

**UNAPPROVED MINUTES
Town of Auburn
Zoning Board of Adjustment
September 28, 2021**

Present: Mike DiPietro, Chairman. Kevin Stuart, Vice-Chairman, Patrick Bergeron & Shannon Daoust, Members. Shawn Matte & Steven Kimball, Alternate Member. Minutes were taken and prepared by Denise Royce.

Also, Present: Carrie Rouleau-Cote, Building Inspector/Code Enforcement.

Absent: Steve Carroll, Member.

Mr. DiPietro called the meeting to order at 7:00 p.m.

Mr. DiPietro introduced himself and moved on to introduce each of the Board members and Alternate members of the Board. Mr. DiPietro explained the procedure for tonight's hearing whereby the applicant would read their case into the minutes and then he would ask if there were any questions from abutters and interested parties. Mr. DiPietro pointed out that, Carrie Rouleau-Cote, Building Inspector/Code Enforcement Officer was also present this evening.

Mr. DiPietro indicated that the Board needed to take up the election of officers and began by accepting nominations for Chairman of the Zoning Board of Adjustment. Mr. DiPietro indicated that there was a nomination made by e-mail from one of the Board members who nominated Kevin Stuart for the Chairman position and Mr. DiPietro for the Vice-Chairman position. Mr. Stuart declined the nomination and nominated Mr. DiPietro to be Chairman of the Zoning Board of Adjustment.

Mr. Stuart nominated Mr. Mike DiPietro for the Chairman position. Mrs. Daoust second the nomination. Mr. DiPietro accepted the nomination. A vote was taken, all were in favor and Mr. DiPietro was nominated as Chairman of the Zoning Board of Adjustment.

Mr. DiPietro thanked the Board and moved on to ask for a nomination for Vice-Chairman.

Mr. Bergeron nominated Mr. Kevin Stuart for the Vice-Chairman position. Mr. DiPietro second the nomination. Mr. Stuart accepted the nomination. A vote was taken, all were in favor and Mr. Stuart was nominated as Vice-Chairman of the Zoning Board of Adjustment.

Case #21-14
Jason & Jenna Ashby
332 Chester Turnpike – Map 11, Lot 8-4
Zoned Residential Two
Continued from August 24, 2021

Applicant is requesting a Variance from Article 5, Section 5.08(1)(a) to permit the construction of a 30-foot by 60-foot garage to be within the 125-foot wetland buffer of a Level One wetland in a Residential Two zone.

Mr. DiPietro asked the applicant to present his case. Mr. Ashby explained that, when he bought the house several years ago that he has wanted to put up a barn or garage. After a couple of years bought a tractor and lawn mower and wanted to keep things under cover as best he can. He is looking to put up a garage and pointed out that he has very little room to put up a garage because of the seasonal wetlands so it pretty much limits him from doing anything on the property because the back is pretty wet. At this time, Mr. Ashby read his application into the minutes for the record.

Mr. DiPietro asked Mrs. Rouleau-Cote if she had any comments. Mrs. Rouleau-Cote commented that, he was informed to meet with the Conservation Commission with regard to the wetland buffer because it was a pretty good size structure. Mrs. Rouleau-Cote indicated that, she has not seen a finalized plan so was unsure how much of a buffer he is retaining from the wetland or if there is any mitigation plan.

