

These minutes were approved at the November 14, 2017 meeting.

**ZONING BOARD OF ADJUSTMENT
Tuesday, September 12, 2017 at 7:00 p.m.
Town Council Chambers, Town Hall
8 Newmarket Road, Durham, NH
MINUTES**

MEMBERS PRESENT: Chris Sterndale, Vice Chair
Tom Toye, Secretary
Joan Lawson
Micah Warnock, alternate

MEMBERS ABSENT: Chair Sean Starkey
Mike Hoffman
Peter Wolfe, alternate

OTHERS PRESENT: Victoria Parmele, Minutes taker

I. Call to Order

Vice Chair Chris Sterndale called the meeting to order at 7:00 pm and said he would be serving as Chair for the meeting. He noted that there were 4 ZBA members present, so applicants wanting to have 5 voting members on the Board for their applications could delay being heard until a future meeting if they wished.

II. Roll Call

The roll call was taken.

III. Seating of Alternates

Chair Sterndale said Mr. Warnock would serve as a regular member for the meeting.

IV. Approval of Agenda

Chair Sterndale said the Mill Plaza Requests for Rehearing needed to be added to the Agenda for the meeting, having come in after the deadline.

Tom Toye MOVED to approve the Agenda as amended. Joan Lawson SECONDED the motion and it PASSED unanimously 4-0.

V. Public Hearings

- A. **PUBLIC HEARING** on a petition submitted by Jeff & Heather Smith Rev Trust, Durham, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article XIII, Section 175-59(A)(2)(d) of the Durham Zoning Ordinance to construct a garage addition with apartment above within the wetland setback. The property involved is shown on Tax Map 12, Lot 3-5, is located at 195 Piscataqua Road, and is in the Residence C Zoning District.

Heather Smith said they built their house in 1985, and were requesting a variance in order to be able to put up a garage with an apartment over it. She said the existing septic system was already approved for the 4-bedroom house as well as a 1-bedroom apartment, and she also said there was a state approved septic design if the existing system failed. She said the area where the proposed garage would go fell within the wetland setback, and said the distance from the furthest corner of the garage was 54 ft 9 in. She also noted the proposed overhang piece, which would be an open unit.

Ms. Smith reviewed the variance criteria and how they were met with this application. She said there would be no decrease in the value of surrounding properties, explaining that the houses in the area were spread out, and that most of the neighbors had garages.

She said granting the variance would not be contrary to the public interest, and explained that they had worked with an architect to come up with a design that blended well with the property. She said she and her husband had a working horse farm, and she noted that some of the property was in a conservation easement. She said there was no other place to put the garage, and said the existing driveway had a turn around and was quite sufficient. She explained that the house was on a hill, and that there were dog kennels on the far side of where the garage would be built. She said the septic system was in front of the house, and said the well was behind the house, and said there was only one side where the addition could be put.

Ms. Smith explained that the house would be attached where the cars were already parked, and she provided pictures. She said there would be no impact to the wetland area. Mr. Smith said the wetland was mowed all summer. They said gutters would be put on the addition, and said no new area would be disturbed by adding the garage.

Chair Sterndale noted that the applicants were planning to cover up a hard pack gravel area that was there now, and said it looked from the satellite photo that the building would be larger than that area. Ms. Smith said that was because there was grass growing in the gravel area. She said there was a substantial driveway and parking area, and said cars were currently parked where the garage would be.

Chair Sterndale said the ZBA needed to minimize the amount of encroachment, and asked Ms. Smith if they had considered pivoting the structure away from wetlands. He noted that the Ordinance was looking for a setback of 100 ft, and they were asking for under 50 ft.

Mr. Smith said the way the roofs line up with this design for the garage made the most sense. He also said the house was on a hill, and said where the garage was proposed maintains an up on the hill feeling. He said the land started sloping down fairly quickly. He said the top of the hill was the highest, flattest place to build.

Ms. Lawson asked if the garage could be brought further forward. Mr. Smith said if it was moved forward, the bulkhead on the side of the house wouldn't be usable. Ms. Lawson said there were alternatives concerning what could be done with the bulkhead. Ms. Smith said the more the garage was moved forward, the more fill might need to be put in. She also noted that there was ledge on the property.

Chair Sterndale said a 31 ft by 28 ft garage was 2/3 the size of the footprint of the house. Ms. Smith explained that the building was larger because they had farm equipment that was needed to manage their properties, in part to keep it open to the public. She provided details on this.

