

TOWN OF ALLENSTOWN
Zoning Board of Adjustments
16 School Street
Allenstown, New Hampshire 03275
September 5, 2017

Call to Order

The Allenstown Zoning Board of Adjustments was called to order by Chair Eric Feustel at 7:05 pm.

Chair Feustel called for the Pledge of Allegiance.

Roll Call

Present on the Zoning Board of Adjustments: Eric Feustel, Chair; Jeff Gryval; Chad Pellisier, Vice Chair; Dawna Baxter; Roger Laflamme; Keith Klawes, alternate

Others Present

Sharon Somers, Counsel

Roy Tilsley, Bernstein Shur, Sawyer & Nelson, on behalf of 4NH Homes

Mike Gallo, Principal

Dan Higginson, Engineer

Matt Monahan, Regional Planner, Central New Hampshire Regional Planning Commission

Approval of Minutes

On motion of Mr. Laflamme, duly seconded by Mr. Klawes, it was voted to approve the meeting minutes of September 28, 2016.

Chair Feustel noted that the minutes for the December 14, 2016 meeting still have not been located.

On motion of Mr. Laflamme, duly seconded by Ms. Baxter, it was voted to approve the meeting minutes of July 12, 2017.

Mr. Laflamme made a motion to approve the minutes of the August 16, 2017, meeting. The motion was seconded by Ms. Baxter.

Mr. Gryval said that he was not comfortable with the unidentified speakers in the transcribed minutes.

Mr. Klawes offered to fill in these names from his notes.

The motion to approve the minutes of August 16, 2017, carried.

Chair Feustel stated that since Mr. Pendergast is not present, they should continue the administrative appeal until he is present. He added that they did have his written statement. He stated that the purpose of this meeting is a rehearing of the 4NH Homes Cluster Variance – Case #2017-0003 & 0004, 166 Pinewood Road. The administrative appeal will be contingent upon the outcome of this meeting.

Mr. Tilsley stated that he was appearing on behalf of 4NH Homes, and that he was joined by Mike Gallo, the principal, and Dan Higginson, the engineer for the project. The property is Map 102, Lot 8, which is in the R2 zone. It is 32.7 acres of undeveloped land on Route 28 and Pine Acres Road. Most of the frontage is on Route 28, but there is no access to Route 28. All access is on Pine Acres Road. The proposal is for an eight lot cluster subdivision. All lots are at least one acre in size; 26 acres is dedicated as a conservation parcel. He stated that Article XI, Section 1125(6) of the Town ordinance requires a 200-foot buffer. The applicant is proposing a 50-foot buffer. The ZBA did grant a variance for the cluster subdivision under the old ordinance. That is the subject of the administrative appeal. The applicant is not waiving its administrative appeal rights. Cluster subdivisions are now allowed in the R2 zone, with a 200-foot buffer. According to Section 1125, the purpose of the buffer is to insure adequate screening when there are mixed uses abutting the cluster development. When the applicant began the application process under the old ordinance, it was required to propose a cluster development because of the size of the lot. Mr. Tilsley stated that the applicant would still need Planning Board approval for items such as drainage and wells. He said that this proposal represents a great use of the cluster concept. He referred to page two of the plan, depicting the eight lots in some detail. The number of lots is consistent with the variance granted a year or so ago. The plan meets the ordinance requirement of 25 feet in the front, 30 feet in the rear, and 15 feet on the sides. The ordinance requires that 6.5 acres be dedicated to open space; this proposal dedicates 26 acres, which is four times the required size. The applicant is required to have 3.25 acres of flat, not wet, land. This plan has 12 acres of flat, not wet land – almost four times the required acreage. The lot yield is 28 lots, based on the yield calculation of 80% of the acreage divided by the minimum lot size. The applicant is proposing only eight lots. According to Mr. Higginson, the engineer, they could get eight or nine standard, old-fashioned lots, but a cluster plan is a better use because it yields more conservation area and is a more efficient use of the land. It is consistent with the lots in the neighborhood. In particular, those across the street on Pine Acres Road are all approximately one-acre lots. The lots across the street do have a little more frontage, between 120 and 140 feet versus 85 to 130 feet for the proposed lots. None of them have a 200-foot buffer, which is required under the new ordinance.