Mr. Stuart asked Mr. Ashby to explain what the feedback from the Conservation Commission he got at that meeting. Mr. Ashby stated that, the feedback was that he presented a plan showing the location of the structure and one of the comments was to add on to the existing garage and believed that in doing so it would be closer to the wetlands. Mr. Stuart pointed out that, in the minutes of the Conservation Commission there was talk about whether the garage would be on a slab or a foundation with a basement. Mr. Ashby wanted to see what was preferred because the land does slope on that side of the driveway and if he was using the slope that he would just have a foundation and utilize the lower level to reduce the amount of dirt that they would have to pull out of there and if he did a slab then he would have to have a lot more dirt brought in. Mr. Matte commented that, with that size of a structure you could not do a monolithic slab because you are only allowed 600 square feet with a monolithic slab in the State of New Hampshire. The Board members all had a copy of the Conservation Commission minutes of June 8, 2021 (a copy of which can be found in the ZBA file). The Board members also had a copy of the plan prepared for Mr. Ashby which shows the location of the edge of seasonal wet area. Mr. Kimball asked if the edge of seasonal wet area was the actual wetland. Mr. Ashby stated that, yes it was the actual wetland when this was last verified and did not know when that was done. Mr. Kimball asked if the entire structure would be in the buffer. Mr. Ashby indicated that his house was in the wetland buffer and that the only thing that was not in the buffer was his septic system. A brief discussion ensued with regard to the proposed garage location. Mr. DiPietro believed that, in looking at the drawing it looks like the garage would be within the front setback and asked what the size

would be. Mr. Ashby indicated that, he is looking at a 30-foot by 60-foot garage. Mrs. Daoust believed that if he shrunk it down approximately 20 feet that he would be further back from the road and further from the wetland. Mr. Bergeron asked Mr. Ashby if he was working with a drainage professional. Mr. Ashby mentioned that he has had a lot of issues with the back of his property and the issue with the stump dump and explained that his deck had shifted, and his grill had slid down to the other side of the deck. Mr. Kimball asked about placing it on the left side of the property. Mr. Ashby stated that, the septic was there and then the property line was right after that and that the well was in the back of the house. Mr. Stuart asked what the number of bays the garage would have. Mr. Ashby said that it would be two (2) bay doors. A discussion ensued with regard to expanding the driveway and whether it would be paved or not. Mr. Ashby commented that he would do whatever would be necessary to do this.

Mr. Stuart asked Mrs. Rouleau-Cote for comments. Mrs. Rouleau-Cote believed that the Board may want to consider that we actually have a finalized plan showing the size of the structure that he is proposing and what improvements are going to occur within the wetland buffer with regard to building, access, driveways and some kind of wetland mitigation so that the Board has something that they are approving that is somewhat concrete in nature of a plan. Mrs. Rouleau-Cote went on to say that, so that way she would know when he goes to build it that we are all on the same page. Again, Mrs. Rouleau-Cote stated that she has not seen a finalized plan and believed that the discussions that have occurred with the Conservation Commission as well as tonight that you may want to see if you can get a more formalized plan in order to move forward with a decision. Mr. DiPietro agreed with Mrs. Rouleau-Cote and added some kind of elevation and which way the roof is going to pitch and a true representation of where that line is. A brief discussion ensued with regard to possibly updating the wetlands and even doing just the area in question. The Board is looking for more details such as dimensions to the road and setback to wetlands so that way the Board could make a decision. Mr. Ashby did not want to invest a lot of money in this if no matter what he does won't help. Mr. DiPietro stated that, if they knew those dimensions and a little bit more of a plan would help. Mr. Ashby understood what the Board was asking. Mr. DiPietro pointed out that, a recommendation by the Conservation Commission goes a long way with the Zoning Board.

Mr. DiPietro asked if there were any further questions from the Board. None were noted. Mr. DiPietro asked if there were any questions from abutters or interested parties. None were noted. Mr. DiPietro elevated both Mr. Matte and Mrs. Daoust to a full voting member for this case. With that said, Mr. DiPietro stated that, he would entertain a motion to Table the matter until a date certain. Discussion ensued between the Board members and Mr. Ashby, and it was decided to Table the case until January 25th, 2022 to give Mr. Ashby some time to prepare a finalized plan.

Mrs. Daoust made a motion to TABLE the case until January 25th, 2022 for Case #21-14, 332 Chester Turnpike, Tax Map 11, Lot 8-4. Seconded by Mr. Bergeron. Mrs. Daoust voted to Table, Mr. Bergeron voted to Table, Mr. Stuart voted to Table, Mr. Matte voted to Table, and Mr. DiPietro also voted to Table. A vote was taken and, all were in favor and the case was Tabled until January 25th, 2022.

Mr. Ashby thanked the Board members for their time and the discussion ended at 7:33pm.