There was discussion that it was not going to be an agricultural structure. Ms. Smith said it was needed because they had never had a structure for their farm vehicles. Chair Sterndale said the use wasn't unreasonable. Mr. Warnock said 24 ft by 24 ft was the size of a typical residential garage. Ms. Smith said they were trying to accommodate multi uses on a large farm. Mr. Smith provided some details on the trucks and other equipment that were used.

Chair Sterndale opened the public hearing, and asked if there were any members of the public who wished to speak for or against the application.

Carol Tuveson, Watson Road, said she grew up on the property, and had huge respect for the wetlands there. She said she was amazed that something that was temporarily wet would have a big impact on their project, and said what the Smiths were proposing was great. She said she didn't see that there would be any less wetland, and said the wetlands were more vulnerable from what NHDOT did in that area. She asked the ZBA to look favorably upon this application.

Tom Toye MOVED to close the Public Hearing. Micah Warnock SECONDED the motion and it PASSED unanimously 4-0.

Mr. Warnock said he was inclined to support the garage, but said allowing the "trailer shed" seemed to be a continuation of the problem. There was discussion about possible design approaches that would minimize runoff. There was discussion about the trailer shed, and it was noted that while it was in the plans that had been provided, it wasn't mentioned in Ms. Cline's letter.

Chair Sterndale reopened the public hearing to ask the Smiths about the trailer shed. Mr. Smith said it was a proposed lean-to shed off of the garage, for backing a trailer into, and said it wouldn't be a closed structure. He said it was intended to protect the trailer from the weather. Chair Sterndale said while it was open it still had a roof so was impervious. Mr. Warnock asked if could be put someplace else on the property. Ms. Smith said they

could remove it from the plan if needed in order to get approval for the variance. Chair Sterndale said there was a 5 ft difference if the trailer was included, and said the loss to the Smiths if they weren't approved for it would be greater than the benefit to anybody else. Ms. Smith said it was part of the garage plan, and was more of an overhang. Ms. Lawson said a question was when it became more than an overhang, and became an enclosed structure.

Chair Sterndale closed the Public Hearing again, and the Board went through the 5 variance criteria.

Mr. Toye said he didn't think granting the variance would decrease the value of surrounding properties. He also said he thought the public interest criterion was met.

Concerning the hardship criterion, Board members said the special conditions of the property were the existing house, as well as the grade and the ledge on the property. Mr. Toye said if they tried to pull things forward, they'd have to do blasting. Chair Sterndale said the use was reasonable in that it wouldn't alter the character of the neighborhood. Board members agreed that this criterion was met.

Concerning the substantial justice criterion, Mr. Warnock said possible fumes and chemical spillage would be contained by the garage. There was discussion. Mr. Toye and others agreed that this criterion was met.

Mr. Toye said they were hung up as to whether granting the variance would be contrary to the spirit and intent of the ordinance. He said the intent of the wetland setback requirement was to protect the wetlands. Chair Sterndale said the question was whether granting the variance would alter the essential the character, safety, health, and welfare of the area, and said he didn't think it would do any of those things. He said there was only marginally more than a minimal variance that was being asked for here in order to achieve a reasonable use. Mr. Warnock said the wetland involved was a contained wetland, and spoke further on this. Chair Sterndale also noted the reality that the wetland was located next to Route 4.

Tom Toye MOVED that the Zoning Board of Adjustment approve a petition submitted by Jeff & Heather Smith Rev Trust, Durham, New Hampshire, for an APPLICATION FOR VARIANCE from Article XIII, Section 175-59(A)(2)(d) of the Durham Zoning Ordinance to construct a garage addition with apartment above within the wetland setback as depicted on Site Plan provided dated August 18, 2017. Micah Warnock SECONDED the motion and it PASSED unanimously 4-0.

- B. **PUBLIC HEARING** on a petition submitted by Susan J. Faretra, Faretra Septic Design, LLC, Nottingham, New Hampshire on behalf of Stephen Reyna, New York, New York, for an **APPLICATION FOR VARIANCE** from Article XII, Section 175-54 of the Durham Zoning Ordinance to construct a replacement leachfield within the side setback of 50 feet. The property involved is shown on Tax Map 12, Lot 15-0, is located at 253 Durham Point Road, and is in the Residence C Zoning District.

Ms. Faretra explained that there was an existing home on the property and an old, failed septic system. She said a new system had been designed to maximize the distance from the wetlands, and said in meeting the septic setback requirement, she couldn't get the leachfield outside of the sideline setback. She spoke in detail about the design of the septic system and the reason for locating in the proposed location. She said it would be 26 ft from the property boundary, and said she thought this was a reasonable compromise. She said NHDES had approved the septic design for the new system, and said water quality would be protected with the new leachfield.

