



# TOWN OF HUDSON

## Zoning Board of Adjustment



Charlie Brackett, Chairman

Marilyn E. McGrath, Selectmen Liaison

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### MEETING AGENDA – October 24, 2019 – approved

The Hudson Zoning Board of Adjustment met on October 24, 2019, in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall at 7:00 PM.

#### **I. CALL TO ORDER**

#### **II. PLEDGE OF ALLEGIANCE**

Chairman Brackett called the meeting to order at 6:56 PM and invited everyone to stand for the Pledge of Allegiance. Vice Chair Dearborn read the Preamble into the record, identified as Attachment A of the Board's Bylaws, that included the procedure and process for the meeting, that copies of the Agenda and Application for Rehearing are on the shelf by the door, the importance of the 30-day time period as well as housekeeping items regarding cell phones, smoking and talking. Clerk Davis took the roll call.

Members present were Charlie Brackett (Regular/Chair), Gary Daddario (Regular), Maryellen Davis (Regular/Clerk), Gary Dearborn (Regular/Vice Chair), and Jim Pacocha (Regular). Also present were Bruce Buttrick, Zoning Administrator and Louise Knee, Recorder. Excused were Alternate Member Brian Etienne and Selectman Liaison Marilyn McGrath For the record, all Regular Members voted.

#### **III. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD:**

1. Case 222-039 (deferred to 10-24-19): Margaret McQueeney, 3 Colson Rd., Hudson, NH requests a Variance to allow a second separate driveway for an existing Accessory Dwelling Unit. [Map 222, Lot 039-000; Zoned Residential-Two (R-2); HZO Article XIII A Accessory Dwelling Units, §334-73.3G, Provisions].

Clerk Davis read the Case into the record. Mr. Brackett noted that this Case is a continuance from the September meeting and that the same Members would be voting. Mr. Buttrick referenced the letter dated 10/23/2019 by Robert Buxton, Hudson Fire Chief, to Meredith Molloy, property owner, in the supplemental packet and read the letter into the record that urged the Board to

approve the second driveway based on the location of the ADU to the primary residence, its direct availability from Colson Road for emergency access and the fact that the ADU has been issued a separate street number and has its own mailbox.

Meredith Molloy introduced herself as the property owner and stated that she failed to do due diligence when she and her husband bought the property and had no knowledge that the driveway had been 'classified' as "temporary" by the Town as it existed and had been in use when they purchased the property.

Ms. Molloy posted a plan prepared by Jeffrey Land Survey LLC dated July 2019 for the paving of the ADU driveway, identified the turn-around segment requested by the Town Engineer, Elvis Dhima, PE, and noted the existing two (2) decks and the shed in the rear of the property. Ms. Molloy also noted the ledge and a hill at the rear of the property along with their well.

Ms. Molloy stated that she reached out to the Fire Department and learned that they assigned the ADU #3A and agreed with the second independent address for the ADU and referenced the Fire Chief's letter Mr. Buttrick had read into the record. Ms. Molloy stated that three (3) of the seven (7) houses on the street have two (2) driveways.

Ms. Molloy stated that they researched permeable driveways and learned that they deteriorate over time and at twenty five dollars per square foot (\$25.00 / SF) for six hundred eighty eight square feet (688 SF) yields seventeen thousand two hundred dollars (\$17,200) which poses them a financial hardship. To extend the primary driveway and provide a turnaround would require one thousand three hundred square feet (1,300 SF) and would create additional expense to relocate the fence, deck and shed, would create a setback issue, as well as impede access to the ADU (Accessory Dwelling Unit). They also examined making the ADU driveway the primary driveway but that would also require it to loop behind the house to face the same issues and added cost to dismantle and landscape the primary driveway. According to the Zoning Ordinance (ZO), all parking spaces are to be paved [Article 334-15.A(1)] and the residents of the ADU park in their driveway. According to ZO Article 334-2.I, the Purpose is to preserve and enhance quality of life. Ms. Molloy referenced the application and how each of the Variance criteria have been addressed. Ms. Molloy stated that the driveway has existed for nineteen (19) years and has not harmed the neighbors or the neighborhood. Ms. Molloy asked the Board to do a Site Walk. Ms. Molloy stated that she contacted her neighbors and they all support the driveway being paved. Margaret McQueeney, occupant of #3A Colson Drive, distributed copies of the signed supporting abutters' letters.

