

DRAFT

**Ashland Zoning Board of Adjustment Meeting
Minutes
June 2, 2015
Ashland Elementary School Cafeteria**

Members Present: Ellison Badger, Elaine Allard, Michelle Fistek, Susan MacLeod, Patricia Tucker
Others Present: Chris Boldt (attorney for McBournie and Bell), Scott Bell (abutter), Frank McBournie (abutter) and 3 members of the public.

The meeting was called to order at 6:30PM by Chairman Eli Badger, with Elaine Allard, Michelle Fistek, Susan MacLeod and Patricia Tucker also in attendance. Patricia Tucker was appointed, by Chair Badger, as a voting member for the meeting.

Rehearing request from Mr. Bell and Mr. McBournie for Set Back Variance granted to Dr. Lester on April 2nd (relief from setback requirements)

A motion was made (Patsy) and seconded (Michelle) to deny request as prior decision included Board's reasoning and was specific to set back, not the use of the building.

Discussion: The decision was made for setback only and minutes included specific reasoning for decision made.

The vote passed unanimously in the affirmative, 5-0. Request for rehearing denied.

Rehearing request for Special Exception and Variance submitted by Dr. Lester, DVM (TML: 018-002-002)

A motion was made (Patsy) and seconded (Michelle) was made to grant request for rehearing on the special exception delivered on April 2nd.

Discussion: The Board needed to provide more information on why the special exception was denied and should have the chance to be clearer on why they voted yes and no. It is the opportunity to deal with the use issue and the noise issue with this decision. This is the point where the business should be defined especially if it carry forward with the property. It should be documented and clear.

The vote passed unanimously in the affirmative, 5-0. Request for rehearing granted.

A date for the rehearing will be determined at a later time. Meeting spaces in Ashland are limited in space and availability. About three weeks are needed to prepare for a meeting.

Propose June – week of the 22nd. 24th is no for Patsy. 23rd would be in the cafeteria with the School Board meeting in the library. The cafeteria would accommodate a larger crowd. Suggested meeting start time of 6PM. Chairman Badger will communicate date and place as soon as confirmed.

OTHER BUSINESS

Board reorganization.

A motion was made (Susan) seconded by (Elaine) that Eli Badger continue as chair of ZBA.

The vote passed unanimously in the affirmative, 5-0.

A motion was made (Elaine) and seconded (Patsy) for Michelle Fistek to continue as vice-chair of ZBA.

The vote passed unanimously in the affirmative, 5-0.

Chairman Badger asked that if he continues as chair the ZBA members be flexible in setting meetings as he has had to forgo other important meetings in favor of ZBA meetings due to lack of availability.

Board discussed establishing a regular monthly set day/time to use or not as needed. However, the meetings are driven by the receipt of requests which have deadlines attached to them.

Chairman Badger also suggested that bi-monthly work sessions be established to review case law, possibly with an advising attorney, to better understand current practices and how they impact ZBA applications and decisions.

NEXT MEETING

Date and location to be determined.

The meeting was adjourned at 7:03 pm.

Minutes submitted by Katie Maher