She reviewed the variance criteria and how they were met. She said granting the variance would not decrease the values of surrounding properties. She said the new leachfield was in indirect view of the abutter on the left, and said the home was quite a long distance away.

She said granting the variance would not be contrary to the public interest, because right now there was a failed leachfield spilling over into the wetlands. She said there was a state approved septic system and said water quality would be protected with the new system.

Ms. Faretra said there was hardship. She said the current septic system was in poor shape, and said the applicant needed to be able to maintain the use of the existing home as a rental property and the function of the barn. She said there were limited places on the site where the new leachfield could go because of the wetlands, and said the location proposed was the only one with decent soils that wouldn't block access to the rear of the property. She said the proposed use was reasonable because a new septic system was needed, the area proposed had better soils and maximized the wetland setback, it was out of the way visually, and would be a substantial improvement to the existing situation.

She said substantial justice would be done in granting the variance because it would allow the continued historic use of the property while bringing the old septic system up to current standards.

She said granting the variance would not be contrary to the spirit and intent of the ordinance because the upgraded septic system would protect water quality while also keeping a reasonable distance from the property line. She said there were no structures or homes near the new leachfield area. She said there would be a slight grass mounded area, on an already cleared spot, so the rural nature of the property would be maintained.

Mr. Toye said it sounded like it wasn't certain what the existing septic system was. Ms. Faretra said there was big concrete cover, with sewage leaking out, and said there might be a pipe that went to another area but this was hard to tell.

Chair Sterndale opened the Public Hearing and asked if there were any members of the public who wished to speak for or against the application.

Pamela Langley, 247 Durham Point Road said she was an abutter, and said her main question was if there was any way to move the system/leachfield further away from her property line. She noted that the system wouldn't be visible from her house currently because there were trees, but said if someone chose to cut the trees, it would be visible even though she and her mother were quite far away. Asked by Chair Sterndale how far away her home was, Ms. Langley said she lived up the hill about 100 ft or so. She said her garage was the closest structure.

Chair Sterndale noted that the ZBA would ask if the leachfield could be put further away from the property line. Ms. Langley said she was very familiar with the problems with the property, having grown up next to it. She said she just wanted to make sure that all the bases were covered. Chair Sterndale asked Ms. Faretra what other options were available for the leachfield.

Ms. Faretra said the leachfield could be moved further away, but said again that this would mean it would get closer to the wetland, and also said doing this would infringe on being able to get to the back of the barn. She added that she wasn't sure the leachfield could be fit in so it would be completely outside of the 50 ft side setback. She explained that the only area that was 75 ft from the wetland and 50 ft from the property line was too small. She noted that if an aerobic pre-treatment septic system was used, the leachfield could be made smaller, and said although this would put the leachfield closer to the slope, the system could get approved.

Ms. Langley noted that there was another building structure on the property in the old days, and asked Ms. Faretra if she had encountered any debris from it. Ms. Faretra said she'd seen a concrete foundation, and provided details on this. She said the area for the leachfield seemed pretty clear.

Micah Warnock MOVED to close the Public Hearing. Joan Lawson SECONDED the motion and it PASSED unanimously 4-0.

Mr. Warnock said the system would be located more than 400 ft away from the closest neighbor. He said an effort had been made to get the leachfield out of the wetland setback, and said he thought the plan worked.

Chair Sterndale said given that it would be a few hundred feet away from the abutter's home with a nice ridge line in between, he would trade more distance from the wetland for being closer to the side setback. Mr. Toye said where the leachfield was proposed had the best quality soil.

Chair Sterndale said there would be no decrease in the value of surrounding properties in granting the variance.

He also said granting the variance would be in the public interest because there would be an improvement to the wetland as a result of dealing with a failed septic system.

He said there would be hardship to the applicant in denying the variance.

He noted concerning the substantial justice criterion the benefit of getting the septic system situation fixed.

Concerning the spirit and intent of the ordinance criterion, Chair Sterndale said what was proposed was tucked into one of the few places on the lot that was available.

Mr. Toye said the ability to put in a robust system like a stone and pipe system was preferred and would have greater longevity than an engineered system.