Public testimony opened at 7:13 PM. The following individuals addressed the Board:

- (1) Ken Jones, 4 Colson Drive, stated that he is a direct abutter, lives across the street, has noted the improvements the Molloy's have made to their home and property and sees no reason for the Board to disapprove their request to pave the driveway.
- (2) Jere Snader, 11 Wason Road, stated that he is in favor of the request, that aesthetically it would be an improvement not only to their home but also the neighborhood and confirmed that the unpaved driveway is messy, in appearance especially.

Being no one else to speak, public testimony closed at 7:14 PM.

Ms. Davis questioned how the ADU received a different / separate address and whether it had a different number before Ms. Molloy purchased the property. Ms. Molloy stated that it had a separate number, #3A, when she bought the property. Ms. McQueeney stated that the mail person told her she had to use #3A for her mail. Mr. Brackett noted that ADUs do not get separate address numbers or driveways and that this Case is unique in that regard.

Mr. Dearborn asked Ms. Molloy if "rap" (ground asphalt) was also checked out in her research and expressed concern that the Board had recently denied two (2) other ADU Cases for a second driveway and wondered if the option of pursuing a variance to grant a duplex on an undersized lot should be considered. Ms. Molloy responded that they checked out pavers and bought the house because it had an ADU. Mr. Buttrick noted that the Assessors record has both #3 and #3A for this property.

Mr. Buttrick provided a historical recap of his findings: the Assessing record shows the in-law apartment since 2004; ZBA approved the ADU/ALU 1/27/2000 and Building Permit was pulled 11/15/2000; on 1/4/2001 Town Engineer Michael Gospodarek wrote to the Planning Board regarding Temporary Driveway; 9/13/2001 Community Development Director Sean Sullivan wrote to Property Owner Wendy Bagley that a Certificate of Occupancy was needed and that the site inspection done on 9/11/2001 noted an illegal second driveway; 11/28/2001 Planning motioned to authorize a Temporary Second Driveway Permit to 3 Colson Road for four (4) years; 4/29/2002 Temporary Second Driveway Permit Agreement recorded at Registry; 2/8/2006; 2/8/2006 Planning Board granted Temporary Driveway Permit to 2/10/2010; 1/9/2019 Building Permit issued to Stephen and Meredith Molloy for renovations; and 5/6/2019 NHDES (NH Department of Environmental Services) approved new septic system.

Ms. Davis asked if a CO (Certificate of Occupancy) was ever issued for the ALU. Mr. Buttrick stated that he did not find one on file. Ms. Molloy stated that they had just renovated their home and had it inspected.

Mr. Daddario stated that considering the circumstances it is his belief that some relief is required, that nineteen (19) years is not “temporary”, that the Town Engineer has reviewed and made recommendations on the plan to pave the second driveway, that the Fire Chief supports the second driveway for emergency response and all the abutters have signed their consent.

Ms. Davis stated that it is an issue, that ADUs morph into Duplexes that don't have the infrastructure (well and septic) to support a two-family residence, that there is no more hardship on this property than other properties in the neighborhood and that the situation previously granted was not properly handled and that mishandling has caused a hardship. Mr. Daddario added that there are multiple residences in the neighborhood with two (2) driveways and that perhaps the Board could consider specifying the second driveway specific to the current owner.

Mr. Brackett noted that the second driveway for the ALU has existed since the year 2000, that the Planning Board had no authority to grant a second driveway or have it reaffirmed in 2006 with the Selectmen knowledge, that there is, in his opinion, a hardship because it has been in use for nineteen (19) years and has been issued a separate address of which are both contrary to ADU criteria and the Zoning Ordinance.

Ms. Davis agreed on principal based on the Ordinance but questioned what benefit there would be to the Town by denying this Variance. Mr. Buttrick cautioned against placing a condition specific to the current owner as the next owner would be required to rip up the driveway. Mr. Daddario agreed and stated that he was attempting to address the morphing of the ADU into a duplex. Ms. Davis stated that there would be enforcement issue with such a condition and that there is little to prevent a morphing and suggested instead to ensure that a CO (Certificate of Occupancy) exists and to provide a NHDES approved backup septic plan in the event of a system failure. Mr. Buttrick noted that the property owner just installed a NHDES approved septic system and Ms. Davis responded that it would still be prudent.

Mr. Brackett suggested a review of the variance criteria.

