



TOWN OF HUDSON

Zoning Board of Adjustment



Charlie Brackett, Acting Chairman

Normand Martin, Selectmen Liaison

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MINUTES – APRIL 26, 2018 - approved

The Hudson Zoning Board of Adjustment met April 26, 2018, in the Community Development Paul Buxton Meeting Room in the lower level of Hudson Town Hall 7:00 PM.

Acting Chair Brackett called the meeting to order at 6:59 PM; noted that there are copies on the entry shelf of the Agenda and Appeal Forms, should anyone wish to appeal a decision; identified the process of seeking relief from the Zoning Ordinance; asked that anyone wishing to address the Board to please come to the table or lectern and to announce their name and address and to spell their name if more complicated than “Smith”; and made the following housekeeping announcements: no smoking, cell phones to mute or vibrate, no talking as microphones are sensitive but if needed to please leave the meeting room and that there is an 11:00 PM curfew.

Members present were: Charlie Brackett (Vice-Chair/Acting Chair), Gary Dearborn (Regular), Maryellen Davis (Regular), Kevin Houle (Alternate/Clerk) and James Pacocha (Reg.). Also present were Normand Martin, Selectmen Liaison, David Morin, Alternate Selectmen Liaison, Bruce Buttrick, Zoning Administrator and Louise Knee, Recorder. Excused was Michael Pitre (Alternate). For the record, Acting Chair Brackett appointed Mr. Houle as a sitting voting member for this meeting.

I. OTHER

1. Election of ZBA Chair & Vice-Chair

Motion made by Ms. Davis, seconded by Mr. Dearborn and unanimously voted to delay elections to the end of the meeting.

II. PUBLIC HEARINGS OF SCHEDULED APPLICATIONS BEFORE THE BOARD

1. Case 190-024 (4-26-18 Deferred from 3-22-18): Farhat Cheema c/o Welts, White & Fontaine, P.C., 29 Factory Street, Nashua, NH, request a Variance to allow two residential apartment uses (not permitted) and a mixed use allowing a convenience store and two residential apartments at 29 Lowell Road, Hudson, NH. [Map 190/Lot 024, Zoned B; HZO Article V §334-21 Table of Permitted Principal Uses & Article III §334-10 Mixed or dual use on a lot].

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Mr. Buttrick read the Case into the record, referenced his Staff Report dated 4/12/2018 noting that both the lot and the building are existing non-conforming of record with regard to its lot size being less than a quarter of an acre and the building not meeting the frontage requirements on either Lowell Road or Riverside Street, and noted that the recent Town Vote now allows for mixed/dual Use as long as the primary use satisfies the Zoning Ordinance and that the most recent, but currently vacant commercial use, was a convenience store without an approved Site Plan.

Israel Piedra of Welts, White & Fontaine, P.C., 29 Factory Street, Nashua, NH, addressed the Board, identified the location of the property noting that it is on the corner of Riverside Street and Lowell Road abutting residences and across from a strip mall. Mr. Piedra stated that the building was initially constructed in 1920's and that the two apartments and the convenience store existed when the property was sold in 2001. The current layout of the building has one apartment on the second floor with the convenience store on the front portion of the main level and a one-bedroom apartment behind the store. Mr. Piedra noted that last year it was determined that the building had been classified as 'abandoned' and that his client would like to use the building as constructed. Mr. Piedra stated that it was confusing regarding the mechanism to achieve the desired result but after the Town meeting/vote regarding Mixed Use passed, there was no need to submit a variance request for a Mixed Use. The convenience store is a Permitted Use in the Zone. The two apartments are not permitted in the Zone; hence the Variance request.

Mr. Piedra next addressed the Variance criteria and the information shared included:

(1) & (2) criteria – not contrary but constant with the spirit of the Ordinance; multi family allowed in the Zone and they only desire two apartments; the site borders the R Zone and is across the street from a strip mall and there will be no impact to the neighborhood.

(3) substantial use of the property to utilize the property as the building has been constructed with the convenience store and lunch counter on the front section of the main level and apartment to the rear and a second apartment on the upper level

(4) will not diminish surrounding property values

(5) hardship criteria is met utilizing the relationship test – it is an old building built in 1910 and has had both uses since before it was purchased; not granting the variance would pose harm to the owner and no harm to the public; that it is a reasonable use and will not alter the character of the neighborhood

Mr. Brackett opened the meeting for public testimony at 7:15 PM. No one addressed the Board.

