

Town of Bedford
June 16, 2020
Zoning Board of Adjustment Minutes

A

meeting of the Bedford Zoning Board was held on Tuesday, June 16, 2020 via the Zoom meeting Platform.

Present: John Morin (Chair), Kevin Duhaime (Vice Chair), Melissa Stevens, Len Green, David Gilbert (alternate member), Neal Casale (alternate member), Elizabeth Jude (alternate member), Karin Elmer (Planner 1), Rebecca Hebert (Planning Director)

Absent: Sharon Stirling

Chairman Morin called the meeting to order at 7:00 p.m. and introduced members of the Board. He appointed Dave Gilbert as a voting member this evening. In accordance with the right to know laws all members present indicated they were alone in the room while on this Zoom call.

Ms. Elmer read the following statement:

- *Due to the Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Zoning Board is authorized to meet electronically.*
- *This meeting is being conducted using the Zoom platform. All members of the Board have the ability to communicate with each other during the meeting, and the public has access to listen and participate by dialing 929-205-6099 and entering the Meeting ID # 967 0607 0188 and the meeting Password 291212. Instructions regarding remote access to the meeting have been published in advance and are available on the ZBA agenda, which is posted on the Town website.*
- *There is no physical location for the meeting, which is permissible pursuant to the Governor's Emergency Order. Town of Bedford is providing public access to the Zoom meeting by telephone, and the meeting will also be broadcast live on BCTV's Channel 22.*
- *Members of the public may email staff at planning@bedfordnh.org to ask questions during the meeting or notify us of technological issues. If you have joined the meeting using Zoom, you may also ask questions when the Chair opens the hearing for public comment through your phone connection.*
- *All votes will be taken as a roll call vote.*
- *If there are technological issues during the meeting, the Chair will recess the meeting and we will try to correct the problem. If the issue continues, the application will be postponed, and the meeting will be adjourned.*

Ms. Elmer reviewed the agenda.

Chairman Morin indicated that there was a full agenda for this meeting, and the goal was to be done by 10:00 PM, but if at 10:00 PM we have not finished hearing all of the applications, we will not take any new applications at that point.

Chairman Morin stated the following: This will serve as notice to those participating and may wish to speak that you are required to tell the truth, the whole truth and nothing but the truth.

Any party has 30 days to request a rehearing from a decision of the ZBA. The Board has 30 days in which to respond to said request(s). (Per RSA 677:3) Tomorrow being day 1. All requests must be in writing and must contain new evidence. Please point out any errors you believe the Board made in its decision.

He also noted that any motion that is made this evening must have 3 affirmative votes in order for that motion to pass.

1. **Approval of Minutes:** May 19, 2020

MOTION by Mr. Green to approve the minutes of the May 19, 2020 meeting of the Bedford Zoning Board of Adjustment as written. Mr. Gilbert duly seconded the motion. Roll call vote taken – (1 abstention, Ms. Jude) all others in favor. Motion carried 6-0.

2. **Old Business & Continued Hearings:**

Daniel & Amanda Casey – Request for a variance from Article IV, Section 275-28 in order to construct an in-ground pool 34 feet from the edge of a wetland where 50 feet is required at 42 Settlers Court, Lot 15-14-19, Zoned R&A. **(Continued from April 21, 2020)**

Attorney John Cronin introduced himself. He is representing Daniel and Amanda Casey in their efforts to get a swimming pool constructed. The case was presented last meeting seeking minimal relief from a wetland buffer setback to allow for a pool to be located in the backyard of their home. During that meeting a number of alternative sites were analyzed and looked at by the civil engineer and wetland scientist and the pool contractors and it was determined that the site we are discussing this evening is the best and provided the least impact to the wetlands. Attorney Cronin said they submitted the wetland scientist's report, plans, photographs and addressed the 5 criteria at the last meeting. He thinks the board was comfortable with what was being proposed and that best efforts were made to put it in the least restrictive place, but there was some apprehension to voting before hearing from the Conservation Commission. Typically, they would have gone to the Conservation Commission in advance, but because they didn't meet for several months due to the pandemic, they came directly to the Zoning Board of Adjustment. At the conclusion of the last meeting the case was continued so they could go before the Conservation Commission to present their case to them.

The case was presented to the Conservation Commission. There was robust discussion about the impacts, the nature of the lot, the separation of the area to the wetland, and the terraced retaining wall already in place that provides an enhanced buffer to the wetlands. During that discussion there was an agreement made by the Casey's to reduce the size of the pool from 18x36 to 34x16 in order to provide even more setback from the buffer. This seemed to satisfy the Conservation Commission. The minutes of that meeting would show their position on this application.

Attorney Cronin said he would be happy to review the 5 criteria again, or if the Zoning Board

wanted to waive a second reading of the 5 criteria due the heavy agenda this evening and stand on the presentation from the last meeting and the detail in their application he was amenable to either decision.

Q: Chairman Morin wanted to verify that we have the right measurements: He asked if the Conservation Commission recommended 37.5-feet as the new setback.

A: Attorney Cronin recollected that to be true, and Mr. Daniel Casey (the applicant who indicated he was by himself in the room) said there are 2 corners that he believes were discussed with the Conservation Commission: One was 37.5-feet and he thinks the other corner may be 38.6-feet he offered to pull the information up on his phone. Chairman Morin said there was no need, he just wanted to make sure the figures stated in the Conservation Commission's motion were what was approved.

Mr. Casey said he thought that by shrinking the pool a couple feet were added on each corner. The plans were enlarged for better viewing. Chairman Morin said he thought they would be all set as long as Mr. Casey agrees that closeness was going to be 37.5-feet. Mr. Casey confirmed that on one corner it is 37.5-feet and the other corner is 38.6-feet

Chairman Morin opened the floor for any new questions from the board on this application

Q: Mr. Casale said the one thing he noticed last time in discussing this application was the width of the patio walkway between the pool and the house (it is not on the drawing, and the board wasn't given a figure last time) and the reason he brings it up is because Mr. Carter of the Conservation Commission also touched on the same point. The pool at 16x34 is an improvement, but could the pool also be moved closer to the house? Mr. Carter brought that up, but Mr. Casale didn't think his point was addressed. He asked for the width between the pool and the house and asked if that width can be reduced

A: Mr. Casey explained that with the originally proposed pool size of 18x36 the pool was 10-feet off of the house and by shrinking the pool to 16x34-feet the pool will now be 9-feet off the house so 3-4 feet of decking can be provided off the house, yet not come right up to the house.

Q: Mr. Casale asked if the pool company gave him any indication on what a standard width would be. He brings this up because a quick search on the internet shows that the recommendation is at least 4-feet wide, so the Casey's are almost double that. They are within the bounds, but this could be an improvement if it were shrunk down.

A: Mr. Casey said that when they spoke to the pool people they said that typically you want 10-feet in order to put pool furniture, a trunk for the toys, and to be able to walk through.

Q: Mr. Casale asked the width of the decking on the opposite side.

A: Mr. Casey said on the other side they would maybe only do a 1-2 foot coping because they will have decking on the top and bottom of the pool versus the sides because they want to keep it to the top versus the sides. Attorney Cronin added that there was some discussion on this at the Conservation Commission meeting and the trenching and digging down so close to the foundation was something one of the Conservation Commission members mentioned that we would not want to do. It is correct that an average pool deck may be 4-feet but that doesn't take into consideration the proximity to other structures. For safe passage and with chairs and other things this is about the best that can be done, because as seen on the sketches, the aisle is very

narrow. All access on the wetland side is pretty much given up for protection, and he thinks the Casey's have minimized it to the best of their abilities. Mr. Casale thanked him and said it sounded reasonable.

Chairman Morin opened the floor for questions or comments from the public. Ms. Hebert indicated there were none online or by telephone and no emails had been received.

MOTION by Mr. Gilbert to move into deliberations on this variance application. Mr. Duhaime duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

1. Granting the variance would not be contrary to the public interest because:

(1) Whether granting the variance would alter the essential character of the locality:

Ms. Stevens indicated the board had not received any information to that effect.

(2) Whether granting the variance would threaten public health, safety or welfare:

Chairman Morin indicated the board had not heard anything on that.

2. The spirit of the ordinance is observed because:

Mr. Gilbert said the spirit of the ordinance is observed. Chairman Morin agreed and noted they had worked with the Zoning Board and the Conservation Commission to get it in the best place possible with the most amount of setback as possible.

3. Granting the variance would do substantial justice because:

Mr. Duhaime said it allows them to get a pool in their back yard which is a reasonable use.

4. The values of the surrounding properties will not be diminished for the following reasons:

Chairman Morin indicated no expert testimony on house values had been heard.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area because:

Chairman Morin said there is not a lot of back yard at this property and it has a significant drop-off where they have retaining walls. He indicated the Casey's have worked hard to get it to where they could place a pool in the back yard.

(A) Denial of the variance would result in unnecessary hardship because

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

Chairman Morin said where the pool is going and what the Casey's have done to try and help has made a difference in his opinion. He said adding 3.5-feet of distance was helpful.