1. *not contrary to public interest*
  - Mr. Dearborn: not out of character, other residences with two driveways in the neighborhood
  - Mr. Brackett: driveway has existed and been used for nineteen (19) years
  - Mr. Pacocha: will not impact the neighborhood
  - Ms. Davis: the second driveway is contrary to the Ordinance and was against it but that has been outweighed by the testimony received from the abutters
2. *spirit of Ordinance observed*

- Mr. Daddario: willing to grant, is acceptable to the neighborhood residents, the character of the neighborhood remains intact and the second driveway is supported by the Town Engineer and the Fire Chief
  - Mr. Dearborn: there is no threat to the public and it provides access for emergency needs according to the Fire Chief
  - Mr. Brackett: there is hardship imposed by the land to provide one common driveway
3. *substantial justice done*
- Mr. Daddario: a balance needs to be achieved. Is the public harmed? No. Will it benefit the homeowner? Yes.
  - Mr. Dearborn: met, especially considering the alternative of placing the driveway to go around the rear of the house.
  - Mr. Brackett: It is the safest alternative
  - Mr. Pacocha: There is no harm to the public
  - Mr. Brackett: There was overwhelming neighbor support
  - Ms. Davis: This is a unique Case
4. *will not diminish surrounding property values*
- Mr. Brackett: It will improve the property value for the owner and the neighborhood
  - Ms. Davis: not an expert and has no opinion
5. *hardship*
- Mr. Daddario: has been demonstrated – there is ledge to the rear, the land rises to the rear, the well is in the rear, decks would need to be removed, the fence would need to be removed, there could be setback issues and the front has their septic system. Mr. Daddario added that the criteria is not met based on convenience or cost.

Mr. Daddario made the motion to grant the variance to pave the second (ADU) driveway with the following two conditions: (1) that a valid CO (Certificate of Occupancy) be on file with the Town and (2) that an approved NHDES back-up septic design plan be on file with the Town. Mr. Dearborn seconded the motion. Vote was 5:0. Variance conditionally granted. The thirty-day appeal period was noted.

2. Case 163-007 (10-24-19): Josie Roy, requests a Home Occupation Special Exception for 59 Sullivan Rd., Hudson, NH to allow a staffing agency business office. [Map 163, Lot 007-000; Zoned Residential-One (R-1); HZO Article VI, §334-24, Special Exceptions, Home Occupations].

Clerk Davis read the Case into the record. Mr. Buttrick referenced his Zoning Determination dated 9/30/2019 and his Staff Report signed 10/15/2019, noted that the house is a two-family and that the Property Owners, Ruth and

Robert Roy, have given their permission in writing 10/2/2019 for the Applicant Josie Roy to pursue this Home Occupation.

Josie Roy, 59 Sullivan Road introduced herself to the Board and addressed the criteria for the granting of a Special Exception Home Occupation to run a staffing agency from her home. The information shared included:

- She has been working in this business for twenty seven (27) years
- Only a laptop (email) and a telephone are required – to be used either at the kitchen table or in the den downstairs
- There will be no people coming to her home
- Her “staff” consists of nurses and LNAs that she communicates with by either telephone or email for assignment to nursing facilities
- The Home Occupation will be secondary to the use of her home
- All business activities will be carried on within the home
- There will be no exterior display or sign or any indication of a home occupation at the residence
- There will be no exterior storage
- There will be no noise generated – just phone calls or emails
- There will be no traffic generated, all work is done by phone or email and time cards will be mailed
- There will be no visits at home – all interviews are held off site
- There will be no employees for the Agency business – she will be the conducting the home occupation
- There is no designated vehicle for occupational use

Mr. Dearborn asked if the business grows if she would hire an employee that would work in her home. Ms. Roy responded that she does not anticipate needing to hire anyone to run the Agency business but if she did, that employee would work from their home and not hers.

Mr. Brackett asked if her business is similar to a headhunter type and Ms. Roy responded that it is in the way that facilities have a need for medical personnel and she fills that need with RNs and LNAs.

Public testimony opened at 7:52 PM. Ruth Roy, 59 Sullivan Road, stated that she is the property owner and mother-in-law to the applicant and fully supports the home occupation. Being no one else to speak, Public testimony closed at 7:53 PM.