In response to Mr. Dearborn's questions, Mr. Piedre responded that the building is not being used now, that it is totally vacant, that there are no alterations proposed for the building and that there are approximately fifteen (15) parking spaces on the lot. Mr. Dearborn noted that the building is close to the road and that overnight parking should not be allowed overnight at the front of the building.

Ms. Davis asked whom Jenna Lullo is that signed that application and Mr. Piedre stated that she is an associate at his law firm and that he is at the meeting in her stead.

In response to Ms. Davis' question regarding Mixed Use, Mr. Piedre confirmed that the first/primary use of the lot is the convenience store and Mr. Buttrick responded that a variance request is no longer needed as Zoning Ordinance Article V Section 334-10-A now allows for a mixed/dual use as long as the primary use satisfies the Zoning Ordinance and that the variance request before the Board is for the apartments, which is not a permitted use in the B Zone per Article V Section 334-21. Ms. Davis noted that it is a non-conforming lot and that the commercial use has been abandoned which would now require Site Plan Review by the Planning Board.

With regard to the variance criteria pertaining to the store, Mr. Piedre stated that the same responses to the variance criteria offered for the apartments also apply for the convenience store.

Ms. Davis agreed that the first two Variance criteria are related, that in her mind, the store would be okay as would converting the building to solely residential, but the combination on such a small lot is too intense and would alter the character of the neighborhood and injure the rights of others, that parking is not sufficient for a store and two apartments especially when there is proposed parking in the setback, that the increase in traffic poses safety concerns that have not been addressed and that hardship based on the property is no different than other properties on Lowell Road and noted that the Board recently denied a variance for the same request at 48 Lowell Road.

Mr. Dearborn expressed concern with the storefront becoming an eyesore, noted that there is a lot of traffic and therefore visibility on Lowell Road and asked if there was a timeline to improve the storefront. Mr. Brackett noted that is a Planning Board issue and would be addressed at Site Plan Review. Mr. Dearborn stated that the last time before the ZBA, the Board denied what the father and son presented and Mr. Pacocha stated that the Board did not deny a variance as they addressed an appeal to a Zoning determination.

Mr. Pacocha stated that the condition of the building now diminishes property values and that money matters with regard to the abandoned uses and asked if it is okay to grant what they once had. Mr. Brackett noted that the abandonment has exceeded a year and that is an issue for him and can only now be addressed as a new request, which he is not inclined to approve, and noted that the Board did not approve the residential Mixed Use at 48 Lowell Road.

Discussion continued. Ms. Davis stated that it is not reasonable to consider two apartments and a commercial use with its traffic potential on such a small lot, and would consider it reasonable for just a two-family use. Mr. Pacocha questioned what would happen to the property if variance(s) denied and concluded that the Board is facing either approving both or denying both.

Motion made by Ms. Davis to deny the two-family use for the building. Mr. Pacocha seconded the motion. Ms. Davis spoke to her motion noting that it is contrary to the

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public interest and will injure the rights of others; that the hardship criteria has not been satisfied; that there is nothing unique regarding the property itself; and that the uses have been abandoned for six (6) years. Mr. Pacocha agreed that the hardship criteria has not been met, that a small lot does not equate to hardship, that the spirit of the Ordinance was not addressed and noted that there was no testimony received to the contrary. Vote was 4:1 with Mr. Houle opposed. Request for two apartments denied.

Discussion arose on how or whether to address allowing the store as the store is a permitted use but the lot is non-conforming.

Ms. Davis made the motion to deny the Mixed Use of a convenience store with two (2) residential apartments on a non-conforming lot. Motion seconded by Mr. Dearborn. It was noted that the motion, if passed, would allow the property owner to return to the Board with a more reasonable request. Vote was 5:0 denying the Mixed Use of a convenience store and two (2) apartments.

2. Case 191-012 (4-26-18): Jennifer Lebrun, 14 Regina Street, Hudson, NH, requests a Home Occupation Special Exception to allow a licensed home daycare in a Town Residence (TR) zoning district. [Map 191, Lot 012; Zoned TR, HZO Article VI §334-23, Special Exception.]

Mr. Buttrick read the Case into the record, referenced his Staff Report dated 4/12/18, noted that there is a distinction in the Zoning Ordinance regarding the number of children allowed that defines whether a business is a “family day-care home” (allowed by Special Exception for Home Occupation) or a “family *group* day-care home” (that would require a Variance).