(ii) The proposed use is a reasonable one because:

Chairman Morin indicated a pool is reasonable.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

MOTION by Mr. Duhaime that the Zoning Board of Adjustment approve the application from Daniel and Amanda Casey on their request for a variance from Article IV, Section 275-28 in order to construct an in-ground pool 37.5-feet from the edge of a wetland where 50 feet is required at 42 Settlers Court, Lot 15-14-19, Zoned R&A per our deliberations from April 21, 2020 and today's meeting. Mr. Green duly seconded the motion. Roll call vote taken - all in favor. Motion carried 5-0.

MOTION by Mr. Gilbert to move out of deliberations on this variance application. Mr. Green duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

3. Applications:

1. **Mike & Donna Miville** – Request for a variance from Article IV, Section 275-28 in order to replace a shed 23.5 feet from the edge of a wetland where 50 feet is required at 21 Tiffany Lane, Lot 28-27-5 Zoned R&A.

Mike Miville introduced himself and indicated he was the only person in the room. Mr. Miville indicated there is a 10x20 shed in the yard now that is 30-years old. The Miville's would like to get a bigger shed that is 16x20. When they moved to their home 44-years ago it was swampland that not many people wanted. Right now, with the new ordinance he only has a little less than a quarter of an acre that is out of the wetlands. Their house, garage and 2 sheds are all in the wetland zone. The sheds were put there 20-30 years ago and he now has kayaks, kid's cars and bicycles that he would like to remove from the outside and put inside the proposed new shed – they would just like to get a bigger shed.

Mr. Miville did not have the criteria for the application handy, so Ms. Elmer read Mr. Miville's responses from his application:

1. **Granting the variance would not be contrary to the public interest because:**
 - (1) **Whether granting the variance would alter the essential character of the locality:**

- (2) **Whether granting the variance would threaten public health, safety or welfare:**

The existing shed is over 30-years old and when it was installed met the setback requirements. Four out of five acres of our property is swamp. We built in 1977 when there was no setback requirement and there is not one structure on our property that could meet today's current rules.

2. **The spirit of the ordinance is observed because:**

No trees, shrubs or vegetation would be changed due to the increase in size. The new shed will be set on blocks or concrete tubes.

3. Granting the variance would do substantial justice because:

It would allow us to use what available land we have (One out of five acres) to use since the new ordinance would not even allow us to build our home here.

4. The values of the surrounding properties will not be diminished for the following reasons:

Adding value to the home since old shed is over 30-years old; not digging up any land; and having a spot to store stuff that is now outside.

Mr. Miville added that he has 3 canoes and 4 kayaks sitting outside and he would like to have a place to put them inside along with grandkids' bicycles, electric cars and scooters and all the things you accumulate over the years.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area because:

Out of our 5-acres over 4/5ths of our property is unusable because of different zoning ordinances that have been enacted since we build our home here in 1977. Note: The town road catch basin flows on to your property by the driveway and then into the wet areas.

(A) Denial of the variance would result in unnecessary hardship because

- (i) **No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:**

Existing shed is 10x20 and the new shed will be 16x20. Five of the six additional feet will be toward the driveway and not toward the waterline.

- (ii) **The proposed use is a reasonable one because:**

The existing shed is over 30-years old and in need of repair. When we built our home in 1977 there were no setbacks. As it stands now, our property could not be used as a building lot since there is not one spot that is within the 50-foot setback requirement.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

As noted above, 4 out of 5-acres of our land is swamp and there is not one building on our land that was not affected by the 50-foot wetland setback that was enacted over 30-years after we moved in.

Mr. Miville added that they try and keep their property up and that is what the shed would be for – to get stuff out of sight. Right now the canoes are behind the existing shed and he would like to get them out of there and clean up because they have a beach with a little bit of water but it is all filled with lily pads now there are 5-6 beaver houses on their property and they don't want anything to happen to it because they love the wildlife there.

Chairman Morin opened the floor for questions from the board via roll call:

Mr. Gilbert – No questions

Mr. Green – No questions

Q: Ms. Stevens just wanted to make sure Mr. Miville was o.k. with the condition that the Conservation Commission put on his application requiring a trench.

A: Mr. Miville said he was wondering about that because it is just rainwater; but he will put the trench in. He said the roof is probably 8-feet x 20-feet and he doesn't see how a little bit of rainwater from that is going to affect all of the water that goes in there, but he will put a little catch basin in to catch the roof run-off.

Chairman Morin asked Ms. Elmer to explain what the use of the trench is for. Ms. Elmer explained that the trench is to prevent future erosion. For example, if there are large rainstorms and you don't have gutters on your home or a structure all the water comes down dripping and creating a waterfall off the roof and makes a ditch along where it is dripping. If you did a trench drain you can prevent erosion when the ground gets saturated and can't absorb the water anymore, and the water will flow right on down to the wetland. The trench drain will give the water a little rest and treat it a little bit before it goes down into the wetland during a heavy rain.

Mr. Miville shared that he cannot dig down 3-feet without hitting water, and his well is 12-feet deep and he has never run out of water.

Mr. Duhaime – no questions

Chairman Morin – no questions

Chairman Morin opened the floor for questions or comments from the public. Ms. Hebert indicated there were none online or by telephone and no emails had been received.

Chairman Morin asked Mr. Miville if he had any further comments before the board went into deliberations. Mr. Miville said that they placed a down payment on the new shed in February figuring it would only be “changing existing”. He didn't realize how much they would have to go through: Getting a certified plot plan; and everything else just to replace a shed that is not in too good shape. He supposes if they would have kept the shed the exact same size they could have just put a new one in, but after 30-years of collecting stuff he would like to get the bigger shed if possible.

MOTION by Mr. Gilbert to move into deliberations on this variance application. Mr. Green duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

1. Granting the variance would not be contrary to the public interest because:

(1) Whether granting the variance would alter the essential character of the locality:

Chairman Morin said he didn't see that happen with just replacing an existing shed. It may be a little bigger, but it is basically going in the same spot.

(2) Whether granting the variance would threaten public health, safety or welfare:

Mr. Green said there is no evidence of that.

2. The spirit of the ordinance is observed because:

Ms. Stevens would say the spirit of the ordinance would be observed, because as Mr. Miville stated, his property was built up before we had these requirements. Chairman Morin agreed with her.

3. Granting the variance would do substantial justice because:

Mr. Green said that Mr. Miville has an old shed and he needs to replace it. The new shed will be a little bigger, but he doesn't see it as making any significant change to what he already has.

4. The values of the surrounding properties will not be diminished for the following reasons:

Chairman Morin said we haven't heard any evidence to that.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area because:

Chairman Morin said given what we've heard testimony to and what we can see in the plot plan – there are definitely some unusual issues with the property from when it was built on originally to now when there are different zoning ordinances; and the buildable area of the property is definitely diminished.

(A) Denial of the variance would result in unnecessary hardship because

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

Chairman Morin thinks this has been hit with the answers we've already supplied here.

(ii) The proposed use is a reasonable one because:

Chairman Morin said it is reasonable to replace your shed.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

MOTION by Mr. Green that the request of Mike and Donna Miville for a variance from Article IV, Section 275-28 in order to replace a shed 23.5- feet from the edge of a wetland where 50-feet is required at 21 Tiffany Lane, Lot 28-27-5 Zoned R&A be approved. Chairman Morin asked for an amendment because the Conservation Commission recommended that a trench be dug along the drip edge of the shed and asked if that could be added. Mr. Green said he had no objection to that. Mr. Gilbert duly seconded the motion. Roll call vote taken - all in favor. Motion carried 5-0.

MOTION by Ms. Stevens to move out of deliberations on this variance application. Chairman Morin duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

2. **Anthony Lambert** – Request for a variance from Article III, Section 275-22.A and Table 1 in order to construct a shed 17.4 feet from the front boundary line where 35 feet is required at 111 Meadowcrest Dr., Lot 34-61-4, Zoned R&A.

Anthony Lambert introduced himself and indicated he was alone in the room. He addressed how he submitted for the permit before getting into the topics for the supporting facts of the request explaining that he was unaware of the boundaries to the side of the home, not understanding it was considered the front side of the home. He received the permit after speaking with “Wayne” to construct the shed and began construction 2 days after receiving the permit. About a week later the inspector, Terry Carter showed up with the actual permit in hand (although Mr. Lambert had the permit approved via email due to the COVID-19 situation) and explained that it might have been too close. That is why Mr. Lambert began the process of seeking a variance and speaking with Ms. Elmer and Terry Carter to begin the process.

1. Granting the variance would not be contrary to the public interest because:

(1) Whether granting the variance would alter the essential character of the locality:

Mr. Lambert said granting the variance would not alter the character at all. Sheds are normal in this area

(2) Whether granting the variance would threaten public health, safety or welfare:

Mr. Lambert said the shed’s location would not threaten public health or welfare. The shed is blocked by several pine trees and does not block the roadway or visibility to that roadway in both directions to Meadowcrest Drive, as well as Back River Road.

2. The spirit of the ordinance is observed because:

Mr. Lambert said, again, the location of the shed is blocked by several pine trees, does not threaten the line of sight, and does not constitute any health risk to any person or property.

3. Granting the variance would do substantial justice because:

Mr. Lambert said he has a large motorcycle, a large lawnmower, snowblower, several tools for the size of the yard and having a shed in that location on the side of the home will add access to storage from the driveway based on either side of the home because he would be in the same situation based on fences and a pool they have in the yard.

