

Town of Amherst
Zoning Board of Adjustment
Tuesday February 16, 2016

ATTENDEES: C. Vars, R. Panasiti (Alt), D. Kirkwood- Chair, R. Rowe and C. Mailloux- Community Development Director

D. Kirkwood called the meeting to order at 7:05pm, explained the ZBA process and introduced the board members.

D. Kirkwood stated that R. Panasiti would be voting in place of K. Shea.

C. Vars made a motion to enter into deliberations. Seconded by R. Panasiti. All in favor.

Other Business:

Case# PZ6808 – Request for Rehearing - Kevin J. Grasset, 75 Merrimack Road, PIN# 004-024-000.

D. Kirkwood asked if everyone had an opportunity to review the request for rehearing and asked for any general discussion.

R. Panasiti thought that the complaint was about expansion. The rehearing request says that it is not whether Mr. Grasset's use was an expansion, but whether or not the site was used by third parties. D. Kirkwood stated that the rehearing request is making a distinction between expansion and third party use.

R. Rowe stated that the state statutory requirement in the past was that there be new information submitted, but that is not the current standard. R. Rowe stated that the Board has always gone along with granting the rehearing in fairness to the landowner. R. Rowe stated that he believes it is reasonable and he would so move. C. Vars agrees with R. Rowe. In the past they have provided a rehearing when requested out of fairness. C. Vars would like to see more evidence of the issues as raised. C. Vars stated that when they started doing roads they used the landfill/dump and the traffic was extraordinary for that point of time and no longer exists at this point. C. Vars said the question is did the Zoning Administrator make an improper decision. I find it acceptable to grant a rehearing and would like to see more of an argument on the appellant side as so why it is improper to discontinue it.

R. Panasiti stated that there is so much difference between the original hearing and what was presented in this request, I believe we should have a rehearing as well. D. Kirkwood expressed concern regarding the last paragraph of the rehearing request.

C. Vars moved that the rehearing request be granted. R. Panasiti seconded. Unanimous in favor.

Other Business:

Minutes: December 15, 2015

C. Vars moved and R. Rowe seconded the minutes of December 15th be approved as submitted. Vote: All in favor.

Minutes: January 19, 2016 – Doug would like to wait until the next meeting to take up the January minutes. The consensus of the Board was to table the minutes until March.

47 C. Mailloux stated for the March meeting is the rehearing of the Blackdog Builders sign variance, and an
48 appeal of an administrative decision of the building official related to a project at Camp Young Judaea.
49
50 **C. Vars moved to adjourn at 8:20pm. R. Panasiti seconded. Vote unanimous**
51