Mr. DiPietro asked Ms. Royce to move on to the next case. Ms. Royce read the next case into the minutes for the record.

Case #21-15

Scott & Judith Upham

17 Oaktree Road – Map 17, Lot 19

Zoned Residential One

Continued from August 24, 2021

Applicant is requesting a Variance from Article 4, Section 4.06(6) to permit a structure to remain in place within the 50-foot front property line in a Residential One zone.

Mrs. Daoust recused herself from this case as she is an abutter to this property. Mr. DiPietro elevated Mr. Matte and Mr. Kimball to full voting status for this case. Mrs. Upham read her application into the minutes for the record. Mrs. Upham stated that they measured from the edge of pavement to the structure, and it is 29-feet. Mrs. Upham indicated that, their septic is in the front yard and that their well is in the backyard. Mrs. Upham explained that her husband had originally cleared that spot because it was close to the road to park the tractor and decided to buy him a shelter logic for Christmas not knowing that they needed a permit. Mr. DiPietro asked what the dimensions of the structure was. Mrs. Upham did not know but would find out. Discussion ensued with regard to the structure and what it was made of. The Board called it a membrane structure. At this time, Mrs. Upham showed the Board members pictures that were taken on her phone.

Mr. DiPietro asked the Board members if they had enough information. Mr. Stuart asked Mrs. Upham why they decided to put it there. Mrs. Upham began by saying that, they put crushed stone down so that the tractor was not directly on the grass and that she bought the shelter logic after as a Christmas present so that it would keep it covered and it was a flat spot. It was noted that it was 29-feet from the edge of pavement to the structure. Mr. Stuart asked what the size of the structure was again. Mrs. Rouleau-Cote had a comment and wanted to add that, this is a structure that is already existing and if they allow the structure to remain that if the structure fails and needs to be replaced will the Board allow it to be replaced. This just gives her direction in the future. Discussion ensued regarding future expansion and that it was noted that the driveway was not paved.

With that said, Mr. DiPietro asked if there were any further questions from the Board members. None were noted. abutters. Mr. DiPietro asked if there were any questions from abutters or interested parties. None were noted. At this time, Mr. DiPietro elevated Mr. Kimball and Mr. Matte and would entertain a motion to vote on Variance application for a membrane structure. Mr. Stuart asked Mrs. Upham if she found out the dimensions of the structure.

Mr. Stuart made a motion to vote on the application as submitted for a membrane structure to be no closer than 29-feet from the edge of pavement that is 24-feet long by 13-feet wide and 10-feet high for Case #21-15, 17 Oaktree Road, Tax Map 17, Lot 19. Seconded by Mr. Bergeron. Mr. Kimball voted to grant finding all five (5) factors have been met, Mr. Stuart voted to grant finding all five (5) factors have been met, Mr. Matte voted to grant finding all five (5) factors have been met, Mr. Bergeron voted to grant finding all five (5) factors have been met, and Mr. DiPietro also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.

Mrs. Upham asked if she would be getting something in the mail. Mrs. Rouleau-Cote said yes and to come see her. Mrs. Upham thanked the Board members and Mrs. Rouleau-Cote for their time and the discussion ended at 7:49pm.

Mr. DiPietro asked Ms. Royce to move on to the next case. Ms. Royce read the next case into the minutes for the record.

**Case #21-19
Shawn & Amy Matte
13 Spruce Lane, Tax Map 11, Lot 45-2
Zoned Residential Two**

Applicant is requesting a Variance from Article 4, Section 4.06(6) to allow the construction of an attached 36-foot by 32-foot garage and an 8-foot by 35-foot farmers porch to be within the front setback on a corner lot where 50-feet is required in a Residential Two zone.

Mr. Matte read his application into the minutes for the record. Mr. Kimball asked Mr. Matte why he couldn't use the existing garage. Mr. Matte indicated that the existing garage was a glorified shed and it's a two (2) car under. Mr. Matte stated that he is looking to be 10-feet within the setback because the house is set at an angle and that it was basically just a corner of the farmer's porch and the garage. Discussion ensued regarding placement and that Mr. Matte wanted the attached garage with the addition above which will have living space to be flush with the house. Another reason was because the septic and the line that runs from the house to the septic and leachfield runs behind the house. At this time, the Board members reviewed the plan presented to the Board members with Mr. Matte.