Jennifer Lebrun introduced herself, stated that she owns the property and has lived in the home for twelve (12) years, that she is a single mom with three (3) daughters and caring for children in her home is her main source of income. The maximum number of children is six (6) preschoolers and three (3) school age children. Hours of operation are from seven in the morning to five thirty in the afternoon (7:00 AM – 5:30 PM). The neighborhood is family oriented. The bus stops right near the house. Her driveway can accommodate up to four (4) cars. There is a large room for the children and a fenced-in backyard. Ms. Lebrun stated that she brought four (4) letters from neighbors and pictures of the large room and yard and submitted all to the Board.

Discussion arose on the number of children outside of her own three daughters and whether it should be a Family Group Day-Care Home or a Family Day-Care Home.

Mr. Bracket opened the meeting for public testimony at 8:03 PM. The following individuals addressed the Board:

- (1) Jonathan Weston, 14 Regina Street, stated that Ms. Lebrun’s service is an asset to the community and neighborhood and supports the request.
- (2) Stacy Sousa, 2 Ricky Drive stated that they live behind the property, that in 2012 they searched for a home and found the TR Zone was 4.8% of the Town and noted that there is 62.7% of the Town where it would be okay to

have a daycare. 14 Regina Ave has a daycare with no fencing, no screening and loud kids. She has safety concerns for the kids. There is only one adult. Kids are outside unattended and they throw snowballs at the neighbor's dogs and there is only a four-foot (4') fence separating them. She does not support the Special Exception.

- (3) Jesse Savage, 4 Ricky Drive, stated that he is the owner of the four dogs, that one dog has an anxiety disorder and noted that the kids do taunt the dogs.

Being no one else to speak, Mr. Brackett closed public testimony at 8:09 PM.

Mr. Dearborn stated that he drove by the property and there were children in the backyard and inquired about the possibility of a security fence. Ms. Lebrun responded that she once considered a security fence but the cost was prohibitive at \$16,000. Ms. Davis noted that: one criteria of a Home Occupation Special Exception is that all business be conducted in-house; and another criteria is that there be no employees; and of the eleven (11) children, two would be her daughters. Mr. Pacocha questioned whether this number reaches the Family Group Daycare number and Mr. Buttrick responded that the number would need to exceed and that the application before the Board is for a Family Daycare. Mr. Brackett noted that a Home Occupation by Special Exception is a Permitted Use in all Zones.

Mr. Brackett asked Ms. Lebrun if she would like to address the comments received. Ms. Lebrun stated that she is taken aback by the comments; that she takes good care of the children; that she been there years before the neighbors that spoke and her yard is visible and it is obvious she has children with the swing sets; that her children would not taunt the dogs; that her neighbor put up a huge shed that blocked the view and the sound; and she does have a baby monitor attached to her hip. Ms. Davis reiterated that all the daycare children will now be kept within the house.

Mr. Brackett opened the meeting for public testimony at 8:21 PM. Mike Sousa, 2 Ricky Drive, stated that he did invest in a \$2,000 shed and strategically placed it to provide privacy; that he has witnessed her mowing the lawn and there is no way to hear a baby monitor over the noise of the lawnmower; that he's been there six years and there was no trampoline when he bought his house; and with regard to noise, well kids are kids but she (Ms. Lebrun) screams at the kids. Being no one else to address the Board, Mr. Brackett closed public testimony at 8:23 PM.

Ms. Lebrun stated that she has three (3) children of her own, that she has never left the children that are in her care/that she gets paid to watch alone, that she does not believe her neighbors know what her children look like or their friends, that the fence was there when she bought the house and that the dog owner can put up a fence of their own if they are concerned they will jump the four foot fence.

Discussion ensued. The number of children were discussed where it was noted that age ten (10) is the breakpoint for inclusion into the count; that Ms. Lebrun is working with the State for licensing to the maximum number of children, that it was through the State that she discovered a Special Exception Home Occupation from the Town was needed; that the operation is only Monday through Friday with no weekends

offered; that Ms. Lebrun can accommodate keeping all the children she gets paid to watch inside; and that with regard to traffic and parking, her driveway can accommodate four (4) cars as drop-off and pick-ups occur at different times and she lives on the corner so there is no travel into the neighborhood.

Board reviewed the application and noted that Ms. Lebrun responded that she would comply with every criterion. It was noted that "It will be carried on within the residence" was not accurate as the children have been allowed outdoors to play in her yard and Ms. Lebrun responded that her interpretation was that the "residence" meant her residential property and not just the house.