4. The values of the surrounding properties will not be diminished for the following reasons:

Mr. Lambert said that sheds are common and several properties in his area, including his own, have sheds. Although he is not an assessor, most of the properties in this area have

at least one-car garages. His property does not have a single garage and the sheds that he currently has on the property cannot support the size of his motorcycle as well as his lawnmower. He literally has to take everything out of the shed. In one shed that is going to be demolished in the Fall (he will submit a request for that) because it is falling apart and has been on the property for about 30-years according to several of his neighbors that he has spoken to.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area because:

Mr. Lambert said his property does not have a garage, nor would he be able to put one on. The shed he has begun building is one that can be removed and relocated if needed. He has a large motorcycle and snowblower and would like direct access to the driveway. Right now, the snowblower is stored on the front porch. None of the sheds out back can house his motorcycle, and he will be filing for a demo-permit in fall for one of them to be replaced.

(A) Denial of the variance would result in unnecessary hardship because

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

Mr. Lambert said based on the location where the shed is needed there are several large pine trees, and for the motorcycle to have access directly to the driveway. Trying to get his motorcycle to the back of the yard right now he has to go through two fence lines and from a safety standpoint, trying to get it into the back yard is more difficult.

(ii) The proposed use is a reasonable one because:

Mr. Lambert said that sheds are common and the location of the shed does not create any valuable indifference to any other property. It will also offset a shed that will be coming down. Again, he cannot store his large assets in the shed.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

“Same as above”, Mr. Lambert explained. He cannot fit his motorcycle and yard equipment all in one shed. He has to pull them out at this point in order to access things. In one he has to literally take apart his lawnmower in order to get it in the shed. Again, the shed that he submitted a photograph of will be demoed in Fall once he is able to continue building a new shed.

Chairman Morin opened the floor for questions from the board in roll call manner.

Q: Mr. Gilbert said he wants to understand the beginning premise: You were given a permit by the town and the issue is the one side of the lot, not the other side – in other words, from the front you are o.k. and from the side (Back River Road) – that was the issue.

A: Mr. Lambert said that is correct. Mr. Gilbert said that was fine with him.

Q: Mr. Green said he drives up and down that area frequently and many years ago used to leave on Meadowcrest Drive, so he is familiar with the intersection. Mr. Green said that the trees do not provide any cover. You can see that shed even now as it's partially completed; so, the trees are not blocking the shed from public view. Mr. Lambert may say that it does not block the intersection; but, Mr. Green would have a concern that it would block the line of vision of anyone trying to exit if coming from Merrimack up Back River Road. His concern is that drivers may not realize that someone is coming out until being right on top of them.

A: Mr. Lambert indicated he provided photographs (which were reviewed on screen) to Ms. Elmer showing supporting views. He doesn't believe there is any egress condition where you would not be able to see the road from either side based on that location. Where he currently parks his car (as seen in the photos) is still in the same sight line at the end of Meadowcrest Drive and Back River Road, but by the time you get to the stop sign, he does not believe that there would be any line of sight issues on either side of the road.

Q: Mr. Green asked why the shed can't just be put on the other side of the house?

A: Mr. Lambert indicated he re-did the lawn on that side of the house and it is all grass.

Q: Mr. Green said, it is not that you can't – it's that you don't want to? There is no problem like septic or water that would prevent you from putting it there?

A: Mr. Lambert said, no, but it would be relatively close to the road, though and he would remain in the same situation that he is in today .

Q: Mr. Green said that Mr. Lambert would be in the same situation of creating any blockage on Back River Road. That would be different.

A: Mr. Lambert said that he understands what Mr. Green is saying but driving down Meadowcrest Drive and Back River Road he took several photographs that don't show obstruction of the view at all.

Q: Ms. Stevens said that if she is understanding this correct; this shed is going to function more as a garage.

A: Mr. Lambert answered, "yes" and said it would be for his motorcycle, large lawnmower and several pieces of lawn equipment which are currently being housed in a shed that is falling apart in the back yard. He was putting the new shed together for those reasons alone and had planned to demo the other one.

Q: Ms. Stevens understands that Mr. Lambert just put grass in on the other side of the house and it sounds like he is housing his motorcycle and snowblower in the back of the house as it is, so if you were to place the shed on the other side of the house there shouldn't be an issue with getting those items out to where you need them now – is that correct?

A: Mr. Lambert said, “Correct” but explained that right now getting the motorcycle out back requires winding it through the fence, cutting across the grass in the back yard; and it doesn’t fit in its current location now; he literally has to take everything out. On top of that, from a safety standpoint – taking the motorcycle out in the morning with the morning dew and riding it across grass and trying to get through fence lines is not one of the safest things. That is one of the reasons why he trying to put the shed in the proposed location.

Q: Ms. Stevens asked where Mr. Lambert currently stores his motorcycle in the Summer – is it just left in the driveway?

A: Mr. Lambert says it is just left out in the driveway, and he has put it out back in the shed, but it is difficult to close the door and every time he has to get into the shed he must remove the motorcycle because he can’t even walk into the shed with the motorcycle there. On top of that – the shed is 30-years old and falling apart. There have been a lot of “adds” to the shed that don’t really make it safe, to be honest, and that is why he would also like to take it down. He said there is also a roof issue. The need for the shed to be in the proposed location is all around safety for him (not going around fence lines to get his motorcycle out back and put it under cover) and the prime location to the driveway is one of the other reasons.

Q: In looking at the photographs Mr. Lambert provided, and the map Ms. Stevens asked if the fence for the pool does not at all surround the other side of the house – meaning the pool is located on the other side of the house from where you want to put the shed, and has a fence around it. Does that fence touch upon any of the house?

A: “Yes,” Mr. Lambert said explaining that to the left the fence goes across all the way around; and then the back fence from the pool goes around; therefore, there are two fence lines there.

Q: Mr. Duhaime discussed Mr. Green’s concerns about the sight lines at the corner and asked if there was any thought to push the shed back because there looks like there is some space between the tree in the southwest because it looks like you could get another 10-feet and push it back so it is tucked in closer to the house.

A: Mr. Lambert indicated he didn’t have a thought based on that. He tucked the shed as far back from the sight line of the house (tucked back about 4-feet). Cars in the driveway block the line of sight regardless and he wishes he had taken a photograph coming from that angle to show everyone. He already has two cars parked in the driveway that block the line of sight coming from Meadowcrest Drive (the group reviewed a photograph taken of his two cars parked in the driveway). Those two cars are there day-in-and-day-out because his wife works from home. Based on that, he thought the location would be o.k.

Q: Chairman Morin asked a reference question that he thought might help: On the fence that goes all the way around Mr. Lambert’s house and all the way around the property – is the only opening to the right of the house to get to the back yard through the fencing?

A: “No,” Mr. Lambert said, explaining that there is another location on the back side by the far corner.

Q: “But you would have to go through a neighbor’s property to get to it, “ Chairman Morin asked.

A: Mr. Lambert said he wouldn’t have to go through the neighbor’s property. If you look at the plan at the far south corner of the property on Back River Road there is a door that was placed in the fence.

Chairman Morin asked Ms. Elmer or Ms. Hebert to help out with the issue that was brought up at the beginning about a permit being issued and then all of a sudden it becoming a problem.

Ms. Elmer explained it was the cumulative effect of a couple of different errors: The applicant, when he applied for his building permit, did not take the measurement from his exact property line. It was an assumption where he thought that property line was; so, when the building inspector looked at the permit, the permit looked o.k. based on those figures. When the building inspector came out to do the inspection and drove by that’s when he realized it was way too close and then discovered that Mr. Lambert did not use the correct setback. That’s when he was asked to get a surveyor to show exactly how large the setback issues were. That is when Mr. Lambert applied for the variance. She noted on the site plan there is a “blow up area” of the site plan and she asked the surveyors to put the town-required sight distance triangle (which is a requirement in our zoning ordinance). The group viewed the sight distance triangle on the plans, which can have no obstructions in it. Ms. Elmer said the shed is well away from the sight distance triangle to maintain the safety for that corner.

Q: Mr. Casale asked how long Mr. Lambert had owned the house?

A: Mr. Lambert indicated he has owned the house for about 1-½ years.

Q: Mr. Casale said he would safely assume – because it looks from the photographs that the left front of the house that may have been a garage at one time and then was converted into a room was done prior to Mr. Lambert moving in.

A: Mr. Lamberts said that is correct.

Q: Mr. Gilbert commented that from 2011 – 2014 he lived on the corner of Forest and Meadowcrest. He has been through that intersection hundreds of times and the shed where it sits right now will have no problem with sight lines for any movement on and off Back River Road and Meadowcrest. He has driven it many times. He knew the prior owners and everything has been there for a long time.

Chairman Morin agreed with Mr. Gilbert and indicated he knew the prior owner also and goes by there quite often.

Q: Ms. Stevens asked Ms. Elmer if there is an agreement with Mr. Lambert about the shed that is set to be demolished?

