## BRISTOL ZONING BOARD OF ADJUSTMENT March 5, 2019

APPROVED as amended and clarifie	d:
See minutes of _4/2/19jrl	

AGENDA: MOTION FOR REHEARING - 18VAR04, VARIANCE: J. P. JR. & ELIZABETH

MORRISON, 26 Meadow Lane, #223-086

MOTION FOR REHEARING - 18VAR06 VARIANCE: JESSE KROPELNICKI, 55 Holiday Hills

Drive, #110-028

ATTENDING: Alan DeStefano (Chairman), Richard LaFlamme (Vice Chairman), Lorraine Bohmiller,

Larry Denton, Melody Mansur (alternate)

ABSENT: Ashley Dolloff (excused)

OTHER: Christina Goodwin (Land Use Manager), Tyler Simonds (Planner)

The meeting opened at 6:06p.m. Ms. Mansur was named to sit in for Ashley Dolloff.

MINUTES OF FEBRUARY 5, 2019: The following amendments were made: Page 2, 4<sup>th</sup> paragraph from the bottom, 2<sup>nd</sup> line, replace "have lost" with "would lose". Page 3, #4, 2<sup>nd</sup> line, replace "he does know that it will diminish them" with "he knows it would have an effect on the value". Page 4, 3<sup>rd</sup> paragraph, 3<sup>rd</sup> line, replace "Levesque" with "Lefevre".

R. LaFlamme made a MOTION, second by L. Bohmiller, to APPROVE THE MINUTES AS AMENDED. The motion CARRIED.

## MOTION FOR REHEARING: J. P. & ELIZABETH MORRISON

For the sake of Mr. Denton (who was absent for the original hearing), Mr. DeStefano explained that this area has never allowed mobile homes and the Board cannot look at financial reasons to allow a Variance. The Board then read the motion. Mr. Denton clarified that the Board has to determine if they covered this correctly or if there is something new. Ms. Mansur mention that the applicants chose to remove the stick-built home. Mr. DeStefano added that financial reasons were brought out at the hearing. The applicants should have known that a mobile home was not allowed there when they made the choice to remove the home. If we allow this, it will set a precedence.

R. LaFlamme made a MOTION, second by M. Mansur, to DENY THE MOTION FOR REHEARING FOR J. P. & ELIZABETH MORRISON. The motion CARRIED and the Notice of Decision was signed.

## MOTION FOR REHEARING: JESSE KROPELNICKI

Ms. Bohmiller recused herself as she is a neighbor. Mr. DeStefano did a quick recap for Mr. Denton and explained how the hardship was self-created. Mr. Denton felt that it sounds like they want the Board to determine where to locate the shed; we can't do that. He feels that they need to move it or take it down. Mr. DeStefano mentioned that we have denied Variances for setback issues before. Ms. Goodwin added that, if they have no other place on the lot, the Board can approve the Variance. Ms. Mansur stated that they do have a place but it would interfere with the path that the neighbor kids use to go through their yard. She asked if the Board would have approved this if the applicant had come in before putting up the shed. Mr. DeStefano and Mr. Denton agreed that the Board probably would have but would have asked for a smaller shed. Mr. DeStefano added that pleading ignorance is not an excuse. The Board then talked about the steep slope that the applicant had pointed out. A couple of the members had driven by and did not see a steep slope and Ms. Goodwin stated that she asked the applicant to bring in pictures to show the steep slope. The applicant said that the slope would not show in a picture.

R. LaFlamme made a MOTION, second by L. Denton, to DENY THE MOTION FOR REHEARING FOR JESSE KROPELNICKI. The motion CARRIED and the Notice of Decision was signed.

COMMUNICATIONS: None.

OTHER: Ms. Goodwin stated that there will be Variances needed for the Cell Tower that is being proposed. They have asked for a Joint Hearing due to the time constraints.

Ms. Goodwin also mentioned the OSI Spring Conference and said that she will register anyone who wishes to attend. Registration is this month but the agenda has not been posted as yet. She will let everyone know when it is.

Mr. Simonds mentioned the ZBA checklist and questioned septic systems as we do not have jurisdiction over them. Mr. DeStefano felt that they should be left in for now.

NEXT MONTH: Our next meeting will be Tuesday, April 2, 2019 at 6:00pm. We will elect officers and have a Variance for Mario Menard. Applicants have until this coming Friday to apply.

With no other business before the Board, R. LaFlamme made a motion, second by L. Denton, to adjourn at 7:15pm. The motion carried.

Respectfully submitted, Jan Laferriere, Admin. Assistant, Land Use