Mr. DiPietro asked Mrs. Rouleau-Cote if she had any questions or comments. Mrs. Rouleau-Cote indicated that, she has been working with Mr. Matte throughout this process and this will just give them a little more room.

Mr. DiPietro asked if there were any abutters or interested parties who wished to speak. None were noted. Mr. DiPietro elevated both Mrs. Daoust and Mr. Kimball to full voting members for this case. Mr. DiPietro indicated that, he would entertain a motion to vote on this application.

Mr. Bergeron made a motion to vote on the Variance application as presented tonight to be no closer than 40-feet from the property line for Case #21-19, 13 Spruce Lane, Tax Map 11, Lot 45-2. Seconded by Mr. Stuart. Mr. Kimball voted to grant finding all five (5) factors have been met, Mr. Stuart voted to grant finding all five (5) factors have been met, Mrs. Daoust voted to grant as she believed all five (5) factors have been met, Mr. Bergeron voted to grant as all the factors have been met, and Mr. DiPietro also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.

Mr. DiPietro informed Mr. Matte about the 30-day appeal period. Mr. Matte thanked the Board and the discussion ended at 8:00pm.

Mr. DiPietro asked Ms. Royce to move on to the next case. Ms. Royce read the next case into the minutes for the record.

Case #21-20

Dawn & Richard Wheaton

56 Appletree Road, Tax Map 17, Lot 84

Zoned Residential One

Applicant is requesting a Variance from Article 3, Section 3.05(4)(b) non-conforming lot; and a Variance from Article 4, Section 4.06(6) to permit the installation of a 16-foot by 24-foot shed which will exceed the 5% lot coverage to be 6.3%; and a Variance to encroach within the 30-foot side setback in a Residential One zone.

Mr. DiPietro informed the Board that there were two (2) Variances requested with one being for the setback and one for the lot coverage. Mrs. Wheaton read her application into the minutes for the record. At this time, the Board members reviewed the photos on Mr. and Mrs. Wheaton's phone that were taken showing the proposed location of the shed. Discussion ensued regarding how much relief they would be seeking. It was noted that, the Board would be looking at a 10-foot encroachment into the setback. The Board members reviewed the plot plan.

Mr. DiPietro asked if there were any abutters present. None were noted. Mr. DiPietro asked if there was any further discussion from the Board. Mr. Kimball pointed out that it was a non-conforming lot, and this is what gives this property its uniqueness. Mrs.

Daoust talked about the two (2) lots on Hunting Road that came before the board to exceed lot coverage and talked about a precedence that has been set. Mr. Bergeron noted that the Zoning Board takes cases on a case-by-case basis and that the Board decides accordingly. With that said, Mr. DiPietro reiterated that it was two (2) motions that needed to be taken up, one for lot coverage and one for setback. Mr. DiPietro elevated Mr. Matte to full voting member for this case.

Mr. Stuart made a motion to vote on the first Variance that the shed be no closer than 20-feet from the side property line for Case #21-20, 56 Appletree Road, Tax Map 17, Lot 84. Seconded by Mr. Bergeron. Mr. Kimball voted to grant finding all five (5) factors have been met, Mr. Stuart voted to grant finding all five (5) factors have been met, Mr. Matte voted to grant as he believed all five (5) factors have been met, Mr. Bergeron voted to grant as all the factors have been met, and Mr. DiPietro also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.

Mr. DiPietro moved on to the second Variance request.

Mrs. Daoust made a motion to vote on the second Variance as presented to exceed lot coverage to be 6.3% where 5% is the maximum limit as presented tonight for Case #21-20, 56 Appletree Road, Tax Map 17, Lot 84. Seconded by Mr. Stuart. Mrs. Daoust voted to grant finding all five (5) factors have been met, Mr. Bergeron voted to grant finding all five (5) factors have been met, Mr. Stuart voted to grant as he believed all five (5) factors have been met, Mr. Matte voted to grant as all the factors have been met, and Mr. DiPietro also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.