Chair Feustel stated that the Board needs a copy of the tax maps for the records.

Mr. Tilsley said that since the purpose of the 200-foot buffer is protection when there are mixed uses, this doesn't apply here because all of the other lots in the area are residential. Regarding the variance criteria, he stated that there is no diminution of the values of the surrounding properties. These are one acre, single family lots, consistent with the neighborhood. The goal of the applicant, Mr. Gallo, is to enhance the neighborhood. If anything, value will be added. He stated that the proposal is not contrary to public interest because it doesn't violate the zoning objectives of Allenstown. Cluster housing is now allowed in the R2 zone, and the purpose is to encourage open space and more efficient use of land. This plan offers four times the required amount of open space. A conventional subdivision would result in less open space. There is no increase in density, and the lot sizes conform to the zoning requirements. Regarding the issue of substantial justice, he stated that the gain to the public of strict enforcement of the ordinance is minimal. He said that there is a loss to the town if the variance is denied because a conventional development would eat up conservation land the applicant would like the town to have. The benefits of the efficiency of a cluster development would be lost. He stated that the spirit of the ordinance is met with standard lot sizes and setback requirements. The new ordinance favors cluster developments, and the proposal is consistent with the neighborhood. Regarding unnecessary hardship,

he claimed that there are unique characteristics of the lot to consider. This is 30-plus acres with a unique shape. The access is on Pine Acres Road, but most of the frontage is on Route 28. If the applicant is required to honor the 200-foot buffer, it would be difficult to do a cluster development. It would be better to have conventional lots. The proposal is reasonable. R2 residential use is consistent with the neighborhood. Alternatively, he continued, the variance is necessary because the property can't be used in strict conformity with the ordinance. Clusters are favored under the ordinance, but the ordinance prevents clusters on this property. None of the neighboring lots have a 200-foot buffer. This is a win-win proposal, offering valuable conservation land to the Town. He said that he would be happy to answer questions.

Mr. Laflamme asked how many existing residents would be affected by reducing the buffer, specifically those across the street.

Mr. Tilsly responded that they really aren't affected. A 50-foot buffer would be okay if these were standard lots. They have been staggered a bit so they aren't all lined up.

Chair Feustel asked if they could get eight houses under the new ordinance in the white area, which is the setback area.

Mr. Tilsly responded that it would have to be a multi-family type of development. With a single family cluster development, they could perhaps get four. He claimed that he was just 'eyeballing' it.

Mr. Pellisier said you have expressed how far back you can go because the land is dry. Do you have the opportunity to go back further?

Mr. Higginson responded that, because of the wetlands, the building envelope is about one-half of the white area. He said that he did not think it would be possible to have eight houses because of minimum distances between houses required for fire codes, etc.

Chair Feustel said that it was not clear why the lots can't go further back.

Mr. Higginson indicated the line where the wetlands start. Then he indicated the area which could be built on. Because of wells, and since leach fields require a 75-foot setback from the wetlands, putting in eight houses would result in crazy, non-typical shaped lots.

Chair Feustel asked if they considered the wetlands in the yield calculation of 28 houses.

Mr. Tilsly responded that under the old ordinance, they could have roughly eight or nine standard lots, but only the cove area would be left for conservation.

Mr. Monahan said the frontage under the conventional lot plan was not 200 feet in your analysis, correct?

Mr. Tilsly responded that the ordinance requires 200 feet.

Mr. Monahan said the conventional requirement is 40,000 square feet – and you are giving more with a full acre – but the frontage is 200 feet. He said he is curious as to how that was figured in the analysis. His assumption is that there is less than 200 feet.

Mr. Tilsly said yes.

Mr. Higginson said a road could be built into the property to gain frontage.