Mr. Brackett questioned the impact of the Home Occupation on the two-family residence and the Applicant responded that the house is an L-shape and there will be no impact. Ms. Davis asked if the home address would be used for the business and Ms. Roy responded that her business is incorporated. Mr.

Buttrick stated that approving the Home Occupation will introduce a business to the Residential Zone. Mr. Brackett asked if the applicant would receive business mail at the residence and Ms. Roy stated that she will use a Post Office Box for her business mail.

Mr. Brackett stated that this seems like “working at/from home” but it is not as the business is in the home and the likelihood of the Special Exception ‘running with the land’ seems probable which raises the question on how to protect the future. Mr. Buttrick noted that the Notice of Decision would be recorded at the Registry and the Board has the option to attach conditions. Mr. Pacocha noted that a Special Exception is specific to an individual or specific activity and does not carry forward. Mr. Brackett agreed except historically it has morphed and that the future has to be protected. Board discussed adding a stipulation and debated whether it should be restricted to Josie Roy or it ceases to exist upon the sale of the property or the transfer of ownership.

Motion made by Mr. Dearborn and seconded by Mr. Daddario to approve the Home Occupation Special Exception to allow a staffing agency business office with the condition that the Special Exception ceases upon the sale of the property. Mr. Brackett stated that there is no change to the house, there will be no employees and no receipt of goods. Mr. Buttrick stated that such a condition is enforceable. Ms. Davis concurred. Vote was 5:0. Special Exception Home Occupation granted.

3. Case 209-001 (10-24-19): Karl Dubay, authorized agent for Dakota Partners, Inc., 1264 Main St., Waltham, MA 02451, requests a Wetland Special Exception on behalf of 5 Way Realty Trust for 161 Lowell Rd., Hudson, NH to allow Wetland Conservation District (WCD) Buffer Work relating to roadway improvements to widen the existing Friars Drive to 32 ft. The WCD Buffer area impacted is 35,756 sqft. [Map 209, Lot 001-000, Split districts: Zones General (G), Business (B), and Industrial (I); HZO Article IX, §334-35.B, Uses within Wetland Conservation District and §334-38, Special Provisions].

Clerk Davis read the Case into the record. Mr. Buttrick referenced his Zoning Determination dated 10/10/2019 and his Staff Report signed 10/16/2019, noted that the original large parcel was subdivided and approved by the Planning Board with the new back parcel to have frontage along Friars Drive and that Friars Drive would be utilized by the multifamily development at the front of this original parcel to reduce traffic and left hand turns on Lowell Road. Mr. Buttrick stated that this was before the Board in May 2019 where ZBA approved a Wetland Special Exception to improve Friars Drive with a wetland buffer impact of 19,200 SF (Square Feet). The request before the Board tonight is to expand the width of Friars Drive from twenty-four feet (24’) to thirty-two

feet (32') and improve the drainage system. The widening of Friars Drive will have 35,756 SF of wetland buffer impact

Atty. Jay Leonard of Welts, White & Fontaine in Nashua, NH, introduced himself and Mark Pilotte of Dakota Partners and Engineer Karl Dubay of The Dubay Group. Atty. Leonard referenced the Site Walk that was held and noted the existing condition of Friars Drive. Ms. Davis corrected Atty. Leonard and informed him that the ZBA was not invited to the Site Walk held by the Planning Board and Conservation Commission.

Atty. Leonard stated that Friars Drive is currently approximately eighteen feet (18') wide and not in good shape. The original plan was to widen Friars Drive to twenty-four feet (24'), elongate it to provide frontage for the remaining back parcel and provide an egress from the multifamily development to the front of the parcel along Lowell Road. Included in the original plan was a drainage system to handle road runoff. This application before the Board is an independent application to widen Friars Drive from twenty-four feet (24') to thirty-two feet (32') and has been recommended by the Planning Board and the Town Planner. Atty. Leonard referenced the Town Planner's (Brian Groth) email to Mr. Buttrick dated May 15, 2019 and read the nine (9) points Mr. Groth made into the record.

Atty. Leonard referenced the plan titled WCD Summary Plan prepared by The Dubay Group, Inc., dated 10/21/2019 and noted that the green shaded areas are the wetland buffer impacts between the 24-foot road expansion (previously approved) and the 32-foot road expansion. Atty. Leonard pointed out that the wetland will not be impacted, just the wetland buffer resulting from the drainage improvements with the expanded detention ponds, culverts and catch basins. There will be no work in the wetland for the road width expansion. The wetland crossing has not changed and was previously approved. The proposed system with its collection, treatment and drainage will treat the runoff better and provide more protection to the wetland. Atty. Leonard referenced Luke Hurley, CWS (Certified Wetland Scientist) with Gove Environmental Services letter dated/sealed 4/29/2019 testifying that there will be no adverse impact to the wetland.