Compliance was discussed. It was noted that Ms. Lebrun has been operating a day care for a decade without a Special Exception. It was also noted that her children and their friends are exempt from this "outdoor" Special Exception restriction; that her children should be easily identifiable and it is reasonable to assume that the neighbors will be watching. Discussion arose on whether to add conditions, specifically that all day care activity is restricted to inside her home.

Motion made by Mr. Dearborn to approve Case #191-012 Special Exception Home Occupation for Home Day Care with the stipulation that the children being paid to be cared for are restricted to the inside the home. Mr. Pacocha seconded the motion. Mr. Brackett reviewed the Special Exception criteria and noted that one included the indoor restriction. Mr. Dearborn stated that the outdoor activity upsets the neighborhood. Mr. Pacocha stated that adding it as a specific condition "crystalizes" the requirement/criteria. Vote was 3:2 with Ms. Davis and Mr. Houle opposed. Ms. Davis spoke to her vote noting that in her opinion that set-up is unhealthy for children, it denies the rights of the abutters and it creates Code Enforcement issues. Mr. Houle agreed. Mr. Brackett noted that it is no different than any other day care in Town. Motion passed. Special Exception Home Occupation for Day Care approved.

Board took a break at 8:47 PM. Board resumed at 8:56 PM.

3. Case 185-049 (4-26-18): Brian and Lillian Paquette, 10 Bear Path Lane, Hudson, NH, requests a Variance to allow an above ground pool to be set 6.6 feet from the side yard setbacks, where 15 is required. [Map 185, Lot 049; Zoned G, HZO Article VII §334-27, Table of Dimensional Requirements.]

Mr. Buttrick read the Case into the record and referenced his Staff Report dated 4/18/2018 noting that it is an existing lot of record conforming with minimum acreage requirement (1.01 acres with steep slope to the rear) but non-conforming with regard to frontage having only one hundred twenty feet (120') instead of one hundred fifty feet (150').

Lillian Paquette introduced herself and noted that her husband, Brian Paquette, was in the public and that they would like to install an above ground pool in their side yard, six point six feet (6.6') from the property line. The dimensions of the pool is 12'x24' waters edge with one foot around the pool for braces. The information shared included: pool height is fifty four inches (54") with locked stairs to prevent unwanted entry; professional company to do the installation; backyard is all hill and ledge with

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occasional falling rocks and only offers a maximum of twelve feet (12') of level ground to the rocks; there are other pools in the neighborhood; will observe the spirit of the Zoning Ordinance; it may be 6.6' from the property line but the water's edge would be 7.6' and it is doubtful any splashing would exceed seven feet; and with regard to hardship and even though they have a little over an acre of land the backyard is hindered with the rock slope, and potential risk of falling rocks, and the only available area is to the left of the house on the other side of the driveway which cannot be relocated as the garage is under the house; and added that they would put some privacy shrubs on the side adjacent to 8 Bear Path Lane.

Mr. Brackett opened the meeting for public testimony at 9:03 PM. No one addressed the Board.

In response to Mr. Dearborn's questions, Ms. Paquette stated that to bring electricity to the pool pump they can either cut through their driveway or use a tool to go under the driveway; that they do not plan to have a deck around the pool; that lighting will be provided by the existing light fixture on the side of the garage; that she has spoken with her neighbor at #8 Bear Path Lane who has no objections and only asked that the pool not be placed right on the property line; and that lowering the water level in the fall, according to her research only requires lowering an inch or two and, with her home located on a hill, would let it go to the road. Mr. Dearborn noted that the Town Engineer does not recommend utilizing Municipal roadway or drainage systems for pool water and in response to Ms. Paquette's question suggested letting the inch or two of water go into her ground.

Mr. Pacocha questioned the picture of the backyard submitted with the application and Ms. Paquette responded that it was provided to show the minimal space the backyard actually offers. Other aerial photos were displayed. Mr. Brackett noted that one picture shows a trampoline in the area proposed for the pool and Ms. Paquette stated that the trampoline has been removed. Ms. Davis questioned the hot tub in the backyard to which Ms. Paquette stated it has also been removed and replaced with a deck, as shown in the picture submitted with the application, and noted that the deck is approximately eight feet (8') from her house and added that the side yard is really the only location the land offers for a pool. Selectman Morin stated that there is a steep one hundred foot (100') cliff drop-off on the other side of the rock rise.