Mr. Monahan said but in order to front on Pine Acres Road, you would have to have less than 200 feet of frontage for a conventional development.

Mr. Higginson said if we were doing a conventional development, we would be held to the 200 feet. So, there is just under 800 feet on Pine Acres Road. In think we could use frontage on Route 28 to satisfy the frontage requirement. Getting to a house with frontage on a road you have no access from is a whole other problem.

Chair Feustel asked about the current setback for the houses nearest to the road, per the plan.

Mr. Tilsly said that the range was from 50 feet to 80 feet.

Chair Feustel asked if the requirement for a conventional lot in the R2 zone was five acres.

Mr. Monahan said no, it is 40,000 square feet, with 200 feet of frontage.

Chair Feustel asked for input from the public.

Brenda Carrigan, 16 Pine Acres Road, stated that she is not an abutter and that she has lived in the neighborhood for 35 years. The water table has dropped 120 feet over 35 years. She is concerned about the impact of eight new wells. Every time another house goes in, there is less water. Theresa lives across the street; two times a week she has no water. Mark, who is across the street, just put in a new well which is twice as deep as the original one. What happens when they start taking other people's water away? One neighbor just spent \$1,500 to fix his well. Another neighbor has yellow water. When it rains, they gather water in buckets so that they can flush their toilets.

Chair Feustel asked how deep Ms. Carrigan's well is.

Ms. Carrigan responded that her well is 400 feet; Mark's new well is 700 feet.

Chair Feustel questioned whether this was a Planning Board issue.

Mr. Monahan said that this is an issue that the Planning Board will review. He added that he didn't know if it could be considered as part of the five criteria for a variance under the prevue of the ZBA.

Theresa Hurst said that she has lived at 17 Pine Acres Road for 12 years. She has to space out laundry, showers, and dish washing. Mark has the deepest well; he has stolen water from them and they are upset. She stated that they can't live like that forever, and that she has put her house up for sale.

Chair Feustel asked if hydrology studies have been done.

Mr. Tilsly stated that this is purely a Planning Board issue. He said that they did have a well expert here last year and he will be at the Planning Board meetings.

Mr. Gryval asked if the applicant could do eight houses without a variance. He questioned Mr. Tilsly's claim that cluster developments are favored under the new ordinance. He believes they are an option, but not necessarily favored.

Mr. Tilsly said that since cluster developments were not allowed under the old ordinance, he sees them as favored now.

Chair Feustel asked if relief was being sought under the new or the old ordinance.

Mr. Tilsly stated for the record that they started under the old ordinance but now are seeking a variance purely under the new ordinance.

Mike Juranty, 17 Summers Avenue, stated that the applicant must meet all of the five criteria for a variance. Furthermore, zoning laws include State criteria as well as local ordinances. It is not correct that the 200-foot buffer does not apply when going from one residential area to another. A cluster development requires a 200-foot minimum buffer. When there are mixed uses, more than 200-feet can be required. Regarding density, the eight homes on the road frontage are 33% more dense than the homes built in the area in the 1950's and 1960's. The abutters on the northwest side are more than two times as dense as the homes built there in the 1980's. Clusters usually are not on a public way; they are set back with a road going in. Along the front on the public road, the density is three times that of the homes across the street – 85 feet versus 200 feet. It is erroneous to say that density is not an issue. The spirit of the ordinance is not observed.

Mr. Laflamme indicated an area on the visuals, saying that with only a 50-foot buffer, these homes are not affected.

Mr. Durante said that all are affected by density. The criteria requires that justice be done for both parties. The Board cannot be blind to the justice of the abutters. The values of properties are affected by water problems. The opinion of the applicant regarding the effect on property values is biased.

Lorraine Vincent stated that she has lived at the corner of Pine Acres Road and Route 28 for 51 years. She said that the traffic is keeping her up at night. Kids congregate at the school bus stop and are very noisy. The noise is unbearable. She had to put in a new well and it cost \$15,000. Senator Reagan promised to fix the strips which cause bouncing around on Route 28, but never did. She said that this development started as 12 lots. There are a lot of stories going around. She would rather have a filling station. People are suffering from lack of water.

