



TOWN OF MIDDLETON
ZONING BOARD OF APPEALS

MEETING MINUTES

March 24, 2016

Fuller Meadow School

7:00 pm

Members in Attendance: Craig Hartwell, Chairperson, Barbara Piselli, James E. Fox, Anne Cote, Richard Nazzaro,

Absent: Nicholas Phillip Yebba, Ann LeBlanc-Snyder

Others Present: Katrina O'Leary, Town Planner
Jill Mann, Esq.
Douglas Earp
Phil Leiss
Michael Mack
Michael Magnifico
Kelly Mower
Chris Sparages
Leanna Harris, Recording Secretary

Craig Hartwell called the meeting to order at **7:07 pm**.

I. MINUTES

A. December 17, 2015

B. January 28, 2016

C. February 25, 2015

MOTION: Mr. Hartwell moved to amend the January 28, 2016 Minutes to reflect that Mr. Richardson was not just an abutter but is also a member of the IRDC. In addition revise the January 28th minutes to reflect that Mr. Hartwell moved the Motion regarding the surety for 225 Maple Street and not Ms. Piselli and Mr. Yebba seconded the Motion. Second by Ms. Piselli.

Votes: 5-0 (Hartwell, Piselli, Cote, Fox, Nazzaro)
Motion carries.

MOTION: Mr. Hartwell stated the Minutes of February 25, 2016 need to be amended (pages 4 and 11) to reflect that Ms. Piselli was not present at that meeting and was not a voting member on any of those motions. Second by Ms. Piselli.

Votes: 5-0 (Hartwell, Piselli, Cote, Fox, Nazzaro)

Motion carries.

MOTION: Mr. Hartwell moved to approve the Minutes from December 17, 2015 and January 28, 2016 and February 25, 2016 as amended. Second by Ms. Piselli.

Votes: 5-0 (Hartwell, Piselli, Cote, Fox, Nazzaro)

Motion carries.

II. CONTINUED PUBLIC HEARINGS

A. 1 School St. – Susan Gannon – Appeal of Building Commissioner’s Decision.

Application: #1003

Attachments: Update Memo, Original application and exhibits, Letter dated March 15, 2016 requesting a continuance.

Voting Members: Mr. Hartwell, Ms. Piselli, Mr. Fox, Ms. Cote, Mr. Nazzaro

MOTION: Mr. Hartwell moved to accept the letter requesting a continuance to the 28, 2016 meeting with the condition that if another continuance is sought at the April meeting, then the applicant must be present at the May meeting to provide a status update. Second by Mr. Nazzaro.

Votes: 5-0 (Nazzaro, Fox, Cote, Hartwell, Piselli)

Motion carries.

III. PUBLIC HEARINGS

A. 73 East Street, Douglas R. Earp – Dimensional Variance for side yard setback

Application: #1008

Attachments: Application, plan

Voting Members: Nazzaro, Fox, Cote, Hartwell

Recused: Piselli

Ms. Cote read the application into record and stated the abutters have been notified. There is no correspondence.

Douglas Earp approached the Board. Mr. Hartwell stated they would like to conduct a site walk. The members and applicant agreed on Sunday, April 17th at 9:30am.

MOTION: Mr. Hartwell moved to conduct the site walk on April 17th at 9:30 a.m.

Votes: 4-0 (Nazzaro, Fox, Cote, Hartwell)

Motion carries.

MOTION: Mr. Hartwell moved to continue the hearing until the April 28, 2016 meeting. Second by Mr. Nazzaro.

Votes: 4-0 (Nazzaro, Fox, Cote, Hartwell)

Motion carries.

B. 10 Village Road – New Meadows Development LLC – Use Variance to allow

Condominium Complex in the R1b zone

Application: #1009

Attachments: Application, Exhibit F, Exhibit G, Letter in support

Voting Members: Nazzaro, Fox, Cote, Hartwell, Piselli

Ms. Cote read the application into record and stated the abutters have been notified. There is one piece of correspondence in support from Ferncroft Country Club.

Jill Mann, Esq. addressed the Board on behalf of the applicant and reviewed the proposed Plans. The maintenance building would come down but the existing trees in front of it would remain. They plan to maintain open space in the front and build at the back of the property. The Use Variance is so they can build duplexes. The property abuts the only IH district in Town. This property has the right to connect to the sewer system.

Phil Leiss, Golf Pro at Ferncroft Country Club, represented the Country Club and spoke in favor of the Variance.

Michael Magnifico stated he is concerned about the sewer system taking on additional dwellings. Michael Mack, 4 Country Club Lane. Mr. Mack stated he shares the same concerns as Mr. Magnifico regarding the sewer system. Mr. Mack is also concerned that the views of the golf course from certain units will be affected.

Kelly Mower stated she lives in Unit 2 and is concerned that their view will be partly taken away. Ms. Mower is also concerned that once the maintenance building is relocated, the trucks that utilize that building will now be traveling further back into the property. Mr. Mack agreed.

Chris Sparages addressed the concerns of views being affected.

MOTION: Ms. Piselli moved to conduct a site walk on Sunday, April 3, 2016 at 9:30 a.m. Second by Ms Cote.

Votes: 5-0 (Nazzaro, Fox, Cote Hartwell, Piselli)
Motion carries.

MOTION: Mr. Hartwell moved to continue this application to the April 28, 2016 meeting. Second by Ms. Piselli.

Votes: 5-0 (Nazzaro, Fox, Cote Hartwell, Piselli)
Motion carries.

Adjournment

MOTION: Mr. Hartwell moved to adjourn at **8 pm**.

All in favor.

Motion carries.

Minutes submitted by Leanna Harris, Recording Secretary, and accepted at the May 5, 2016 meeting of the board.