A: Ms. Elmer indicated when she and Mr. Lambert were emailing back and forth she was trying to get some more information from him and that was something Mr. Lambert told her during their email correspondence; so, she added it to the staff report so the board would have that extra piece of information. She noted it is a non-conforming shed.

Q: Ms. Stevens asked if we could request that the shed to be demoed be removed as a condition?

A: "You can," Ms. Elmer answered.

There were no further questions from the board.

Chairman Morin opened the floor for questions or comments from the public. Ms. Hebert indicated there were none online or by telephone and no emails had been received.

MOTION by Mr. Gilbert to move into deliberations on this variance application. Ms. Stevens duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

1. Granting the variance would not be contrary to the public interest because:

(1) Whether granting the variance would alter the essential character of the locality:

Ms. Stevens said we did not hear anything that would suggest that. Chairman Morin agreed.

(2) Whether granting the variance would threaten public health, safety or welfare:

Chairman Morin does not see anything that affects those 3 areas.

2. The spirit of the ordinance is observed because:

Chairman Morin thinks looking at the location; looking at what happened – it is a reasonable area given some of the uses he is looking to do. Depending on what the board wants to do about adding the stipulation for removal of the old shed so we would get an old shed that is out of compliance removed would be helpful.

3. Granting the variance would do substantial justice because:

Mr. Duhaime said it would be more functional shed for the use. Chairman Morin says the other piece of this too is that (that could be utilized in section 5) is that construction is pretty well underway on this item; so, it would be, per se a hardship, to see that torn down or moved somehow as it's constructed right now.

4. The values of the surrounding properties will not be diminished for the following reasons:

Chairman Morin there was no testimony heard on that.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area because:

Chairman Morin said one of the biggest pieces for this property and the one across the street from it, of course, is that they are on two main streets. That does limit and take a large chunk of property away from the applicant to put something in those areas.

(A) Denial of the variance would result in unnecessary hardship because

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

Chairman Morin says this gets into the whole scale issue of seeing that the property owner is able to do what he would like to do as long as it is not going against the other folks in the town. Chairman Morin thinks he's done his best to meet that

(ii) The proposed use is a reasonable one because:

Chairman Morin said that having a shed is reasonable.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

MOTION by Mr. Gilbert that the Zoning Board of Adjustment grant the variance from Article III, Section 275-22.A and Table 1 in order to construct a shed 17.4-feet from the front boundary line where 35-feet is required at 111 Meadowcrest Dr., Lot 34-61-4, Zoned R&A with the amendment that the current shed that is in disrepair be taken down as a condition of granting this variance. Ms. Stevens duly seconded the motion.

Mr. Green asked if there was a time limit on taking down the shed. Chairman Morin said his interpretation by the motion is that there is not. When one shed is completed the other shed comes down. Mr. Gilbert said that would be his interpretation also, and he doesn't know if we would like to put a timeframe on it. Ms. Stevens was curious about what has been done in the past. Ms. Elmer said sometimes you can do "within 30-days", "within 3-months". She noted Mr. Lambert said he wanted to remove the old shed in the Fall. She is unsure how long it will take him to get the current shed done. Any time limit can be set. Mr. Gilbert said that Mr. Lambert stated that he also needs to come back for the demolition part of it. Ms. Elmer indicated that Mr. Lambert needs to get a demolition permit from the Building Department, which is very swamped right now, and suggested if the board stipulated that it be done in 3-4 months that might work. Mr. Gilbert said he was o.k. with that.

Chairman Morin noted Mr. Gilbert amended the motion to add a 3-month condition on taking down the old shed, Ms. Stevens duly seconded it. Roll call vote taken - all in favor. Motion carried 5-0.

MOTION by Mr. Gilbert to move out of deliberations on this variance application. Mr. Duhaime duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

Mr. Lambert thanked the board and asked if they would grant that the demolition of the old shed be allowed to take place in November. Chairman Morin said it had already been voted on, and suggested Mr. Lambert call Ms. Hebert at the Planning Department or email Ms. Elmer tomorrow and discuss it with her.

- 3. Eckman Construction Company Inc. (Applicant), Silver Stream Properties, LLC (Owner) – Request for approval of a variance from Article III, Section 275-21.F(2)(a)(2)**

to allow for a vegetated buffer of 25.9-feet where 68.8-feet is required for a proposed industrial building at Bellemore Drive, Lot 1-18-20, Zoned SI.

Ms. Elmer noted that there was someone signed into the meeting as “Shaunna’s iPad” asked that person to change to their full name for the record.

Jason Lopez from Keach-Nordstrom Associates introduced himself, and in the conference room with him at Eckman Construction Company he introduced Matt and Mark Walsh.

Mark Walsh owner of Eckman Construction Company, Inc. has been a resident of Bedford for 30-years. He indicated that Eckman Construction is developing a property on Bellemore Drive and looking for a variance to reduce the vegetative buffer on the back of the property from the specified width that the zoning requires. He indicated he is with Jason Lopez of Keach-Nordstrom who developed the plan, and his son Matt Walsh. Mark and Matt Walsh own Silver Stream Properties LLC which will own the building. Eckman Construction will build the building, and Silver Stream Properties will own it, Mark Walsh said.

Mr. Lopez provided an overview of the plan and the group viewed the plans and an aerial photograph. Bowman Brook runs along the back of the property and there is a large power line easement to the rear of the property too along with an open space subdivision called English Woods. The back-property line is the zoning line between the residential and the service industrial.

Mr. Lopez said the property is on the corner of White Ave. and Bellemore Drive. The Irving Gas station where they park buses is located at the end of Bellemore Drive, and there is a pool place and the Eversource workstation. There is a vacant lot to the south. All the properties abutting the lot are service industrial with the exception of English Woods.

Mr. Lopez discussed Phase 1 and Phase 2 of the variance. Keach-Nordstrom began the design of the project through the winter and were hoping to be in the ground with concrete for Phase 1 but the COVID-19 pandemic has slowed the process down. He explained they would like to get Phase 1 under construction and move forward with Phase 2 at the end of the summer. Because of the delays we are almost at that point now! Phase 1 has been submitted to the Planning Board and undergone staff review where it was explained that coming before the Zoning Board to discuss the issue would be required. Mr. Lopez would like to discuss the dimensional requirements of Phase 1 and Phase 2 and seek relief once for both phases. Mr. Lopez said they are in the process of designing an addition to the right of the main building for Phase 2. This is where most of the buffer variance would be required. Zoning states that the width of the buffer strip shall be calculated by the formula: 25-feet + 1-foot horizontal distance for each 1-foot of vertical building height for a total buffer with not less than 50-feet. There is

methodology in the zoning about how to calculate that distance. With this variance the building proper (both Phase 1 and Phase 2) comply with the setback. What is being sought is to have some of the parking area in Phase 2 and the pavement area within that buffer. Under the provisions of the zoning the vegetative planting portion of the buffer shall be at least 25-feet in width and shall consist of evergreen trees of which 1/3 of the trees shall be at least 8-feet in height and the remainder not less than 6-feet in height at the time of planting and shall include a mixture of varieties that do not lose lower branches such as Austrian Pine or Spruce. Twenty-five feet of the buffer between the service industrial and the residential zone is required to be vegetated, and the remainder could be grass. Mr. Lopez said they are asking to put pavement where grass would typically be required, but they would maintain the full 25-foot vegetated buffer.

Mr. Lopez reviewed the criteria for the variance.

1. Granting the variance would not be contrary to the public interest because:

(1) Whether granting the variance would alter the essential character of the locality:

(2) Whether granting the variance would threaten public health, safety or welfare:

Mr. Lopez said there is a limited service industrial zone in Bedford and few lots remain available for development. The proposed use seeks to construct a building for general light industrial and warehousing storage space. The general area was determined by the town to be an appropriate area for the proposed use as demonstrated by being permitted by right. The proposed project will be going before the Planning Board for review and comment on June 22, 2020. There will be a process to ensure that the proposed building and sight development will be in character with the existing abutting uses in the zone. The proposed site design going before the Planning Board for review has also provided for all-season sight distance for driveway curb cuts, an onsite cistern for fire suppression systems, and adequate onsite parking, engineered stormwater storage and treatment systems, approved septic and appropriately designed sight lighting. Specifically, by maintaining the required 25-foot vegetative strip, but reducing the required buffer distance to allow parking, roadway, and structure as close as 25-feet to the property line will not diminish the intent of the buffer due to the design maintaining the 25-foot visual screen. For these reasons, we conclude the proposed reduction in the buffer strip width should not be contrary to the public interest, alter the character of the neighborhood, or threaten public health, safety, or welfare

2. The spirit of the ordinance is observed because:

Mr. Lopez said the spirit of the ordinance is observed because in accordance with the zoning requirements and under proper conditions it is possible for a residential home to be built 25-feet from the boundary of the service industrial zone and a building and pavement of industrial use to be 50-feet off the property line. Under these conditions there would only be 75-feet between the residential use and the industrial use. Due to special circumstances of this property the existing power line easement provides 350-feet of protected separation. The open space restrictions on the abutting lot and the brook also provide additional environmental and land-use restrictions. The closest home to the

northeast is approximately 700-feet away. The proposed building fully complies with the required buffer strip, and the variance seeks to permit parking, drive aisles, and subsurface structures up to 25-feet off the property line while maintaining the integrity of the 25-foot visual screen. For these reasons we conclude that the proposed reduction in buffer strip width and special circumstances allow for the proposal to be in alignment with the spirit of the ordinance.