Ms. Baxter asked for verification that their responsibility is to vote on the 200-foot buffer. She said she can weigh in on the water issue because she was raised there. In 1962 there was a water issue across the street. The artisan well belonged to her grandmother. There are five homes on it. Her parents had difficulty with water.

Mr. Gryval said that this has nothing to do with the task of the Board.

Chair Feustel said that the water issues affect quality of life and the 200-foot buffer affects density, so in that sense it affects the decision of the Board regarding the request for a variance.

Mr. Laflamme asked if new owners can get permits without adequate water pressure.

Chair Feustel responded that he did not know.

Mr. Tilsly said that the owner must have a working well with adequate pressure, absolutely.

Ms. Carrigan said that means they have to dig deeper. She indicated on the visuals where they tended to have more water. She indicated the wells for the cluster properties. She said they are all going to suck up the water before it gets to her house. She said that it isn't that they don't want the applicant to build houses; they want water.

Mr. Gallo asked Ms. Carrigan if she was talking about the same well.

Ms. Carrigan responded no.

Mr. Gallo said he had been concerned about that also, so at the previous hearing, he brought in Carl Lachance, a water expert from Skillings Well.

Ms. Carrigan said that she had a well professional who said there is no water in the area.

Mr. Gallo said that Mr. Lachance had well data for all of the houses in the area that had reported data.

Ms. Carrigan said that he did not come to her house.

Mr. Gallo explained that they don't actually go to the houses. When people drill a new well, the data is reported to the State. All of the wells that had been reported to the State that were artisan wells had very adequate water. He said the theory that you can steal someone else's water is false. There are different veins that go down into the ground and pick up their own water.

Mr. Tilsly said that this is a Planning Board issue. He also said that density is more intense because that is the nature of a cluster.

Mr. Gryval said that the spirit of the cluster requires the 200 foot buffer so that the driveways and density are away from everything else.

Mr. Tilsly said that the buffer is for protection when there are mixed uses.

Mr. Gryval said he does not remember that in the ordinance.

Chair Feustel said he was part of that discussion and does not remember that in the ordinance either.

Mr. Monahan read aloud paragraph 11 which refers to the buffer. It calls for a 200-foot undeveloped buffer to be maintained at the property line for all cluster developments. Unless the area is already wooded to the satisfaction of the Planning Board, landscape planting would be required to create a visual barrier between the development and all adjacent property. The Planning Board may require additional buffering where unique circumstances of an abutting property warrant it. The intent is to ensure adequate screening where mixed uses abut.

On motion of Mr. Gryval, duly seconded by Mr. Laflamme, it was voted to go into deliberative session.

Chair Feustel addressed the audience, saying that they could listen but not ask questions or comment while the Board was in deliberative session.

Mr. Gryval made a motion to approve the variance for the 200-foot buffer. The motion was seconded by Ms. Baxter.

Chair Feustel said that this case was being considered under the new ordinance; water, density and traffic should not be factors. He asked for comments on the first criteria – that granting of the variance would cause no diminution of property values.

Mr. Gryval, Ms. Baxter and Mr. Laflamme all said that there would be no diminution of value.

Chair Feustel said that there would be diminution of value because of the increased density.

Mr. Laflamme said that the amount of open space offsets that.

Ms. Baxter said that the lot is better suited for a cluster than a conventional development because of the additional open space and also because it is a better fit for the area due to the increased density down the road near the river.

Mr. Feustel said that he had previously been inclined to favor the plan because of the additional open space, but is now concerned about the crowded development on the street causing a negative impact. He said that he wouldn't want to buy a home across the street.

Mr. Gallo reported that these houses would average 1,700 square feet and be priced between \$250,000 and \$290,000.

Ms. Baxter said that the homes across the street would then increase in value.

Chair Feustel said it could be a wash in that case.