Atty. Leonard referenced Zoning Ordinance Article IX Section 334-35.B subsection (1) Conditions and (2) Uses permitted by Special Exception in the Wetland Conservation District and stated that they have met all the conditions, that the proposed enhanced drainage system and road design have been professionally engineered to minimize impact to the wetland and that they will adhere to Best Management Practices and obtain the required State of NH Permits (NHDES and NHDOT etc.). Atty. Leonard also referenced the two (2) letters Karl Dubay of The Dubay Group dated 10/8/2019 to the Zoning Board and Planning Board.



Public testimony opened at 8:29 PM. No one addressed the Board.

In response to Board questions, Atty. Leonard stated that the recommendation to fix Friars Drive came as a result of design review and future planning between the Planning Board and the engineers and the Town Planner. Mark Pilotte of Dakota Partners stated that a twenty-four foot (24') width can accommodate personal vehicles but the land to the rear is commercial property and would require a width of thirty-two feet (32') and the thinking was to disturb the wetland buffer just once and fix Friars Drive to the thirty-two foot (32') width. Mr. Pilotte stated that the first step is to get approval for the increased width, then calculate the increased cost between a 24' width to a 32' width and if the abutter is willing to pay the difference, they would construct Friars Drive to 32' and disturb the land only once. Mr. Brackett stated that at the Site Walk there was no idea when the back lot would be developed and added that, in his opinion, a closed drainage system is the better option as there is no direct input into the wetland.

Mr. Brackett directed review of the Wetland Conservation District (WCD) conditions of ZO Article IX Section 334-35.B(1)(a-e)

1. *proposed use essential to reasonable use of land not in WCD*
  - is actually an improvement
  - better to cause a disturbance one
2. *there is no reasonable alternative*
  - there are no alternatives
  - decision previously made based on recommendation of the Town to utilize Friars Drive
  - is a benefit to the Town to relieve congestion from Lowell Road
  - Planning Board and Conservation Commission recommended
3. *design, construction and maintenance methods prepared by PE*
  - done
4. *proposed use not based primarily on economics*
  - recommended by both the Planning Board and Conservation Commission
5. *provisions made for wildlife access corridors*

Motion made by Ms. Davis to grant the Wetland Special Exception to increase the width of Friars Drive from 24' to 32' with a WCD Buffer area impact of 35,756 SF as per plan prepared by The Dubay Group, Inc., titled WCD Summary Plan dated 10/21/2019 and with one stipulation: that all previous stipulations of this Board and the Conservation Commission are carried forward to this request. Mr. Pacocha seconded the motion. Ms. Davis spoke to her motion noting that all the requirements were met and both the Planning Board and the Conservation recommended the expansion. Mr. Pacocha concurred and added that the plan is a good idea and demonstrated good

planning. Mr. Brackett stated that it is a much better plan and that he likes closed drainage systems. Vote was 5:0. Wetland Special Exception granted with one stipulation. The 30-day appeal period was noted.

Mr. Brackett directed the Board's attention to Agenda V. Rehearing request.

#### **IV. REVIEW OF MINUTES:**

##### 09/26/19 Minutes

Board reviewed the edited version and made no additional amendments. Mr. Brackett stated that he appreciates the criteria presented in bullet format. Motion made by Mr. Dearborn and seconded by Ms. Davis to approve the 9/26/2019 Minutes as edited and presented. Vote was 5:0.

#### **V. REQUEST FOR REHEARING:**

Case 168-012- 8 Madison Drive, Hudson, NH; Appeal From An Administrative Decision- Denied 8/22/19.

Clerk Davis read the request into the record. Mr. Buttrick stated that he received the appeal from the property owner's attorney, Christopher Fischer. Mr. Brackett announced that public testimony is not opened for rehearings and confirmed that all Members read the material.