3. Granting the variance would do substantial justice because:

Mr. Lopez said that the lot is 5.2-acres and contains wetlands, a flood zone, and a conservation easement. These encumbrances decrease the portion of the property that can be developed to 3.8-acres (about 73%). The required setbacks and locations of wetlands impede the development potential. The current proposal seeks to create a modest size building and potential future addition (Mr. Lopez said they are now definitely moving forward with that addition in that location). These buildings provide high bay access along the side and rear of the proposed building. In order to facilitate reasonable access into the high bay garage doors and circulation patterns around the building a reduction in the buffer strip is necessary. By permitting the reduction in the buffer strip the owner can develop an economically viable project while maintaining the spirit and intent of the visual screen. For these reasons we conclude the proposal provides for substantial justice for both the owners, abutters, and general public.

4. The values of the surrounding properties will not be diminished for the following reasons:

Mr. Lopez said the proposal requires the functional portion of the buffer strip be 25-feet. Due to the special circumstances of the subject property, the existing power lines easement provides 350-feet of protected separation. The open space restrictions on the abutting lot and the brook provide additional environmental and land-use restrictions. For these reasons we conclude there will be no visual impacts to the abutting properties; therefore, the values of the abutting properties should not be diminished.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area because:

Mr. Lopez said the provisions of the buffer strip requirement exists more for the protection of the abutter than the general public. As explained above, literal enforcement of the requirement could permit as little as 75-foot separation between industrial and residential uses. Special circumstances surrounding the subject area provides for at least 350-feet of separation with the closest home being approximately 700-feet away. These special circumstances far exceed the required separation provided for adequate separation for the abutting property. Denial of the variance would impact the economic viability of the project and result in an unnecessary hardship to the project owner.

(A) Denial of the variance would result in unnecessary hardship because

- (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:**

Mr. Lopez said special circumstances far exceed the required separation and provide for adequate separation for the abutting property. Denial of the variance would impact the economic viability of the project and result in unnecessary hardship to the project owner. The requested variance has little impact on the general public with respect to the specific provisions of the buffer strip ordinance.

(ii) The proposed use is a reasonable one because:

Mr. Lopez said the proposed project maintains the required 25-foot visual screen. The proposed building fully complies with the buffer strip requirements, the only reduction being sought is to permit parking, drive aisles, and subsurface structures as close as 25-feet to the property line.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

Chairman Morin opened the floor for questions from the board in roll call manner:

Q: Mr. Gilbert asked if the reason to provide the parking in the back up to the 25-foot buffer line is technically to get trucks in and out of the high bay and you need enough room to maneuver – is that correct?

A: Mr. Lopez said that is correct.

Q: Mr. Gilbert looked at a map of English Woods common land and it doesn't look like you'd be able to build on it between there and the White Avenue area and power lines and the brook go through it.

A: "Correct," Mr. Lopez said.

Q: Mr. Green said on the request they ask for a buffer of 25.9-feet, but you don't really say too much about the 68.8-feet. It was said it could just be grass or cement. Mr. Green asked Mr. Lopez to explain it a little more.

A: Mr. Lopez explained the buffer is defined by the building height in relation to the elevation of the ground at the property line. When you go off of the 2 northerly corners of Phase 1 building – the math is provided of what that setback would be (on the Phase 2 plan); so technically we would be able to build our building right up to the shaded area on the Phase 2 plan. On the Phase 2 building that is parallel and grades about the same we would be able to build that building up to that shaded area, but that would prevent access around the building for fire; prevent access into the high bays; so, we've pulled that building closer to Bellemore Drive to permit that drive aisle around the building and then because we have the high bays in the back we needed to push the pavement out into that buffer to supply the turning radiuses to get in and out. So, that 68-feet is the dimension that would be required between the property line and the building corner. What we are seeking the variance for is to go right down to 25-feet because that's the area of the pavement and parking for Phase 2. Technically it's 25.9-feet from property line to the edge of the pavement. Mr. Lopez just called it 25-feet in the variance.

Ms. Stevens had no questions.

Q: Mr. Duhaime asked if the parking spots are enough to meet the need for parking spots for the building – or will that be done on the other side?

A: Mr. Lopez said he is showing 3 spaces there because there is going to be man way doors in the back, so they figured they would show some parking spaces out back. There are other places they could put those spaces over to the left side of Phase 1; but just for convenience he was looking to provide a few spaces out back because there are doors and access, and in reality guys will probably end up parking there, so he decided to show some lined spaces.

Q: Chairman Morin asked if the buildings could be moved up a little more towards Bellemore Drive or there an option of shortening the buildings a little bit to give extra space in the back?

A: In looking at the lower left-hand corner of the plans for the Phase 1 building Mr. Lopez noted that it is about a foot from the front setback line. What they were trying to do is hold the parking spaces back as far as they could or hold parking spaces behind the front setback line. Could we push and move the Phase 2 building to the front? - - “Yes,” Mr. Lopez said noting it would require sliding the drainage and side parking and everything closer to the roadway. Mr. Lopez said they were trying to keep the Alignment of the building construction in an “L” shape because it made more sense and provided more room in the front, as well as more greenspace in the front.

Chairman Morin said he can understand that, but we are still looking at an extended buffer area, so if there was a way to mitigate some of it that would be helpful.

Q: Mr. Casale said that Mr. Lopez used some terms about parking in the back along the lines of “you just threw them back there”, which to him is not a reason for violating this and asking for a waiver. He asked Mr. Lopez if he is saying that for the trucks to get back there (forget about the extra parking spaces in the back that could be moved) in the plan right now, and as the building sits right now you could not make the pavement closer to the back of the building?

A: Mr. Lopez said what they are anticipating, based on the way they plan on using this building, is to have mostly larger pickup trucks, box trucks, pickup trucks with trailers to be able to pull in and out of the bays; so, in order to provide adequate turning radiuses in the back is how the distance of pavement was established. The parking spaces in the back were put there because in reality, he knew people would be parking there whether or not it is a delineated parking space or not; but they could move those spaces if they had to, but it wouldn't reduce the turning radius capabilities of the vehicles.

Mr. Casale said he just wanted to rule out that they had no other options and could make it tighter to the building in the back.

Matt Walsh noted that they spent a good deal of time studying the plan and with any development they try and balance all the rules and regulations in the town and put our best foot forward. He is confident what has been put in front of the board tonight is that. They have set back about a foot off the street on Bellemore Drive and improved some of the landscaping along the street and feel they are submitting quite a product for Bellemore Drive and have attempted to maintain the aesthetic and keep parking in the L-shaped area. Mr.

Matt Walsh said that they are going to go to the town to permit for Phase 2 for the full site buildout this summer. He said they think we are some time out from adding an addition to this building but they feel the back buildout of the pavement and the parking is essential to not making a significant impact when we come back 1-2 years from now on the addition; but have tried to keep that aesthetic from the street so that when someone drives up Bellemore Drive they would see a clean, modern building designed for this industrial corridor.

The aerial view from the Eversource powerlines were viewed it also shows the view from the stop sign on White Ave. In that photo you look through almost 700-feet of multiple layers of buffers for the Eversource transmission lines; so, if there were a full row of cars parked out back they would not be seen from the residential neighborhood. A building owner would rather have vehicles parked and allocated directly behind the building as opposed to the front (and the town ordinances discourage from putting parking at the front of the property which would only clutter up Bellemore Drive.). He feels it's important to emphasize that a lot of effort has been put into accomplishing that balance

Chairman Morin opened the floor for questions or comments from the public.

Scott Bourcier of 1 Danforth Drive, Bedford NH introduced himself on the Zoom platform and indicated his wife, Lisa Bourcier was in the room with him. Mr. Bourcier said that he has a lot of concerns with the request to reduce the buffer. He was just presented the plan this evening and hasn't been able to look at and understands all of the ins-and-outs, but he has concerns about noise pollution, light pollution, visual pollution, groundwater recharge, and the aesthetics and impacts to the characteristics of the neighborhood. As you may be aware, the neighborhood is setback from Route 114. He said there is a convenience store there and the Goffstown Truck Center (aka where the school buses are kept); so, there is industry there that we are very much aware of and living with. The Bourciers have had the pleasure of enjoying their lot which is heavily wooded which helps protect them from the noise pollution of Route 114. Their concern, should the buffer be reduced, is that they will now hear more of Route 114 and noise pollution from the facility itself – it's generators, truck traffic, and general facility noise. He's now been educated that the bays are on the rear of the site which faces the Bourcier's property; so, they would be hearing the bay doors opening and closing, vehicles backing in and moving forward. As we know, large trucks require beeping sounds to indicate when they are moving in reverse.

Mr. Bourcier said they would also be susceptible to light pollution; the traffic along Route 114 and traffic at the facility; headlights at nighttime; plowing during the winter; lights of the parking lot and the building that will shine into their site. The visual pollution of having an assumed 28-foot tall building that will probably be corrugated metal (and not a residential looking building) will cause them to have to look at an industrial-looking façade in their residential, secluded home area.