Mr. Laflamme said that the applicant could still put in seven or eight houses using a conventional development plan.

Ms. Baxter questioned whether another road off of Pine Acres Road was wanted.

Chair Feustel asked if the criteria should be voted upon individually.

Ms. Somers responded that one vote should be taken at the end, but that each of the five criteria should be spoken to.

Chair Feustel called for discussion on the second criteria – that granting of the variance will not be contrary to the public interest.

Ms. Baxter asked if they were bringing in the water issue or not. It's a pretty open-ended question.

Ms. Somers said that the standard of the Board's decision on this item should be whether or not this variance would alter the essential character of the neighborhood, and also if it is a substantial deviation from the ordinance.

Mr. Laflamme stated that it is a residential neighborhood.

Chair Feustel said it more or less reflects the character of the neighborhood.

Mr. Gryval said that he disagrees because the lot sizes change the character of the neighborhood, since the frontage is 33% smaller than that of the houses across the street, and it's about three times smaller than what is northwest of it.

Chair Feustel said so the 200 foot buffer would protect the character of the neighborhood.

Mr. Gryval stated that he believes it would.

Mr. Laflamme said we don't have 200-foot buffers in the rest of the neighborhood further back.

Chair Feustel stated that this is a cluster development, not a conventional one. They could go conventional, which would be a different discussion.

Mr. Gryval said and it wouldn't be with us; it would be with the Planning Board.

Mr. Laflamme said your point is probably right. If you put a cluster of houses next to a row of houses, it would be different.

Mr. Gryval said correct. If you have a parcel of land where everybody has 200 feet – and not that these do – and then you put in a bunch of homes across the street that only have 80 feet of frontage, that would be a substantial impact.

Ms. Somers said that she wanted to remind everybody that what they are talking about is not frontage per say. It talks about 'no structure shall be closer than 200 feet to any town road or property line of the parent tract'. That's a little bit different than the frontage statement just made, if correctly understood.

Mr. Gryval said that Ms. Somers is correct.

Chair Feustel asked how far back the lots go.

Mr. Laflamme responded 515 feet.

Chair Feustel said that they could move those houses back and have the same frontage, and then they would be observing the 200-foot buffer.

Mr. Tilsly said that they would be willing to move the houses further back if the Board made that a condition for granting the variance. That would be doable.

Ms. Baxter asked if there was a limit as to the distance they could go back so that wells and sewer would not be impacted by the wetlands.

Mr. Tilsly responded that there was a limit.

Mr. Laflamme said that he likes the houses staggered, rather than lined up in a row.

Ms. Carrigan said that the abutters on the side are still affected. She asked about the buffer across the street. She asked if it was 200 feet. She said you would want it to conform. You want them to look like they belong.

Mr. Tilsly said that 20 to 25 feet is the normal buffer.

Mr. Gryval said that those houses were built at a different time. He said that it is not what he thinks or what Ms. Carrigan thinks; it's what the people of Allenstown voted for in March.

Chair Feustel said he wanted to summarize what is being talked about. The Board is considering requiring greater frontage, and then has to deal with the side lots as well. He said they could grant a partial variance on the setback. They could grant 100, 150, or 175 feet. He asked for discussion on the third criteria – that literal enforcement of the ordinance would cause unnecessary hardship.

Mr. Laflamme said that the applicant could build the same number of homes with a different configuration.

Mr. Gryval said that they are proposing eight lots without meeting the 200-foot setback requirement; they could do nine without a variance. He said that he does not see a hardship.

Ms. Somers said that the hardship criteria really amounts to three different threads. One is whether or not there are special conditions of the property. The second piece is if there are special conditions of the property, whether or not application of the ordinance makes sense, whether it's appropriate for this situation. The last piece is whether or not the proposed use is reasonable. The hardship discussion has to analyze whether or not the items claimed by the applicant as being special conditions are in fact special conditions. Then you have to look at whether or not there is a fair and substantial relationship between the purpose of the ordinance and how that's applied here. You may want to expand on your discussion of hardship to incorporate some of those points, just for the record.

