

**ZONING BOARD OF APPEALS  
MEETING MINUTES  
FEBRUARY 24, 2021**

**Members Present:** Jim Reinke (Chair), Jim Buckley (Vice-Chair) Vaughn Hathaway (Clerk), Kurt Parliment

**Alternate Members Present:** Dick Johnston

**Members Absent:** Ashlyn Coyle

**Staff Present:** Michelle Buck, Town Planner; Brooke Hammond, Department Assistant

	<b>Public Hearing, Special Permit</b> 0 Auburn St, Limited Frontage Lot, Applicant: Southwest Holdings
	<b>Approval of Minutes:</b> <ul style="list-style-type: none"><li>February 3, 2021</li></ul>
	<b>Correspondence/General Board Discussion:</b> <ul style="list-style-type: none"><li>Application for ZBA Membership</li><li>Miscellaneous Updates</li></ul>
	<b>Adjourn</b>

Mr. Reinke calls the meeting to order at 6:01 PM.

**Public Hearing, Special Permit - 0 Auburn St**

[Mr. Hathaway reads the Public Hearing Notice]

Brian MacEwen, project engineer, explains that the previous permit for this project expired. The property owner had many projects going on at the same time in 2017 when the Board initially approved this application. The application materials have not changed since the 2017 hearing.

Mr. Reinke asks if there is a reason for the delay on project initiation for 0 Auburn St. Mr. MacEwen explains that the developer's other projects at the time caused the delay. Mr. Hathaway asks if any abutting property with common ownership has frontage on Stafford Street. Mr. MacEwen states that most of the land that had frontage of Stafford street was sold in order to put in a septic system for Staffordshire Apartments. The frontage on Stafford Street on the southern end of the property has a stream and extensive wetlands. There are no common ownership abutting properties on Auburn St that could be obtained or combined to meet frontage requirements. Mr. Hathaway asks if it would be cost prohibitive to access the land on Stafford St. Mr. MacEwen confirms this is correct. Mr. Hathaway abstained from voting on this special permit in 2017.

Mr. Buckley suggests adding a condition to limit the driveway length to less than 500 feet because it is not shown on the plot plan, but says it may not be necessary due to the size of this specific lot. Mr. MacEwen says the dwelling would be placed close to the street in order to put a septic system in back and to accommodate the topography, so the driveway would not end up more than 500' long.

Ms. Prunier, a neighbor, has concerns about the wetlands in the back in relation to the proposed house and septic system. Mr. Reinke says the septic system falls under the jurisdiction of the Board of Health; the Zoning Board makes decisions regarding the Zoning Bylaws. Mr. Reinke says he assumes the engineer has done his due diligence to makes sure the septic system is

within appropriate limits on the lot. Mr. MacEwen says septic evaluations are the jurisdiction of the Board of Health, and wetlands the Conservation Commission. It is necessary to obtain the special permit from the Zoning Board of Appeals before moving forward.

Ms. Prunier says another neighbor was on site for a previous perc test on this lot that ultimately failed. Mr. Reinke states the ZBA special permit is the first step in the project process, and all other issues fall under the jurisdiction of other departments. The Zoning Board cannot comment on other aspects of the project. Ms. Prunier asks if the frontage is the same as it was on the initial application in 2017, and if there are still plans to create a right-of-way on the property. Mr. MacEwen says the plan is exactly the same as it was in 2017. A previous owner had planned on putting a right-of-way leading to a subdivision. There will be no right-of-way added to this property, only a single-family home as proposed on the plan before the Board. Mr. Reinke explains the existing roadway on the property does not affect the frontage.

Mr. Prunier says they are unhappy with the proposed project. He says the lot is small and in a rural area, and on top of that does not meet the zoning frontage requirements. Mr. Hathaway says if the lot meets the zoning provisions for a limited frontage lot then the lot does meet the Zoning Bylaw requirements. Ms. Prunier asks at what point the lot is too limited to build on. Mr. Hathaway explains that if the lot meets the conditions outlined in the Zoning Bylaws, then that is what the Board will be voting on. If the lot meets all other zoning requirements of the zone then the limited frontage lot can be approved.

**Motion:** Mr. Hathaway moves to approve the limited frontage lot at 0 Auburn St.

**Second:** Mr. Johnston

**Discussion:** Mr. Parliment abstains from voting.

**Roll- Call Vote:** (4-0-1)

**Motion:** Mr. Buckley moves to close the public hearing.

**Second:** Mr. Johnston

**Discussion:** None

**Roll-Call Vote:** (5-0-0)

### **Approval of Minutes**

February 3, 2021

**Motion:** Mr. Johnston moves to approve the February 3, 2021 minutes.

**Second:** Mr. Parliament

**Discussion:** Mr. Hathaway abstains from voting as he was not at the February 3 meeting.

**Roll-Call Vote:** (4-0-1)

### **Application for ZBA Membership**

Paul Bennett moved to Leicester about a year ago. He used to work with zoning codes in the City of Laramie, Wyoming and hopes to make an impact within the community with his knowledge.

Mr. Reinke says some meetings can be lengthy and unpopular decisions are sometimes made.

Mr. Bennett understands. Mr. Hathaway asks Mr. Bennett to further explain his zoning

experience. Mr. Bennet says he worked in the health & inspectional services department in Laramie where he did the design and approvals for septic systems and wastewater.

**Motion:** Mr. Hathaway moves to recommend Mr. Bennett to the Select Board for the open alternate position on the Zoning Board of Appeals.

**Second:** Mr. Parliment

**Discussion:** None

**Roll-Call Vote:** (5-0-0)

### **Adjourn**

**Motion:** Mr. Buckley moves to adjourn the meeting.

**Second:** Mr. Hathaway

**Discussion:** None

**Roll-Call Vote:** (5-0-0)

Meeting adjourned at 6:45 PM.

Respectfully Submitted,

Brooke Hammond, Department Assistant

Documents included in meeting packet:

- Town Planner Memo – dated 2/24/21
- Special Permit Findings Sheet
- Public Hearing Notice for 0 Auburn St
- Special Permit Application for 0 Auburn St – dated 1/25/21
- Previous Auburn St Decision – dated 3/27/21 and
- 0 Auburn Street Plans
- February 3, 2021 ZBA Meeting Minutes
- Citizen Volunteer Form for Paul Bennett