Mr. DiPietro informed the applicant about the 30-day appeal period. Mr. and Mrs. Wheaton thanked the Board members and the discussion ended at 8:18pm.

Mr. DiPietro asked Ms. Royce to move on to the next case. Ms. Royce read the case into the minutes for the record.

**Case #21-21
Kathleen Kuslaka-Clement, Trustee
90 Cedar Crest Lane, Tax Map 9, Lot 28-1-13
Zoned Residential Two**

Applicant is requesting a Special Exception from Article 4, Section 4.06(5)(i) to allow the creation of an Accessory Dwelling Unit to be within the existing single-family home in a Residential Two zone.

Mrs. Clement read her application into the minutes for the record. Mrs. Clement pointed out that the Accessory Dwelling Unit (ADU) would be a maximum of 700 square feet and that there was a drawing included with the application. At this time, the Board members reviewed the application and proposed plans for the ADU.

Mr. DiPietro asked Mrs. Rouleau-Cote about life safety is all set with this. Mrs. Rouleau-Cote indicated that she has gone over everything with them and that the basement is at grade and that it was a walkout basement, and it is a fairly new home. A brief discussion ensued regarding the layout.

Mr. DiPietro asked if there were any questions from the Board. None were noted. Mr. DiPietro asked if there were any abutters present. None were noted. Mr. DiPietro elevated both Mr. Matte and Mrs. Daoust. Mr. DiPietro stated that, he would entertain a motion to vote on this application as presented for a Special Exception.

Mr. Stuart made a motion to vote on the application as submitted for a Special Exception to allow an Accessory Dwelling Unit (ADU) to be within the existing single-family home for Case #21-21, 90 Cedar Crest Lane, Tax Map 9, Lot 28-1-13. Seconded by Mr. Bergeron. Mr. Matte voted to grant as he believed all four (4) factors for a Special Exception have been met, Mrs. Daoust voted to grant as she believed all four (4) factors have been met, Mr. Bergeron voted to grant as he believed all four (4) factors have been met, Mr. Stuart voted to grant finding all four (4) factors have been met, and Mr. DiPietro also voted to grant finding all four (4) factors have been met for a Special Exception. A vote was taken and, all were in favor and the motion passed.

Mrs. Clement thanked the Board and the discussed ended at 8:23pm. Mr. DiPietro asked Ms. Royce to move on to the next case. Ms. Royce read the next case into the minutes for the record.

Case #21-22

Joseph Falzone

Auburn School District (Property Owner)

Dollard Road & Hooksett Road, Tax Map 10, Lot 19

Zoned Residential Two

Applicant is requesting a Variance from Article 12, Section 12.03(5) to allow more than seven (7) permits to be issued annually where the Town of Auburn's Zoning Ordinance states "not more than seven (7) permits shall be issued to any one subdivision of land" in a Residential One zone.

Attorney Donald Borenstein of Johnson & Borenstein, LLC presenting on behalf of Mr. Falzone. Attorney Borenstein pointed out that, Mr. Falzone has been approved by the Planning Board for a 78 unit 55 and older condominium development. Attorney Borenstein stated that, they are before the Zoning Board tonight to seek a Variance from

Article 12, Section 12.03(5) to be able to obtain more than the allowed (7) permits annually. At this time, Attorney Borenstein began reading the application into the minutes for the record. Attorney Borenstein pointed out Section 12.04(2) of the Zoning Ordinance which is dedicated to proposals for housing for the elderly and as a result grant a Variance from all limitations on the issuance of building permits. (A copy of the application is available within the ZBA file). With that said, Attorney Borenstein stated that, he would be happy to answer any questions at this time.

Mr. Bergeron recused himself from this case as he is an abutter of an abutter. Mr. DiPietro elevated Mr. Matte, Mrs. Daoust and Mr. Kimball with the recusal of Mr. Bergeron.