Chair Feustel said that the special condition would be the pinch point.

Mr. Pellisier said it is not a special condition at all because they can do it conventionally.

Chair Feustel asked if it's appropriate to enforce the ordinance literally. He said he thinks that it is, because the the whole issue is the visual barrier. With this proposal there is no visual barrier.

Mr. Gryval said he would agree with that, and as is stated in the ordinance, we are looking for a 200-foot setback from the public way, which does not exist.

Chair Feustel asked if they have demonstrated that that property is so unique that the Board can't possibly enforce the zoning ordinance literally without causing unnecessary hardship.

Mr. Gryval said he did not see the uniqueness.

Chair Feustel said he did not see the uniqueness either. The last question is, is it reasonable? Is application of the ordinance reasonable?

Mr. Gryval said I believe it is.

Ms. Baxter said me too.

Mr. Laflamme said that going from 200 feet to 50 feet is a major reduction in the buffer. If they had come with something more reasonable, he might have been more amenable to it.

Chair Feustel said their argument was that they were trying to give us more open space.

Mr. Laflamme said that would be there anyway because it is wetlands.

Chair Feustel said they would be gaining open space in the front of their houses and losing it in the back, as they are situated on the lot. He asked for consideration of the fourth criteria regarding substantial justice. He added that it goes both ways – for the applicant and the abutters.

Mr. Laflamme said no because it can be reconfigured.

Chair Feustel said that he just wants to be sure that they are thoroughly discussing this. His personal opinion is that justice would be served by literally enforcing the ordinance.

Mr. Gryval asked to know exactly what that question is.

Ms. Somers stated that typically, this criteria is explained as a balancing test. You have to determine that the public interest that is gained by denying the variance is going to outweigh the damage to the applicant, and vice versa.

Ms. Baxter said that the abutters didn't seem to be concerned about the buffer as much as the water issue.

Chair Feustel said that he heard about the issue of spacing in the front but not about the setback issue.

Mr. Pellisier stated when talking about the setback issue, and this is more directed to Ms. Somers, but by removing the setbacks, that brings in the density in the frontage. Those can be considered as part of...

Ms. Somers said that one can be considered a consequence of the other. The setback from the street is eventually going to have an impact on the frontage and the density, but the focus of the Board's discussion should be on the setback, understanding that you can't totally put those things in a vacuum.

Mr. Pellisier said but even though they are two different things, the density will not change. You've got a 20 plus, 30-acre parcel of property with eight houses on them. No matter where you put them, the density of the property will be the same.

Chair Feustel said that's the point of a cluster development.

Mr. Pellisier said but it's the 200-foot buffer around that cluster of homes that we are dealing with.

Mr. Gryval said maybe it's the perceived density.

Mr. Pellisier said no, there is either density or there isn't.

Chair Feustel said that he sees what Mr. Pellisier is saying; it is perceived density because if you can't see it, who cares how dense it is.

Mr. Pellisier said the 200-foot setback changes that.

Chair Feustel said yes; they can't see it. Almost anything can happen back there, and you can't tell what it is. The perception is a good point. The whole reason we are here is the 200-foot visual barrier, and Mr. Pellisier is speaking to that. Density is like squeezing a balloon. If you squeeze one end, the other end gets fatter. They can move that around on that lot, but the question is either moving it farther back or literally enforcing the ordinance so that...That also speaks to the water issue because if the wells are farther back it is further from drawing water away from their wells. He said he is not sure if 100 feet makes a difference, but it might. Substantial justice – we've covered all three of those. That brings us to the spirit of the ordinance, number five. With the use for which the variance is requested, the spirit of the ordinance will be observed. Are we observing the spirit of the ordinance by having all those houses at one end of a cluster development?

Mr. Gryval said no. The voters of the Town voted for a 200-foot buffer around the entire cluster for a reason. The spirit of the ordinance would not be observed.