Micah Warnock MOVED that the Zoning Board of Adjustment approve a petition submitted by Susan J. Faretra, Faretra Septic Design, LLC, Nottingham, New Hampshire on behalf of Stephen Reyna, New York, New York, for an APPLICATION FOR VARIANCE from Article XII, Section 175-54 of the Durham Zoning Ordinance to construct a replacement leachfield within the side setback of 50 feet as per the plan dated by August 10, 2017 by Susan J. Faretra. Joan Lawson SECONDED the motion and it PASSED unanimously 4-0.

- C. **PUBLIC HEARING** on a petition submitted by Sharon Cuddy Somers, Donahue, Tucker & Ciandella, PLLC, Exeter, New Hampshire, on behalf of Rockingham Properties I, LLC, Belmont, Massachusetts, for an **APPLICATION FOR VARIANCE** from Article XXI, Section 175-111(A & D) of the Durham Zoning Ordinance to allow for a driveway width of 24 feet and to allow for a drive aisle width of 24 feet. The property involved is shown on Tax Map 11, Lot 8-1, is located off of Stone Quarry Drive, and is in the Office and Research/Rte. 108 Zoning District.

Attorney Somers said Riverwoods was here to seek variances because relief was needed from the Zoning Ordinance to allow for a driveway width of 24 ft, and a drive aisle width of 24 ft for an internal roadway.

She said when members of the Riverwoods team met with Ms. Cline, Ms. Cline had thought a variance perhaps would be needed as well for multiple curb cuts. She said there was a meeting with her and Town Engineer April Talon to discuss the main entrance and whether it constituted two driveways. She said Ms. Talon concluded that she was happy with the proposed median and that what was proposed didn't constitute two driveways. Attorney Somers said that left them with needing relief for driveway width rather than for multiple curb cuts. She said the purpose of Ms. Talon's letter was to say this relief from multiple curb cuts wasn't needed.

Ms. Talon's memo reads: "This memo is to confirm my agreement that a variance will not be required for the main entrance for the Riverwoods development as proposed on Stone Quarry Drive. The main entrance consists of two 16' wide drive lanes and an 8' median island – for a total width of 40 feet. This layout is acceptable to DPW."

Attorney Somers said the first variance being requested was for a proposed 24 ft driveway for the east entrance to the project, and for the westerly, main entrance as depicted on the site plans.

She reviewed the variance criteria and how they were met with the application. She said there would be no decrease in the value of surrounding properties in granting the variance because the applicant was proposing a very minimal increase to the allowed driveway width from 22 ft to 24 ft for the east entrance. She said for the main, west entrance, Riverwoods believed the median as designed (two 16' wide drive lanes and an 8' median island – for a total width of 40 feet) would be very appealing visually, so would not decrease the value of surrounding properties

Attorney Somers said granting the variance would not be contrary to the public interest because the median would encourage drivers to use the correct lane, and would minimize collisions. She said the ordinance requirement of 22 ft would be inadequate for a safe driveway. She said they didn't propose a median at the east entrance because there wasn't room, and said doing so would encroach into the wetland buffer. She noted that the east entrance was more likely to be a secondary access for deliveries.

Concerning the hardship criterion, Attorney Somers said this was a very large, 11-acre lot, that was zoned to allow an eldercare facility. She said in accordance with the size and density of the proposed building, a good-sized campus was proposed, and said it needed entrances that allowed traffic to come in and out in a safe manner. She said the purpose of the road width requirement was to avoid the look of an overly wide driveway, but she said she didn't think that would happen here. She said there would be visually attractive entrances created, and said there would not be the appearance of a super wide driveway. She said there would be a reasonable use for the operational needs of cars and delivery vehicles.

Attorney Somers said by granting the variance substantial justice would be done. She said there would be no gain to the public by denying the variance, and said granting it would allow Riverwoods to create safe and functional access to and from the site.

She said the use would not be contrary to the spirit and intent of the ordinance, whose intent was to create a visual appearance of the driveway that wasn't excessively wide. She said in the context of the whole project, what was proposed did meet the spirit and intent of the ordinance. She said both driveways were designed to accommodate the size of fire and delivery vehicles, and said they would be safer.

Chair Sterndale asked why the eastern entrance without a median couldn't be stretched to the west so it could be the same as the other driveway. Project engineer Jeff Clifford said there was a telephone pole on that side, as well as the throat of a garage entrance. Chair Sterndale asked whether at the main, western entrance there was a sidewalk to nowhere. Mr. Clifford said there would be a sidewalk all around the facility.

There was discussion about the fact that this application included asking for 24 ft for the eastern driveway, and a total of 40 ft for the western, main entrance. Attorney Somers said both of these driveways were being asked for in the application, and were covered in the narrative.

