a sign off for the septic replacement; Site Plan approval from the Planning Board, and miscellaneous Building Permits. Mr. Partington noted he may have issues getting these permits due to the lack of frontage on a Class V or better road. He stated this has been a separate issue from the Zoning Board in the past where permits on discontinued roads were not given by the Building Inspector. Mr. Dubay replied per State Law you have a right to maintain your structure as long as you're not changing the footprint of it. Mr. Partington also questioned granting the variance for the sign since it will be in the middle of a Public Class VI right of way. The Chair stated he thought the letter from the Board of Selectmen covered that but Mr. Partington thought that might be the case only if it were changed by Town Warrant. Mr. Dubay stated the Selectmen are holders of the right of way action for the town, including Class VI, and they decide if they want to allow something to be put in that right of way. It is a separate issue from whether or not it would be discontinued by the town. Mr. Tierney asked if the Selectmen want them to maintain an insurance policy so the town is not held liable for any damages and Mr. Dubay replied the Selectmen did not issue a full review and they have to go back and discuss any administrative items which would include something like insurance.
- Mr. Tierney asked if they have to apply for a permit for the new curb cut location with the DOT and Mr. Dubay answered yes, they have already submitted an application and they should have the permit within a few weeks.
- Mr. Dubay read a summary of the five criteria into the record.

The Chair opened the hearing to the public at 10:10pm.

- Tom Case stated he felt the special condition is the building has been there for over 30 years and is not going to change in size. He doesn't understand the need for all of the variances.
- Mr. Partington read a letter dated March 25, 2014 from David Sullivan, Town Administrator, to the Chairman of the Zoning Board of Adjustment, stating the Board of Selectmen voted unanimously at their March 24, 2014 meeting to permit the placement of a new freestanding sign within the Town's Right of Way; as well as to allow the crossing of same for the purposes of a new driveway to access 22 Haverhill Road. Subject to the applicant's receipt of Planning Board and Zoning Board of Adjustment approvals; as well as their timely submission of the proper application(s) for same.

The Chair closed the Public Hearing at 10:12pm.

Mr. Yennaco motioned to go into Deliberative Session, seconded by Mr. Tierney. Motion passed: 5-0.

- Mr. Scholz stated he did not believe relief was needed from Sections 702.5 & Appendix A-1 Note 9 and the rest of the relief requested met the five criteria.
- Mr. Partington re-read Note 9 and stated it conflicts with itself. Mr. Tierney stated the problem is this is a Rural Zone which has multi uses, including residential, and depending on the use of the property that would determine if the buffer would kick in. The Chair noted we are talking about what could happen in the future. Mr. Partington stated he felt it would be safer to grant the variance. Mr. Partington also agreed it meets all five criteria.
- Mr. Yennaco had no comments.
- Mr. Tierney stated ultimately anything that is not on public land, while in the public's hands, should have an insurance policy. He asked the Board if they wanted to consider crafting this into the motion or if they wanted to leave it in the hands of the Board of Selectmen. The Chair stated he would leave it up to the Board of Selectmen and David Sullivan.
- The Chair agreed with the comments made and thinks it meets the five criteria.

Mr. Scholz motioned for Case #10-2014, Lot 11-A-317, 22 Haverhill Road, to grant relief from Section 702.5 & Appendix A-1 Note 9 as requested; Section 702 & Appendix A-1 as requested; Section 706.5.5 as requested; Section 706.5.1.5 as requested; and Section 706.8 as requested, seconded by Mr. Yennaco. Motion passed: 5-0.

The Chair advised of the 30 day appeal period.

Review and Approval of Draft Meeting Minutes – 3/11/14

Mr. Partington made a motion to approve the March 11, 2014 ZBA minutes as written, seconded by Mr. Scholz. Motion passed: 5-0.

Member Binder Updates

- 2014 Zoning Ordinance & Map (Tab #3)
- Law Updates (Tab #11)

Old/New Business

The Chair reminded the Board of the sign-up for the annual OEP conference at Mountain View Grand, for anyone interested.

Since there are no cases for the April 8, 2014 meeting, the Board agreed to cancel the meeting.

Mr. Scholz motioned to adjourn the March 25, 2014 Zoning Board of Adjustment Meeting at 10:45pm, seconded by Mr. Partington. Motion passed: 5-0.

These minutes are respectfully submitted by Laura Accaputo, Zoning Board of Adjustment Minute Taker.