Chairman Morin interrupted to make sure that everyone knows that the only piece the Zoning Board is dealing with tonight is the buffer, and that speakers from the public should only speak out in regards to the buffer. The Zoning Board doesn't deal with what type of building it is, or any of those other items such as lighting which are all Planning Board issues. The buffer is the *only* piece the Zoning Board is dealing with. For example, if the developer built this with no access to the back that building would still be there and they could move the building right up to where the buffer is; so Chairman Morin just wanted to give a "heads up" that while he understands where people are coming from with noise and views but a lot of

that can still be there with that building; so, please make sure any of the comments directly relate to the buffer.

Mr. Bourcier said he feels a lot of his comments are relating to the buffer because they would be reducing the natural rhythm that is there. Even though zoning regulations say that 25' need to be vegetated and the remaining 10' need to be grass – that is more impervious area and more cars getting closer to their residential living. Lastly, for perspective, Mr. Bourcier noted that today he measured the vegetative buffer, or vegetation in front of the Goffstown Truck Center from where the chain link fence is to where the trees end along Route 114 and it measures about 40-45 feet. What is being requested for this facility is to be 25-feet which is half of what we are already experiencing and noticing visually along Route 114. As you drive past it on Route 114 it is not a big deal because you are going parallel with the trees, but once you stop and look perpendicular you are able to see through that buffer – and that's with only a 40-45 foot buffer. The applicant is requesting to go down to 25-feet if granted.

Lauran Raduazo of 2 Danforth Drive, Bedford NH introduced herself on the Zoom platform. She believes she is the closest neighbor to the project. In talking about the buffer in particular, one of the reasons she thinks we have zoning laws in place for buffers is for environmental and wildlife protection. The property would be on part of the existing wetland property. She asked if any impact studies had been done to look at how reducing the buffer, which also acts as a filter, will impact the wildlife that is there (osprey, coyote, and rabbits) as well as the water. If some of the buffer is removed, filtration for any fuel spillage is also removed, and if cars and trucks are back there – that's an issue. She asked if any impact studies had been done and what the impact would be for the neighbors.

Ms. Hebert indicated we would take all public testimony and then have the applicant respond.

Robert and Elizabeth Poirier of 5 Danforth Drive, Bedford NH introduced themselves on the Zoom platform. They have been homeowners in Bedford for 22-years and Mr. Poirier is the President of English Woods Homeowners Association. He said that Ms. Raduazo brought up some great points about filtration and wildlife and the Poirier's are also curious if that was taken into consideration. 700-feet sounds like a lot of space between their facility and The Poirier's property, but Mr. Poirier said to keep in mind that Eversource has an easement a lot of that space. They come in every 1-2 years and clear it out; so even though it is 700-feet, it is 700-feet of cleared out space, no sound buffer, no buffer for lights. There seems to be a lot of focus on the front of the building and keeping it green on the front of the building; but Mr. Poirier says no one drives down Bellemore Drive, so he doesn't know why the focus is on greenspace to the front of the building versus protecting the neighbors on the back of the building and their privacy, and the buffer there. It makes more sense to him to go for a variance to move the building closer to the road and get rid of some of the greenspace and move some of the parking spaces, rather than focus on reducing the buffer on the back of the building which is going to directly have an impact on us. Also, the maintenance of the parking lot, the possible fuel spills, and salting of the parking lot may affect the neighboring wells and groundwater where people get their drinking water. Mr. Poirier said they already have water problems and are on water restriction right now because of water problems they are having in their neighborhood. Whether or not this new building will impact further once they start drilling wells there may be something to bring up at the Planning Board. Mrs. Poirier added that the only people who go down Bellemore Drive is for an institutional purpose – no one lives there or cares what it looks like.

Charles Jessee of 1 Fern Terrace, Bedford, NH introduced himself on the Zoom platform. He has lived in the neighborhood for 21 years and is an elected officer of the English Woods Homeowners Association. The Association has had communication with their neighbors to alert them that Board members would be at the meeting tonight representing the Association. Mr. Jessee is the Secretary of the Homeowners Association and has been familiar with the plans of their community (19 families and 50 residents including children) for many years, and indeed, 700-feet is the closest distance to the next house. The children in the community live not just in their own yards, but throughout the community and on the roadways riding their bikes, walking the easement which is a network of trails. Mr. Jessee said when we discuss “visual impact” it is not just the distance to the closest house it’s the visual impact everyone experiences in their daily lives. The summary of the proposal said there would be “no visual impact to abutting properties”, but he believes there will be visual impact and we need to figure out how to minimize that. He said Eckman Construction looks to be an excellent company and “we are looking forward to having a good neighbor” and now we are just trying to discuss the right relationship that we are going to have with each other.

Mr. Jessee said that the foliage cover is absent from the neighborhood most of the year, and off the edge of the roadway on White Avenue he was able to observe a hunter walking through the Bellemore property very clearly on what would become the back parking lot of this project; so, that visual barrier is very thin. He does appreciate that there would be some Austrian pines and spruce, certainly high-density more mature trees could address some concern, but it is currently unclear whether they will be a several 3-4 footers that would take a decade to mature, or larger mature trees to absorb the visual impact.

Ms. Hebert indicated there was no one else from the public raising their hand to speak; she received no new emails to the planning inbox during this discussion; but Ms. Elmer is prepared to read some emails that were received this afternoon.

Ms. Elmer read the first email from Merrill Pyes of 40 McIntosh Lane in Bedford who wrote: “I am a resident of Bedford and live at 40 McIntosh Lane. I am writing you in support of the Bellemore Drive industrial project which is being proposed for lot 1-18-20. In my view, this is the type of development we should support here in Bedford – the reasons are simple: The project will have no negative impact on our town, yet it will increase our tax base; it will require minimal town services, if any, while some other projects in town have dramatically reshaped the look and feel of Bedford. I believe this one is exactly the type of development we should look-to to add to our tax base. Thanks for listening, and I hope you suggest approval for the project.”

Ms. Elmer read a second email from Robert Meissner of 7 Karolina Lane in Bedford who wrote: “I am contacting your office regarding a plan to develop lot 1-18-20 in the Bellemore Drive industrial area - Eckman Construction, Silver Stream Properties. As a resident of Bedford for over 25-years I am firmly in favor of commercial project developments within the appropriate commercial area. I have seen this project’s particular development plan and firmly support its approval through both the Zoning Board and the Planning Board. Please ensure this voice of support is passed along to the appropriate Board members.”

Next was an email from David and Linda Abichaker of 18 Wendover Way in Bedford who wrote, “As residents of Bedford of 18 Wendover Way we just wanted to write to you and let you know that we are in favor of the service industrial facility being proposed for lot 1-18-20 on Bellemore Drive. This project will be a great addition to the businesses in town, an anchor for that neighborhood, and exactly the use for what that area of Bedford has always

been intended for. We believe this business will positively contribute to the aesthetic of the town with a clean and modern building and will add to the tax base in order to lessen the burden on residents.”

The last email was from Albert Bellemore, Jr. from Bellemore Investment Group in Goffstown, New Hampshire who wrote, “I am writing in support of the Bellemore Drive project by Eckman Construction. I think it is a great fit for the neighborhood and the zoning it has always been intended for. I also think it will be good for Bedford’s tax base. Thank you.”

Ms. Hebert had one more comment to read that was submitted by email from Don Surette of 3 Danforth Drive, Bedford who wrote: “My name is Don Surette. I live at 3 Danforth Drive which is in a residential area abutting the Bellemore Drive property seeking a buffer variance. I would like to voice my concerns about the proposed development and reduced buffer as it regards to noise impacts. The information provided by the developers seems to speak only to visual impacts of the reduced buffer. I have concerns regarding the noise impacts of the proposed high bay access at the rear of the building. This area will be directly facing our neighborhood and has the potential to be very active with the coming and going of loud trucks, especially the back-up beepers of those trucks. The noise concern only increases if the truck activity would be outside of daytime hours, especially if it occurred in the early morning or overnight. The required 68.8-foot buffer with dense vegetation would likely provide at least some noise dampening. While there is a considerable distance between the homes and the proposed building, the amount of vegetation there varies significantly depending on how the electric utilities maintain it. Sometimes vegetation is dense, and other times wide open after cutting or trimming event. The required buffer on the proposed property would at least be consistent. I ask that the 68.8-foot buffer requirement remain and contain as much dense vegetation as reasonable to help with the noise and visual impacts to the abutting neighborhood. Thank you for the opportunity to be heard on this matter.”

This concluded the emails that were received.

Chairman Morin allowed Mr. Lopez the chance to answer any questions that were brought up by the public.

Mr. Lopez thinks a number of the concerns stem to the reduction of the 25-feet. He read the zoning requirements for that planning strip. He said the zoning ordinance states, “The vegetative planting portion of the buffer shall be at least 25-feet width and shall consist of evergreen trees of which 1/3 of the trees shall be at least 8-feet in height and the remainder not less than 6-feet in height at the time of planting. They shall include a mixture of varieties which do not lose their lower branches such as Austrian pine and spruce.”