Chair Feustel said he would agree. Having been one of the authors of that ordinance, what was envisioned was really kind of a lollipop idea with a road going back to a development that was out of sight from the rest of the town.

Mr. Gryval said that it is more than just visual. You have a 200-foot buffer around a cluster of homes. It could be visual; it could be audio. A number of things could be taken into effect. The Board shouldn't

just look at it as visual because, theoretically, a wall could be put up and nothing would be seen. There's nothing about visual in the ordinance.

Chair Feustel said that the ordinance says visual.

Mr. Gryval said no, it says a 200-foot buffer.

Chair Feustel asked Mr. Monahan to read the ordinance for him.

Mr. Monahan read "A 200-foot undeveloped buffer shall be maintained at the property line of the parent tract for all cluster developments. Unless already wooded and satisfactory to the Planning Board, the buffer shall be planted and landscaped to provide a visual barrier between the development and the adjacent property. The Planning Board may require additional buffer where unique circumstances of an abutting use of property warrant. The intent is to ensure adequate screening where mixed uses abut. The site perimeter buffer can be counted toward the set-aside of permanently protected open space."

Chair Feustel said it really isn't mixed use other than the density, although they are proposing a similar density. It'd not like it is mixed use. It's not like we have a gas station or an apartment building. He said that he is just trying to address that mixed use that the attorney spoke about as well. To him, there is at least a... he said he was having a hard time verbalizing it, but could see something of a clash there between what is proposed and what is there presently. Whether that qualifies legally as a mixed use, he is not sure, but can see some sort of a difference. He asked if anyone else could help him out with that.

Mr. Gryval said that he disagrees wholeheartedly.

There being no further discussion, on motion of Mr. Gryval, duly seconded by Mr. Laflamme, it was voted to come out of deliberation.

Chair Feustel called for a roll call vote on the motion to grant a variance from the 200-foot buffer.

Mr. Laflamme – no; Ms. Baxter – yes; Mr. Gryval – no; Chair Feustel – no; Mr. Pellisier – no.

The motion was denied.

Chair Feustel said that the applicant will receive written notice of the decision and will have 30 days to appeal the decision.

The Board scheduled a meeting for October 11, 2017, to address the tabled administrative appeal of the decision of Mr. Pendergast.

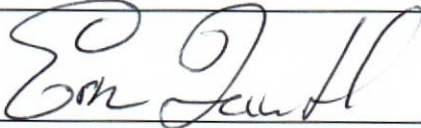
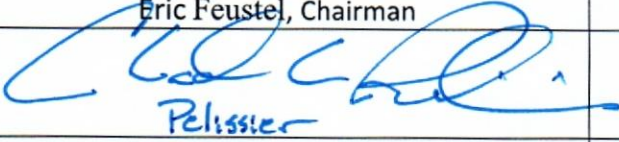
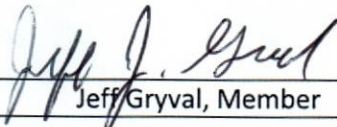
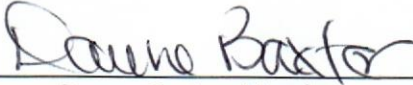

Mr. Klawes stated that signatures are needed for the minutes of October 19, 2016; November 2, 2016; and December 21, 2016. He said that Ms. Baxter will print these minutes and bring them to the next meeting.

On motion of Mr. Pellisier, duly seconded by Ms. Baxter, it was voted to adjourn at 9:04 pm.

TOWN OF ALLENSTOWN
ZONING BOARD OF ADJUSTMENTS
PUBLIC MEETING MINUTES

September 5, 2017

Signature Page

Original Approval:	
	10/25/17
Eric Feustel, Chairman	DATE
	10/25/17
Chad Pelissier, Vice-Chairman	DATE
	10-25-17
Jeff Gryval, Member	DATE
	10.25.17
Dawna Baxter, Member	DATE
Roger Laflamme, Member	DATE
	10/25/17
Keith Klawes, Alternate	DATE