A scan of the surrounding properties identified other pools in the neighborhood. Ms. Davis noted that the site is not unique and Mr. Brackett acknowledged and added that they all share the impact of the land (rock rise in their back yard). Ms. Davis expressed concern regarding noise and potential flooding of the neighbor's property with such close proximity. Fencing was discussed. It was noted that the neighbor did not testify. Selectman Morin noted that from the Fire Department perspective, a fence is not required if a pool is over four feet (4') tall. Mr. Brackett noted that it is not uncommon for the Fire Department to use pool water in the event of a fire and added that the above ground pool is temporary and has a certain life expectancy. Mr. Dearborn stated that he had a pool this size once and the sidewall caved in and should that happen here, the neighbor would get flooded. Board discussed screening and how close to the property line the screening should be placed.

Mr. Pacocha stated that it is not an unusual request. Mr. Pacocha made the motion to grant the request and approve Case #185-049. Ms. Davis asked to consider a condition that arborvitae or similar screening be added to the front and side of the pool. Mr. Pacocha agreed. Ms. Davis seconded the motion. Vote was 5:0. Variance approved with one condition.

4. Case 172-018 & 022 (4-26-18): Turbo Realty, LLC by Patricia M. Panciocco, One Club Acres Lane, Bedford, NH, requests the following Variances at 15 & 17 Tolles Street, Hudson, NH;
 - a) A Variance to allow each vested use to take place within any Unit located on the property. [Map 172, Lots 018 & 022; Zoned TR, HZO Article VIII §334-30, Changes to or discontinuance of nonconforming uses.]
 - b) A Variance to allow uses that are not allowed in the TR zoning district. [Map 172, Lots 018 & 022; Zoned TR, HZO Article V §334-21, Table of Permitted Uses.]
 - c) A Variance to allow uses not listed in the Table of Permitted Uses. [Map 172, Lots 018 & 022; Zoned TR, HZO Article V §334-20, Allowed uses provided in tables.]

Mr. Buttrick read the requests into the record, stated that he has been working with the current property owner (Thomas Walsh) through his counsel Ms. Panciocco to identify that three (3) Variances would be needed to establish a base site plan for the property and allow future business operation to proceed without time delays; that there is a history of complaints regarding tenants and uses of this property; that it used to be a junk yard; that the site has been determined to be contaminated and being addressed; that Lot 17 was voluntary merged into Lot 15 to yield a lot size of approximately one (1) acre; and that there are two (2) buildings on site and both are non-conforming with regard to front, side and rear setbacks.

Mr. Brackett questioned the merger and whether the contaminated soils have been remediated. Mr. Buttrick responded that the merger was signed by the Planning Board Chairman on 4/13/2013 and monitoring wells have been installed. Ms. Davis stated that establishing a baseline has merit but has no idea what uses are being requested, that several are being proposed and each one needs to be discussed and that there are three (3) variances being requested and she has received only two (2) worksheets. Selectman Morin stated that there are a lot of issues with this property. Ms. Davis stated that she, and the Board, are not prepared to act on this Case tonight and Mr. Brackett agreed that it is a big case and the Board would not be able to conclude at this meeting.

Atty. Patricia Panciocco asked to at least hear the background tonight as questions can be answered and noted that the contamination aspect is not an issue any more, that they are down to the last monitoring well. Board agreed to hear background information only.

Atty. Panciocco confirmed that the merger of Lot #17 & #15 was a voluntary merger and the first step in addressing this site's needs. The site is located in the TR Zone in

a very mixed area with the properties on the upper side being all residences and the bottom side having a plumbing company, a well drilling company and auto repair.

In response to Selectman Morin's question, Ms. Panciocco referenced Exhibit B in the packet that identifies all the past tenants.

Ms. Panciocco provided the following historical background: in 1927 the land in the area was subdivided into tiny lots which pre-dated Zoning (1942); the buildings were constructed in the 1950's; there is no Site Plan Review; and the TR Zone was established in 1996. Ms. Panciocco provided a history of property ownership and stated that there is only one (1) complaint in the Town's files.

Ms. Panciocco stated that her client, Tom Walsh, has done a great job clearing all the junk from the site and is still in that process but is being impeded by the permitting process from the Town regarding tenants and having to go through the Change of Use process, which, in her opinion, is Municipal micromangement, which takes time and potential loss of tenants. Ms. Panciocco stated that they will go through the Site Plan Review process with the Planning Board, and their intent with the ZBA is to establish a baseline of Uses that are permitted and not-permitted and eliminate the burden and time delay with tenant changes like expanding their space or moving across the street.