Mr. Lopez tried explaining the buffer again. He said the calculation of the 68-feet is how far the building needs to be off of the property line. The zoning does not require that the 68-feet be vegetated. By rights, the property-owner can go in and clear all the area within the buildable envelope. Whether or not it was a small 800-square foot structure along Bellemore Drive, or whether or not it is a larger building that’s being proposed, they have right to clear the entire property as long as it is not in the wetlands or within that buffer area. The visual impact right now is that there is mixed woodlands out there. What they would be required to do is to plant that area in accordance with the zoning to be dense evergreen (again the height and type of evergreen and percentages are dictated to them); so, by right they can clear up to the 50-foot buffer and plant grass for another 25-feet and only maintain the 25-feet of

vegetation. Mr. Lopez said that is what we proposed: We are going to enhance that 25-foot buffer. The question we have before the board tonight is whether or not we can pave up to 25-feet, or if it needs to be maintained as grass. The request is to permit the pavement to extend beyond that 50-feet to 25-feet.

As for a couple of the other questions, Mr. Lopez said they can cover the stormwater in more detail in the planning process; but this project is required to go for alteration of terrain and will be reviewed by the town engineer. Basically, they will be capturing all of the roof run-off and all the pavement run-off into a treatment tree system and then they will be going subsurface, so the water from the paved areas will not flow off into the adjacent wetlands. They will be providing much more infiltration than Alteration of Terrain (AOT) requires the way we've sized this system. The concern of sheet flow off of the parking area into the wetlands is not going to take place due to the way we've designed the system, Mr. Lopez said. In regard to run-off flowing into the brook, Mr. Lopez said they would be forcing a lot of that stormwater run-off to infiltrate back into the ground. That will all be designed in accordance to Alteration of Terrain (AOT) requirements.

Mr. Lopez understands the concerns of the abutters regarding noise, and again, the zoning permits that vegetated buffer to be reduced to as little as 25-feet and he said we are maintaining that. He sees noise as a separate issue while the buffer is more of a visual issue, so perhaps the noise concerns can be discussed during the planning board process. This project will undergo numerous meetings with the Planning Board.

Mr. Lopez asked if there were any other comments Chairman Morin wished him to discuss.

There were none, but Chairman Morin had a question about the ordinance. The applicant is requesting the buffer part of the ordinance; but it seems to Chairman Morin that there are two sections: 1. Reducing the buffer strip width and 2. Part of the design and planning specifications. Chairman Morin noted that section 3A talks about the buffer and the protection and is very specific saying, "no parking, roadway or structure shall be located within any part of the buffer". Ms. Hebert said the Chairman was correct that the buffer needs to be a specific width (68.8-feet) and no parking, roadway, or structure can be located within any part of the buffer. There was discussion and some confusion on the topic, but in the end Ms. Hebert explained that the buffer is the vegetative buffer to the residential district and parking cannot be located in the buffer. Mr. Lopez asked if the buffer for parking is dependent on building height. "Yes," Ms. Hebert said explaining that the taller the building/the wider the buffer. She said it is a technicality. The variance application is for the entire section – so it is to section F2 which is simply the buffer zone. There are two parts to that request, as the Chairman pointed out: There is the buffer width, and there is the proximity of parking within the buffer for Phase 2 of the project. She thinks the application (because it included the entire section and a variance request to the entire section) can be interpreted to include those aspects, but it is important to talk about the parking AND the buffer width in your review of this application.

Chairman Morin's second question was about the bay doors on Phase 2. He asked if there is a loading dock, or just ground level loading and unloading. Mr. Lopez said it is ground level loading and unloading. Chairman Morin asked if there was any way for vehicles to be at an angle to load and unload or if they had to do so straight on. Mr. Lopez said the site is not designed for 18-wheelers, it is designed for pick-up trucks with box trailers and the largest vehicle designed on this site was a fire truck; so, this is more for smaller contractor trucks.

Chairman Morin asked the board if they had any further questions in a roll call manner.

Ms. Jude had no questions.

Q: Mr. Casale said in regard to the Poirier's comment – it is nice that the area in the front has been done up, but it is Bellemore Drive, there's a bus station and a gas station there and he's not sure how much it can be further dressed up. In order to make up for the 25-feet in the back that you want to encroach upon with the parking lot, Mr. Casale asked if there is 25-feet you could move the building towards Bellemore Drive?

A: Mr. Lopez replied that right now the building is pinned on the front setback and looking to keep the back in line.

Q: Mr. Casale asked if there is room to move the first phase and the entire second phase (the L-shape) towards Bellemore Drive so that the parking lot (if it needs to be kept at those dimensions) does not encroach on what would be the 25-foot grass strip?

A: Mr. Lopez said that would require a variance to the front setback

Q: "OK, so it can be done," Mr. Casale said.

A: Mr. Lopez said it would also require a variance on the right side/right front corner because they would then be encroaching on the wetland setback with that corner of the building; so, a variance to both the front setback and wetland setback would be needed.

Q: Mr. Gilbert asked if the existing trees would be torn out? There is the parking lot and a 25-foot buffer to the general residential district and some trees will have to be taken out, but he asked if what is existing there would be kept?

A: Mr. Lopez said that area is completely wooded right now; so, they need to clear enough and do the side slope grading and then re-plant that buffer with the evergreens.

Q: Mr. Gilbert asked if everything would be torn out to the residential district line?

A: Mr. Lopez said there will be roughly 10-feet of existing vegetation and then it will be all replanted for the full 25-feet.

Q: Mr. Gilbert noted the mention of trucks and high bays and asked if trucks of that size have back up sounds like a major 18-wheeler would? He doesn't think they do.

A: Mr. Lopez said he was not aware of that. Most of the trucks are pick-up trucks and would have the back up sensors.

Mr. Casale thinks a lot of that is dependent on the business. For example, UPS has small trucks, but require the backup sound. It's a liability thing that is not truck-dependent, but business-dependent he thinks.

Q: Mr. Green said there was talk that the L-shape was important – why not avoid moving the whole building up and just flip the "L" so that you don't have encroachment on the back and there would only be encroachment on the front?

A: Mr. Lopez said if they kept the front of the building in line it would require a variance to the wetland and it also may prohibit access around the building. With the distance between the wetlands and the Phase 2 portion there would not be enough distance to permit the drive aisle through there.

Mr. Duhaime had no further questions.

Q: Ms. Stevens was curious what the hours of operations would be when you would be seeing vehicles driving in and out of the site?

A: Mr. Lopez was told it would predominantly be 7:00 AM – 5:00 PM.

Q: Ms. Stevens asked if that would be Monday through Friday, or if it would include the weekends.

A: Mr. Lopez was told it would be Monday through Friday and very little weekends.

In conclusion, Mr. Mark Walsh stated he feels the project is very much in line with the intended use of this development and the quality of the project they are proposing is a step above anything else in the development.

Mr. Matt Walsh said he appreciates that sometimes in today's world it is easy to go back and forth and butt heads, but he appreciates that the people of English Woods' and Mr. Jessee's approach tonight in being willing to extend a hand and have discussions. Mr. Matt Walsh said they are looking to be a neighborhood partner. He and his father both own homes in Bedford, their business is in town, and they want to be in town for a long time so they are looking to put forth something they can stand behind with their name, and that is important. In the same respect they are looking to reach out their hand, as well. There has been good dialogue back and forth and he said, "our ears are open."

Chairman Morin again opened the floor for public any further comments or questions. There was none.

MOTION by Ms. Stevens to move into deliberations on this variance application. Mr. Gilbert duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

1. Granting the variance would not be contrary to the public interest because:

(1) Whether granting the variance would alter the essential character of the locality:

Chairman Morin indicated again that we are dealing with the buffer only. Mr. Green said it would seem the point the Chairman brought out is no matter what we do tonight there would be a second need to come back for a further hearing on the parking issues and he doesn't see how those two parts can be truncated; and therefore asked if they both need to be dealt with together rather than as two separate issues. Chairman Morin said Ms. Hebert described that they've made it very clear in their application about parking and spaces. Ms. Hebert said the section they applied for the variance from includes both aspects of the design criteria for the buffer; so, they are asking for a variance for the entire section. "Even though the ordinance says you're not going to have parking there?" Mr.

Green asked. Ms. Hebert thinks it is important for the board to discuss both aspects of the buffer – the width and the presence of the parking in their deliberations.

To whether granting the variance would alter the essential character of the locality, Mr. Green said it is a business/commercial area. Mr. Gilbert said it is zoned for that purpose, so to him it would not alter the essential character.

(2) Whether granting the variance would threaten public health, safety or welfare:

Chairman Morin does not see that happening. In regard to public health some people brought up groundwater, but that was explained with the filtration and collection system that they will be using. Chairman Morin doesn't see a safety issue nor welfare issue with it.

2. The spirit of the ordinance is observed because:

Chairman Morin says that he personally has an issue with the spirit of the ordinance. He understands the ordinance tries to have some separation (700-feet) between the residential and industrial area; but struggles with which way to go with it. The ordinance gets into some specifics, and he understands what they're talking about with the 25-foot vegetation area and what they have to do to that is pretty clear, but Chairman Morin is having a hard time with that piece.

