

**Zoning Board of Appeals Minutes
November 29, 2006**

**Hearing #06-14
Time 7:33pm**

Present: David Perry, Joe Daigle, Terry Giraud,
Donna Brooks and Cheryl Anderson

Absent: Gil Carreiro

- 1) David opens hearing:
 - A. David advises he had worked for the appellant 1 year ago.
 1. Discussion on conflict of interest.
 - B. David also rents space to the appellant.
 1. Discussion on conflict of interest.
 - C. David entertains motion.
 - D. Donna makes motion of finding that no apparent conflict of interest exists.
 - E. Cheryl Seconds.
 - F. **Vote: *Unanimous that no apparent conflict of Interest exists.***
- 2) David continues with hearing by advising of rules and introduces Board.
- 3) Appellant, Steven Gaudet presents request.
- 4) Donna asks how long ago they started.

Maria Gaudet believes it was 1993.
- 5) Terry speaks to the paperwork from bank and notification.
- 6) Cheryl suggests bank had notified family.
- 7) David states Nashoba Agent had not been notified by bank.
- 8) Donna asks who tore down the house.
 - A. David stated the town had.

- B. No notification to the appellants before removal.
- 9) David asks height.
- A. Appellant state 29'
- 10) Joe asks bed rooms - 3 Bedrooms
- 11) Joe asks to size - same foot print
- A. Maybe same footing
- 12) Joe asks side line measurement to near sideline = 1' 6"
- 13) a. Received updated letter from Building Inspector number 1 of 2.
- b. Received sketch of property with measurements numbered 2 of 2
- 14) David closes hearing at 8:06pm.
- a. No abutters or interested Boards present.
- 15) David advises rules and appeals procedure.

Hearing 06-15
Time: 8:09pm

1. David opens hearing and introduces Board.
2. Bruce David (appellant) states case to the Board.
 - A. Meets frt. Set back
 - B. Meets Side set back
 - C. Needs frontage - present 101.62"
 - D. Proposes to cut off property from larger piece (has had it surveyed by Szoc).
 - E. 60,026 sq.ft. lot.
 - F. Has Septic designed.
 - G. Septic is proper distance from all neighbors wells.
3. David asks about rear set back
 - A. Appellant states that it is in excess of 100'

- B. Land purchased in 2000
4. Joe asks about rear remaining lot and ownership
- A. Appellant states remaining lot has frontage on Route 119 = 170'
5. Deb Jameson (Abutter is apposed to variance)
- A. Little Watatic Pond Road is not a town road.
6. David tells crowd to be still or the hearing will be closed.
7. Joe Hines speaks to road and its status.
Bernadette Hines speaks.
8. David asks appellant if he's been to the Planning Board - states yes, but sent to us.
9. John Brownell speaks to the fact that there is a lot of large lots. He is apposed and the nearest abutter.
10. Appellant speaks to the quality of his work.
11. Kimberly and Carl Shell (abutters) speak and submits letter of concern numbered 1 of _____. They are apposed.
12. Appellant states the Shell's have left a gravel cut at his property that will not be on his lot.
13. Cheryl asks if appellant owns the Road...
Will he start maintaining it?
- A. Appellant states no one knows for sure who owns the Road - therefore he would not. But maybe New Owner will.
14. Kimberly Shell continues with her complaints and pictures, plus copies of our past decisions!
- A. Joe advises abutter of procedures and presidents and lack thereof.
15. Appellant states there is no privacy within neighborhood - everyone can see everyone elses house.
16. David reads second letter from Shell's received and numbered #2 of
17. MaryAnn Hancock (abutter) complains about extra fire road being part of new lot. - not so.

- A. Where is the driveway going?
 - B. Group discussion with abutters taking over the asylum.
 - C. Ms. Hancock asks where septic is going?
 - 1. Shown
18. Gloria and Paul Homes speaks to the fact that they are apposed.
19. James Hancock claims there will be 3 houses.
- A. Told we were addressing put one.
20. Lori Shell speaks against project.
- A. Traffic and Road condition.
21. Mr. Brownell wants to know why profit can be the motive for variance?
22. Kim Shell speaks again.
23. Mr. Brownell speaks again, again, and again.
24. David wonders about Planning Boards decision.
- 25. A. Donna makes motion to close hearing.
 - B. Cheryl **Seconds**
 - C. Discussion on Motion
26. Terry asks what difference Planning Board makes.
27. Cheryl asks about info from Planning Board
28. Discussion continues.
29. **Vote on Motion:**
- For: Donna**
- Against: Cheryl, Joe, Terry, David**
30. Hearing continued until 1/3/07 @ 7:30pm
- Motion:** Terry
- Second:** Donna
- Vote For: David, Joe, Terry and Donna**
- Abstain: Cheryl**
31. Deliberation on #06-14 Starts at 9:45pm.
- A) **Motion:** To approve with conditions - Donna
 - B) **Second:** Cheryl
 - C) **Discussion:**

1. **Conditions:**
 - A. Not taller than 29'
 - B. Follow the same foot print.

32. Meeting stopped at 9:50pm.

Respectfully submitted,
Joseph B. Daigle
Acting Clerk