Mr. DiPietro began by saying that, it almost sounds like they don't need a Variance. Mrs. Rouleau-Cote commented that, she reads the ordinance to say that if the Zoning Board wants to grant it they can grant it for Section 12.04(2). Mr. DiPietro suggested that they follow Mrs. Rouleau-Cote's explanation of the ordinance. Mrs. Rouleau-Cote gave a little background on the growth ordinance and pointed out that the Town of Auburn does have a growth ordinance for giving out building permits which is 3% of the number of dwelling units known to exist in Auburn in the previous year. (Article 12, Section 12.03(1)). Mrs. Rouleau-Cote went through the available permits for year 2021 which was 67 permits. Mr. Stuart asked Mr. Falzone and Attorney Borenstein what number of permits they would be looking for. Mr. Falzone explained that the bank is looking at a specific amount of permits he can get per year and were not interested in the could haves. Mr. Falzone indicated that it would be approximately 20 to 25 permits for a three (3) or four (4) year build out. Mrs. Rouleau-Cote pointed out that in 2018 they had 64 permits available and 28 were issued; in 2019, 65 were available and 24 were issued; in 2020, 67 were available and 32 were issued; so currently the climate is that a lot of our subdivisions are built out. Mrs. Rouleau-Cote commented that, with his build out timeline she did not believe that his estimation of 20 to 25 a year is going to impede anyone else's ability to secure a permit. Mrs. Rouleau-Cote further explained that the Planning Board does not have any subdivisions before them at this time and wanted to be cautious because she is one person and is used to doing approximately 30 new homes a year and asking her to do 55 new homes a year may require a third party to do inspections.

Discussion ensued with regard to Section 12.04(2) and what the Board will be voting on which would be if the applicant meets the criteria for obtaining more than the allowed seven (7) permits per year. Mrs. Rouleau-Cote explained that, under the current ordinance he could get up to 21 permits a year but he just wants to show that he can automatically, right out of the gate, that he has 20 permits that he can ask for. He just basically wants assurance that he can get those permits. Mr. Kimball read the ordinance to mean that he didn't believe that these permits would count against the cap number of permits because he believed that if the Board agreed that he met these criteria that he would be excluded from the limitations of the article. Further discussion ensued with regard to this request.

Mr. DiPietro asked if there were any further questions from the Board. Mr. Stuart was unsure it would be a Variance or is just this a vote to see if they meet these criteria. Mr. Stuart wanted to see what Attorney Borenstein had to say. Attorney Borenstein suggested that the Board vote to make the finding that specified that they meet the exception and to the extent necessary vote on the Variance from Section 12 then they would be sure that they have something that they can go to the bank.

With that said, Mr. DiPietro asked for a motion to that effect. Mr. Stuart wanted to ask Mrs. Rouleau-Cote her thoughts on these two (2) votes for the finding and then a Variance. Mrs. Rouleau-Cote indicated that, they would be doing a finding that they meet the exception for Article 12, Section 12.04(2); and then a Variance to allow more than seven (7) permits.

Mr. Kimball made a made a motion that the ZBA has made a finding that the proposed project providing elderly housing complies with all other town zoning ordinance and is consistent with the Master Plan and is therefore eligible for the exception under Article 12, Section 12.04(2) for Case #21-22, Dollard Road & Hooksett Road, Tax Map 10, Lot 19. Seconded by Mr. Stuart. Mr. Matte voted to grant the finding, Mrs. Daoust voted to grant, Mr. Stuart voted to grant the finding, Mr. Kimball voted to grant the finding that they meet all the requirements of the ordinance, and Mr. DiPietro also voted to grant the finding. A vote was taken and, all were in favor and the motion passed.

Mrs. Daoust made a motion to vote on the Variance request based on Article 12, Section 12.03(5) to allow the applicant more than seven (7) permits per year for Case #21-22, Dollard Road & Hooksett Road, Tax Map 10, Lot 19. Seconded by Mr. Stuart. Mr. Matte voted to grant as he believed all five (5) factors have been met, Mrs. Daoust voted to grant as she believed all five (5) factors have been met, Mr. Kimball voted to grant as he believed all five (5) factors have been met, Mr. Stuart voted to grant finding all five (5) factors have been met, and Mr. DiPietro also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.