Board discussed. Points made included:

- no new information has been presented for consideration for a rehearing
- the Minutes accurately represented the facts and factors the Board considered that lead to the denial of the appeal
- the inspection that was found stating there were no issues or violations found was in response to a complaint that was filed regarding a second living unit and the inspection found no kitchen so no violation and complaint closed - - the Fire Department did not, and cannot, grant a second living unit
- there is no estoppel
- "short term" is not in the Zoning Ordinance; therefore it is not allowed
- less than a 30-day rental does not equal or meet the conditions of an ADU
- life safety concerns were cited and with no BP (Building Permit) and no CO (Certificate of Occupancy) there were no inspections
- the ADU had no BP or CO and exists without ZBA approval and without inspections from a BP or a CO

Motion made by Mr. Dearborn and seconded by Ms. Davis to deny the rehearing request. Mr. Dearborn stated that no new evidence was submitted

for consideration. Ms. Davis concurred and added that the Board made no error in its decision. Mr. Brackett stated that the evidence provided is blurry and misrepresents what was said at the meeting, which was accurately represented in the Minutes. Mr. Pacocha and Mr. Daddario stated that the Board's original decision was lawful and reasonable. Vote was 5:0. Rehearing request denied.

Mr. Brackett directed the Board's attention to Agenda IV Minutes

## **VI. OTHER:**

### 1. Year 2020 ZBA Meeting Schedule

Board reviewed the schedule prepared by Mr. Buttrick and noted the adjusted dates in November and December to accommodate Thanksgiving and Christmas. It was also noted that the conference room is reserved for the second Tuesday of a month for ZBA if a second meeting is necessary. Schedule approved/adopted.

### 2. Master Plan Visioning Session

Mr. Brackett referenced Selectman McGrath email to Brian Groth regarding the upcoming Visioning Sessions planned for the public and asked Land Use Board Members not to attend; however, please check out the Town's website and complete the survey. All information will be given to the Planning Board as it is their responsibility to update the Master Plan for the Town of Hudson. Mr. Dearborn added that updates to the Capital Improvement Plan (CIP) was also required. The following times and dates have been reserved: Saturday 10/26 10am – noon at Nottingham West Elementary School; Wednesday 10/30 7p-9p HMS Library; Wednesday 11/20 7p-9p HMS Library; and Saturday 11/23 10am-noon at Garrison Elementary School.

### 3. Bylaws revision discussion agenda number of cases.

Mr. Buttrick stated that he conferred with Town Counsel and there is no law governing the number of Cases for a meeting and that Town Counsel suggested placing all Cases onto the Agenda for proper notification (posting and notice to abutters) and either exercise the option of announcing at the meeting the curfew and the likelihood of getting heard or, for example, having Mr. Buttrick contact Case #5 on regarding the likelihood and making a decision whether to hold a second hearing on the second Thursday of the month instead of waiting a whole month. Cases have on average taken 30 – 45 minutes which was why the limit was placed to only listing four (4) but that was also when the meetings began at 7:30 PM. The ambiguity involved in guesstimating the length a Case might take was also recognized. Consensus reached to limit an Agenda to five (5) Cases. Mr. Buttrick was asked to draft the specific number into the Bylaws.

#### 4. Status of 161 Bush Hill Road - Sevigny

Mr. Dearborn asked for an update. Mr. Buttrick stated that he understands that the property is under a Purchase and Sales agreement, that he has spoken with the proposed new owner who has stated that he would clean up the site and that he also questioned whether the site could be subdivided.

#### 5. Selectman Liaison Representative

Mr. Dearborn stated that if Selectman McGrath is unable to attend, that the Alternate Selectman Liaison (Dave Morin) should be here because it is important. Mr. Buttrick stated that neither could be in attendance tonight because of another meeting that required their attendance. Mr. Brackett concurred with Mr. Dearborn and added that tonight was an example that needs to be brought to the Selectmen's attention – the Fire Department cannot go against the Zoning Ordinance and issue a separate address to an ADU (Accessory Dwelling Unit) and neither should the Planning Board and Selectmen issue a temporary driveway permit to an ADU which is also against the Zoning Ordinance. Suggestion made that, as the Chairman, Mr. Brackett write the Board of Selectmen of these past violations to the Zoning Ordinance to educate and prevent further occurrences.

Motion made by Ms. Davis, seconded by Mr. Pacocha and unanimously voted to adjourn the meeting. The 10/24/2019 ZBA meeting adjourned at 9:43 PM.

Respectfully submitted,

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Charles J. Brackett, ZBA Chairman