Attorney Somers said the second variance being requested was to allow a drive aisle width of 24 ft. She said there would be no decrease in the value of surrounding properties as a result of increasing the width by 2 ft.

She said granting the variance would not be contrary to the public interest, in that it wouldn't alter the essential character of the area, and would be a benefit for safety reasons. She said having a wider width would provide greater maneuverability for passenger vehicles and trucks, including allowing greater ease in backing out of spaces. She said it would be helpful for Fire Department trucks, and would also acknowledge the differing needs of older drivers. She noted a pamphlet by the Federal Housing Administration, which was used in designing projects like this.

Concerning the hardship criterion, Attorney Somers said that as with the initial variance request, the special condition was that the property was large, and with the use and density that was allowed and proposed, Riverwoods wanted to design the site for safe traffic flow. She said a purpose of the ordinance was to reduce impervious surfaces, and said they'd done so by incorporating a large amount of parking under the building. She also explained that what was proposed was reasonable because it was a minimal request to reduce the aisle width by 2 ft.

She said substantial justice would be done in granting the variance because this would benefit the applicant and the public in allowing a design that would best meet the applicant's needs, and would be much safer.

Attorney Somers said that concerning the spirit and intent of the ordinance criterion, what was proposed wouldn't alter the essential characteristics of the neighborhood. She said if it did anything, it would be to increase safety.

Chair Sterndale asked if there were any members of the public who wished to speak in favor of or in opposition to the application. There was no response, and he closed the public hearing.

The Board addressed both variance requests together.

Ms. Lawson said she was satisfied that all of the variance criteria were met. She said minimal changes were proposed, and said she therefore didn't think granting the variances would decrease the value of surrounding properties.

She said that concerning the public interest criterion, what was proposed would provide better access and maneuverability, which would be better for the public interest.

She said the hardship was that the facility would be large, and said large vehicles would need to be able to access it.

Ms. Lawson said substantial justice would be done in granting the variance because traffic safety would be increased as better access was provided.

She said the spirit and intent of the ordinance was met with the application, in that there would be an appealing roadway design, which would provide for safe traffic flow and safer parking.

Other Board members agreed that all of the variance criteria had been met. Mr. Toye said the spirit and intent in limiting the size of curb cuts, and driveways was to stop private properties from looking like freeways. He said he didn't see that there was any danger of that with this proposal.

Joan Lawson MOVED that the Zoning Board of Adjustment approve a petition submitted by Sharon Cuddy Somers, Donahue, Tucker & Ciandella, PLLC, Exeter, New Hampshire, on behalf of Rockingham Properties I, LLC, Belmont, Massachusetts, for an APPLICATION FOR VARIANCE from Article XXI, Section 175-111(A & D) of the Durham Zoning Ordinance to allow for a driveway width of 24 feet and to allow for a drive aisle width of 24 feet as per the plan dated July 17, 2017, The Riverwoods Durham Project. Micah Warnock SECONDED the motion and it PASSED unanimously 4-0.

VI. Other Business:

- A. **REQUEST FOR REHEARING** on an August 8, 2017 denial of a petition submitted by Walter Rous, Durham, New Hampshire on behalf of Edward Williams, North Sandwich, New Hampshire, for an **APPLICATION FOR VARIANCE** from Article IX, Section 175-30(D)(3)(d) of the Durham Zoning Ordinance to construct a new single family home which would expand the existing volume by more than 30%. The property involved is shown on Tax Map 12, Lot 1-17, is located at 24 Cedar Point Road, and is in the Residence C Zoning District.

Chair Sterndale noted that the ZBA had received an email from Ms. Ullman today. He said the Board didn't typically take public comment for a possible rehearing, but said these comments would be part of the public record.

He said he would speak to all three of the Requests for Rehearing this evening. He said the Board had the option before making a decision on a hearing or rehearing to have a discussion with their own counsel. He said there were items in each of these requests that indicated that such a discussion might be beneficial.

Chair Sterndale said they'd heard the Cedar Point Road application twice, and with some different ZBA members at each meeting. He said in tackling a rehearing of something that had already been reheard, there were issues unique to this that would benefit from discussion with counsel.

He said the way the law worked, the Board could accept or deny the request for rehearing, and said a party could then decide to go to Superior Court. He said a third choice was to suspend the prior decision and hold off on implementation until there was an opportunity for further consideration. He said the Board owed the person requesting the rehearing an answer at a reasonable time. He said the statute concerning this was RSA 677:3, and he read the wording in this statute. He recommended that the Board suspend its decision to deny the Cedar Point Road decision, pending further consideration.