Mr. Brackett questioned the permitting process. Ms. Panciocco responded that Bruce Buttrick has been great to work with and that it is the Zoning Ordinance that is cumbersome and gets complicated because the property has been deemed non-conforming even though the non-conformity pertains to the buildings being in the setback. Mr. Buttrick explained the distinction set in the Ordinance (Sections 334-30 & -29) and how each change requires a Variance. Ms. Davis asked and received confirmation from Atty Panciocco that the desire is to identify and sanction current Uses, identify other Uses the owner wants and whatever the fall-out is, then that would require a Variance.

Mr. Brackett stated that there may be hidden issues with the abutters in the TR Zone and noted that buffer screens could be very important. Atty Panciocco pointed out that the Town approved that Subdivision next door and could have included a buffer as the buildings were already constructed in the setbacks. If the only complaint has been noise it is probably due to there being no buffer.

Ms. Davis suggested getting two lists – one of Uses now and one of desired Uses - and schedule a meeting to hear just this application and asked the Board to schedule a Site Walk. Mr. Brackett agreed. Site Walk set for next Thursday, 5/3/2018 at 5:30 PM and separate meeting scheduled for Thursday, 5/10/18 at 7:00 PM.

In deference to the amount of public present, Mr. Brackett opened the meeting for public input at 10:15 PM noting that other issues may be presented that the Board should address at the next meeting. The following individuals addressed the Board:

- (1) Ed McNulty, 8 Campbello Street – noise
- (2) Brandon Rackliff, 10 Campbello Street – clean up started, tenants leaving and coming, noise: foul language, engine revving, banging etc.

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- (3) Meredith Rackliff, 10 Campbello Street – more issues and noise over the years

Mr. Walsh rebuts

Atty Panciocco rebuts

Selectman Morin calls point of order

Mr. Brackett stated that it is good to hear, get the issues out, that the Board needs and appreciates the information but please be respectful

- (4) E Simpa [?] stated that he is the tenant in #18, that he ordered pizza at 8:06 PM, that he has a Camaro, a State inspected vehicle with known loudness, apologized to the property owner for its normal sound but he has the legal right to drive it, noted that there seems to be pre-existing pre-determined anger and that he has found Tom to be firm & respectful
- (5) Rick Suter, 12 Campbello Street, - Tom doing an incredible job, first time he heard truck idling, he called Tom and Tom addressed
- (6) Diane (Gallant?) – across the street – Tom has done a great job cleaning up

Public input ended at 10:46 PM.

Selectman Morin stated to identify the businesses that are now in the buildings. Mr. Dearborn added to include their hours of operations. Mr. Walsh stated that a list can be prepared from the leases and that includes their hours of operation. Mr. Walsh also asked that if anyone has evidence to please contact his attorney. In response to Mr. Dearborn's question, Mr. Walsh stated that he is on site every day and has his office in the building at the end.

Motion made by Ms. Davis to defer the hearing of Case #172-018 & -022 to 5/10/2018 at 7:00 PM and to schedule a Site Walk for 5/3/2018 at 5:30 PM. Motion seconded by Mr. Dearborn. Vote was unanimous. Mr. Buttrick asked to schedule.

Board took a recess at 10:52 PM to change the DVD recording device. Board resumed their business at 11:01 PM.

III. REVIEW OF MINUTES

- 1. 03-22-18 Minutes

Board reviewed the edited version presented and made no other changes. Motion made by Ms. Davis, seconded by Mr. Pacocha and unanimously voted to approve the 3/22/2018 Minutes as edited.

IV. REQUEST FOR REHEARING - No requests were presented.

I. OTHER

- 1. Election of ZBA Chair & Vice-Chair

Motion made by Ms. Davis, seconded by Mr. Dearborn and unanimously voted [5:0] to elect Charles Brackett as ZBA Chairman. Motion made by Ms. Davis, seconded by Mr. Dearborn and unanimously voted [5:0] to elect James Pacocha as ZBA Vice-Chairman.

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2. Zoning Ordinance Table of Contents

Ms. Davis reported that the Table of Contents for the 2017 Zoning Ordinance is wrong and asked to have it checked out before printing.

Motion made by Ms. Davis, seconded by Mr. Dearborn and unanimously voted to adjourn the meeting. The 4/26/2018 ZBA meeting adjourned at 11:13 PM.

Respectfully submitted,

Charles Brackett, Chairman