

Appeals Board Summary
August 13, 2015

In attendance: James Kearney, Dorothy Sainio, Lowell Freiman, Henry Chapman, Bob Temple Public in attendance: Robert Marks, Henry Sainio, Erik Hedberg, and Rick Whelan

Lowell Freiman called the meeting to order at 7:02PM

Mary Anderson apologized for not typing the summary from the last meeting. She will have them for the next to be approved.

Lowell Freiman said we would table acceptance of the summary until the next meeting.

Lowell Freiman stated this meeting is a prehearing conference for request by Joel Shifman for a Variance at 13 Liberty Road, Map 18 Lot 39. Lowell asked if any Board Member would have a conflict of interest. No one does.

Robert Marks explained that this is a request for a bulk variance for a parcel that is in the village district. In 1995 a variance had been approved (Exhibit 2), the only evidence was only signed by one Board Member. This copy was contained in the files of Joel Shifman held by Attorney Solisky, who has subsequently died. The old application was granted but the variance was never signed. This is an extenuating circumstance in this case. Nothing has changed. This application is under the section Practical Hardship, allowed by State Law and acceptable under Section 6 in the Appeals Ordinance. This is an after-the-fact variance. The minimum lot needs to be 30,000 square feet or less. The town has been assessing this lot as one acre since 1995. It is believed to be 15 – 20,000 square feet. We feel we need a variance which, if provided, will guarantee to be recorded in the Registry of Deeds. Nothing will change by granting this variance because it's already there, nothing will change.

Robert Marks handed out Exhibits 1 – 6 and explained each one. 1) Deed , 2) Partially signed 1995 decision from Board of Appeals, 3) Letter from the CEO to Rick Whelan, 4) Original deed from Gordan Brown & Ed Reardon creating this lot in 1989 (contains an easement for a leech field on the abutting property, 5) Proposed deed which actually hasn't been provided to Mr. Hedberg's attorney for approval for a septic system, 6) Sketch of the property.

Bob Temple stated he investigated the lot and found it legal. They need something to be recorded.

Lowell Freiman stated that procedurally the Board needs to go through the steps which should be straight forward.

The Findings were read by Bob Temple, motions were made and approved. Bob read the Public Hearing notice, changes were suggested. **Dorothy Sainio made a motion to accept the changes made to the notice, Henry Chapman seconded, all in favor.**

Dorothy Sainio made a motion to accept the list of abutter's to be notified of the public hearing, James Kearney seconded, all in favor.

Dorothy Sainio made a motion to schedule the Public Hearing for September 10, 2015 at 7PM to be held in the Bryant Room of Gibbs Library, Henry Chapman seconded, all in favor

Henry Chapman made a motion to adjourn the meeting at 7:35, James Kearney seconded, all in favor.

Respectfully submitted,

Mary Anderson