Mr. Toye said the Board had received extensive input from the public and abutters on this application, and the applicant had provided a thorough presentation. He said the Request for rehearing from Attorney Schulte made some good legal arguments in favor of the applicant. He said given the three potential options, he was leaning toward suspending the last decision while the Board sought legal counsel concerning the items in the letter. Mr. Warnock agreed. There was further discussion.

Micah Warnock MOVED to suspend the decision of the Board on the August 8, 2017 denial of a petition submitted by Walter Rous, Durham, New Hampshire on behalf of Edward Williams, North Sandwich, New Hampshire, for an APPLICATION FOR VARIANCE from Article IX, Section 175-30(D)(3)(d) of the Durham Zoning Ordinance to construct a new single family home which would expand the existing volume by more than 30%, pending further consideration. Tom Toye SECONDED the motion and it PASSED unanimously 4-0.

- B. **REQUEST FOR REHEARING** on an August 8, 2017 denial of a petition submitted by Gallagher, Callahan & Gartrell PC, Concord, New Hampshire on behalf of Colonial Durham Associates, New York, for an **APPLICATION FOR VARIANCE** from Article XII, Section 175-53(A)(5) of the Durham Zoning Ordinance to permit the development of a drive-thru facility accessory to a pharmacy. The property involved is shown on Tax Map 5, Lot 1-1, is located at 5 & 7 Mill Road, and is in the Central Business Zoning District.
- C. **REQUEST FOR REHEARING** on an August 8, 2017 denial of a petition submitted by Gallagher, Callahan & Gartrell PC, Concord, New Hampshire on behalf of Colonial Durham Associates, New York, for an **APPLICATION FOR VARIANCE** from Article XII, Section 175-41(F)(7) of the Durham Zoning Ordinance to permit the development of three, 4-floor buildings wherein Buildings B, C & D1 will contain one floor of non-residential space with three upper floors of residential units. The property involved is shown on Tax Map 5, Lot 1-1, is located at 5 & 7 Mill Road, and is in the Central Business Zoning District.

Chair Sterndale noted the letter that came by email. He said it raised a host of questions, which he said weren't quite as difficult, but said he wanted to be sure that the Board's justification was clearly laid out and recorded. He said they needed to make sure that they

were very deliberate in their thinking, and in the recording of their thinking. He said it was a good idea to let their counsel review their actions. Mr. Toye agreed.

Tom Toye MOVED to suspend the decision of August 8, 2017 to deny the petition submitted by Gallagher, Callahan & Gartrell PC, Concord, New Hampshire on behalf of Colonial Durham Associates, New York, for an APPLICATION FOR VARIANCE from Article XII, Section 175-53(A)(5) of the Durham Zoning Ordinance to permit the development of a drive-thru facility accessory to a pharmacy;

and to suspend the decision of an August 8, 2017 denial of a petition submitted by Gallagher, Callahan & Gartrell PC, Concord, New Hampshire on behalf of Colonial Durham Associates, New York, for an APPLICATION FOR VARIANCE from Article XII, Section 175-41(F)(7) of the Durham Zoning Ordinance to permit the development of three, 4-floor buildings wherein Buildings B, C & D1 will contain one floor of non-residential space with three upper floors of residential units, pending further consideration.

Micah Warnock SECONDED the motion and it PASSED unanimously 4-0.

Mr. Warnock spoke about the proposal to update the Town's current GIS system. He noted how helpful GIS information would have been this evening in making decisions on the variance applications. He said Town departments supported the proposed upgrade and having a GIS manager, and explained that there was a working committee looking at all of this. ZBA members agreed that there were benefits from having this kind of information. Chair Sterndale said the Board needed to see something specific on what was proposed, including the costs involved

VII. Approval of Minutes

June 13, 2017

Tom Toye MOVED to approve the June 13, Minutes as submitted. Joan Lawson SECONDED the motion and it PASSED unanimously 4-0.

July 11, 2017

Tom Toye MOVED to approve the July 11, Minutes as submitted. Micah Warnock SECONDED the motion and it PASSED unanimously 4-0.

August 8, 2017

Postponed

VIII. Adjournment

Tom Toye MOVED to adjourn the meeting. Micah Warnock SECONED the motion and it PASSED unanimously 4-0.

Adjournment at 9:00 p.m.

Victoria Parmele, Minutes taker

Thomas Toye, Secretary