Mr. Green said he is having a hard time with it too. Mr. Green said even though it is zoned for an appropriate area it's impacting people. He said that it is problem whenever you have two zoning areas abutting one another. Commercial/industrial will have an inordinate effect upon a residential area that abuts that commercial area. It is fine for people who don't live in the area to say it's a good thing; and it's a whole different issue if you happen to live next door, Mr. Green said.

Mr. Gilbert said he is really struggling because it seems to him if there was a 50-foot setback we wouldn't be having any struggles. If they were 25 more feet off of it, then it would be o.k. Chairman Morin said he would feel better about it if that were the case. He applies the same perspective when dealing with wetland issues: The town has made these decisions on distances and where things can be compared to what can't be. He said the interesting part on this project (and how long ago it was dealt with – he doesn't know), is that it is very specific in the ordinance that no parking, roadway or structures shall be located in any part of the buffer. There had to be a reason for that – although he doesn't know what the reason is.

Mr. Gilbert said he doesn't want to muddy the waters but we're talking about a conservation easement – should the Conservation Commission get involved with it? Chairman Morin didn't think they needed to give this section and that it is not a wetland area. The wetlands are off to the side. Mr. Gilbert was fine with that.

Ms. Stevens agrees with everyone's comments. The point she struggles with is that it sounds as though with the extra 25-feet they could just put grass in that area and she is not sure 25-feet of grass is going to do much to shield the view of the building or any sort of lights. In addition, the Eversource lines go right through there and it separates the two giving 700-feet of space; so, it's certainly a different property that we are trying to apply these numbers to.

3. Granting the variance would do substantial justice because:

Mr. Gilbert said it would do substantial justice for the people applying for it, but there are other people to think about too. Chairman Morin said it's a tough scale issue of which way the scale tilt and to put it all in perspective.

4. The values of the surrounding properties will not be diminished for the following reasons:

Chairman Morin said we hadn't heard any expert testimony either way on that. He doesn't think the buffer situation would make the difference in that case anyway.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship. Special conditions of the property distinguish it from other properties in the area because:

Chairman Morin said looking at the plan and listening to the testimony there are some hardships to the property that limit location of things between wetlands, and conservation easements there is definitely some challenges to a big lot being reduced to where specific things can be.

(A) Denial of the variance would result in unnecessary hardship because

(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

Chairman Morin thinks Ms. Stevens explained this one pretty well in her previous statement which ties into this one. It is true – concerning the distances and what is there and what's not there. Ms. Stevens agreed.

(ii) The proposed use is a reasonable one because:

Mr. Green said it was reasonable.

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

Mr. Green asked if the Zoning Board was to vote this application down, they can't bring it forth again how long? Chairman Morin said by right, without a substantial change in the design, he doesn't think it can come back before us. Ms. Elmer explained that is correct and they would have to have a new submission describing what the substantial change is. The Zoning Board would look at that application and decide whether it meets your criteria for a substantial change. If it does, the new application would be accepted for review the next meeting following that. If it doesn't, then it is dead in the water.

“If after our discussions they want to rethink their plans they could request a continuance, could they not?” Mr. Green asked. Ms. Elmer said we would have to be back in public session in order for that to happen. Mr. Gilbert asked, “If none of us put forth a motion, then it goes back to public session, right?” Chairman Morin indicated the board could vote to go back into public session and go from there. Mr. Gilbert said he would move to do that. Mr. Duhaime agrees and said he is on the fence and thinks going back into public session would be worthwhile.

MOTION by Mr. Gilbert to move out of deliberations on this variance application. Mr. Duhaime duly seconded the motion. Roll call vote taken – all in favor. Motion carried 5-0.

Chairman Morin said the applicants have heard the board's concerns and asked if they wanted to table, have the chance to talk about it and come back.

Mr. Lopez wanted to go back to what Ms. Stevens discussed and said if they make adjustments to the plan – find a way to redesign, resize the building, or move things around – then we don't come back before the board and maintain the pavement and parking, currently the building is outside of the buffer so the building isn't the issue – it's the parking and paving. He said if they redesign that to be outside of the buffer they still would have 25-feet of grass, 25-foot of vegetated buffer and not have to come before the board. He wanted to bounce this thought off the board members. If they have to go back and reassess design, he supposes they will table it.

Through the deliberations, what Chairman Morin is understanding from the board is that people are having a hard time. If the applicants want to go forward, the board can; but, Chairman Morin can't say which way it might go. He said they might be safer taking a month to see if there is anything reasonable that they can do; and "if you can't...you can't" and then the board would reconvene on it and go with what we've got and see what happens.

Ms. Hebert felt like there had been a lot of discussion about the buffer and just clearing it and putting down grass, and she thinks the zoning give the Planning Board discretion to require additional screening or fencing and it's very specific in the ordinance. To be fair she felt it is important to point that out. There is a two-step process with the Zoning Board and getting relief from the width of the buffer and the location of the parking; but then there is a second step with the Planning Board who would be very involved (based on the zoning) with the design of the buffer and what comprises the buffer. In the end it is a discussion with the Planning Board.

Mr. Mark Walsh asked what if the paving was allowed and there was a solid fence in addition to the buffer that is allowed. A PVC 6-foot high solid fence would block light and sound from a vehicle across the back of the parking strip that they are asking to add.

Mr. Lopez said a planting plan is shown on their plans that they feel meets the zoning requirement, but the Planning Board may have other ideas and require something more extensive. The fine details of the planting plan still need to be determined with the Planning Board.

Ms. Hebert read from the zoning requirement, "the buffering shall provide a year-round dense screen in order to minimize adverse impacts that shall consist of evergreen trees and existing vegetation, or upon approval from the Planning Board, may include fencing, berms, boulders, mounds, fastidious vegetation or combinations thereof to obtain the same objectives."

Mr. Lopez said with Mr. Mark Walsh's offer of a fence in that area it may be something the Planning Board would like to see. Ms. Hebert said we would have to wait and see what the Planning Board review and discussion entails. Mr. Lopez asked if the first hurdle is to get over whether or not they can be up to 25-feet. Ms. Hebert indicated that

is correct. She also noted there are 2 plans before the board (Phase 1 and Phase 2), so it is something to consider because as the board discussed, you would have to come back with a new application if you were not successful with this variance request and the new application would have to be substantially different from the application that is before the board tonight. She said the two phases included in the application could complicate things. Mr. Lopez understood and said the intention had been to take two bites off the apple at the same time and deal with both phases and not have to deal with one and then come back the next month and ask for a variance for Phase 2. They felt it was appropriate to lay both phases out in front of the board tonight so they would know what the full build-out will be instead of piecemealing the application together.

Chairman Morin opened the floor for comments from the board.

Ms. Stevens doesn't feel that we talked much about the size of the building and she is interested if the building size can be scaled down. Then they wouldn't even have to worry about coming back to the Zoning Board.

Mr. Lopez agreed to table their request. In the meantime, they will have a discussion with Ms. Hebert and get more input.

Chairman Morin indicated the next Zoning Board meeting would take place on July 21, 2020.

MOTION by Mr. Gilbert that the Zoning Board of Adjustment table the application until the July 21, 2020 meeting. Mr. Green duly seconded the motion. Roll call vote taken - all in favor. Motion carried 5-0.

5. New Business

- **Amendment to the Zoning Board Rules of Procedure - Remove Section 8.2, Paragraph 2, of the Zoning Board Rules of Procedure relative to application submission deadlines. A full copy of the amendments is available on the Town website at www.bedfordnh.org**

MOTION by Mr. Gilbert to open a public hearing to discuss changes to the Zoning Boards rules of procedure. Mr. Duhaime duly seconded the motion. Roll call vote taken - all in favor. Motion carried 6-0.

Chairman Morin opened the floor for public comment. Ms. Hebert indicated there was no one who wished to speak via Zoom meeting or telephone.

MOTION by Mr. Green to close the public hearing to discuss changes to the Zoning Boards rules of procedure. Mr. Gilbert duly seconded the motion. Roll call vote taken - all in favor. Motion carried 6-0.

Chairman Morin opened the floor for discussion from the board. Ms. Elmer indicated she had not received any written comments.

MOTION by Mr. Duhaime that the Zoning Board of Adjustment approve the amendment to the Zoning Board Rules of Procedure to Remove Section 8.2, Paragraph 2, of the Zoning Board Rules of Procedure relative to application submission

deadlines. **per our deliberations. Ms. Stevens duly seconded the motion. Vote taken - all in favor. Motion carried 7-0.**

- The Zoning Board will elect its officers for 2020-2021

MOTION by Mr. Green to elect John Morin as Chairman. Mr. Gilbert duly seconded the motion. Roll call vote taken – (1 abstention – Chairman Morin) all others in favor. Motion carried 6-0.

MOTION by Mr. Green to elect Kevin Duhaime as Vice Chair. Ms. Stevens duly seconded the motion. Roll call vote taken – (1 abstention – Mr. Duhaime) all others in favor. Motion carried 6-0.

The next meeting will take place on July 21, 2020.

6. Adjournment

Motion by Ms. Stevens to adjourn the meeting at p.m. Mr. Duhaime duly seconded the motion. Roll call vote taken – all in favor. Motion carried 7-0.

Respectfully submitted,
Tiffany Lewis