Mr. Falzone and Attorney Borenstein thanked the Board for their time and the discussion ended at 8:49pm.

Mr. DiPietro asked Ms. Royce to read the last case into the minutes for the record. Ms. Royce read the next case into the minutes.

Case #21-23
Matthew Provost
417 Manchester Road – Map 25, Lot 2
Zoned Residential One

Applicant is requesting to REINSTATE an expired Variance previously granted on September 24, 2019 to allow the removal and reconstruction of existing non-conforming structure (garage) in a Residential One zone. Article 3, Section 3.05(2)(a) – Replacement/reconstruction of non-conforming uses and structures.

Mr. DiPietro asked Mr. Provost if there were any changes to the original application. Mr. Provost said no but he did put in a new leachfield on the property but other than that there were no new changes. Mr. DiPietro believed they could fall back on the original request since no new changes are to occur. Mr. Stuart asked what happened. Mr. Provost stated that he obtained the Variance on September 24, 2019, and then COVID happened and couldn't find anyone to do it. The Board understood the issue with COVID. Mrs. Rouleau-Cote pointed out that he is asking for a new Variance correct. Mr. DiPietro said yes.

Mr. DiPietro noted that there were no abutters present since Mr. Provost was the only one in the audience. With that said, Mr. DiPietro stated that, he would entertain a motion to grant a two (2) year extension to this Variance.

Mr. DiPietro elevated both Mr. Matte and Mrs. Daoust for this case.

Mr. Stuart made a motion to vote on the Variance application as submitted to reinstate the Variance as submitted for Case #21-23, 417 Manchester Road, Tax Map 25, Lot 2. Seconded by Mr. Bergeron. Mr. Matte voted to grant as he believed all five (5) factors have been met, Mrs. Daoust voted to grant as he believed all five (5) factors have been met, Mr. Bergeron voted to grant as he believed all five (5) factors have been met, Mr. Stuart voted to grant finding all five (5) factors have been met, and Mr. DiPietro also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.

Mr. Provost thanked the Board members for their time and the discussion ended at 8:55pm and the applicant exited the meeting.

Mr. DiPietro moved on to the approval of the meeting minutes for August 24, 2021.

Minutes

Mr. Stuart made a motion to accept the minutes of August 24, 2021, as written, seconded by Mr. Bergeron. All were in favor, and the motion passed.

Other Business

Discussion ensued regarding the Zoning Ordinance online and it was determined that the 2020 Zoning Ordinance can be found online. Mrs. Rouleau-Cote asked the Board if they had anything that they would like the Planning Board to look into or any changes that they would like to see. Mrs. Rouleau-Cote believed that they would be revisiting Article 12 and try to get a better interpretation of that ordinance. Mrs. Rouleau-Cote also commented that, they would be tweaking the definition for home office/home shop because things have changed. A brief discussion ensued with regard to changes to the ordinance.

Mrs. Daoust asked if we could have one meeting for November/December, but it was noted that we have been getting a lot of cases and that would be impossible. Ms. Royce informed the Board that she did move the dates up a week due to the Thanksgiving holiday and the Christmas holiday.

On another note, Mr. DiPietro indicated that, he had spoken with Mr. Matte, and he did not want to be elevated to a full member at this time because he had too much going on. With that said, Mr. DiPietro pointed out that, the next one in line would be Mrs. Daoust and informed her that she was elevated to full voting member for the Zoning Board of Adjustment. Mrs. Daoust thanked Mr. DiPietro for the elevation to full voting member of the Board.

Lastly, Mr. DiPietro asked for a motion to adjourn.

Adjourn

Mrs. Daoust made a motion to adjourn, seconded by Mr. Bergeron. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 9:10 p.m.

The next scheduled meeting for the Zoning Board of Adjustment is October 26, 2021 at 7:00 pm and will be held at the Town Hall, 47 Chester Road unless otherwise noted on the upcoming Agenda.