

APPROVED MINUTES
Town of Auburn
Zoning Board of Adjustment
January 23, 2024

Present: Mike DiPietro, Chairman. Kevin Stuart, Vice-Chairman. Steven Kimball, Member. Minutes recorded and prepared by Denise Royce.

Also, Present: Carrie Rouleau-Cote, Building Inspector/Code Enforcement Officer.

Absent: Jill Dross & Shannon Daoust, Members.

Mr. DiPietro called the meeting to order at 7:05 p.m. At this time, Mr. DiPietro introduced the Board members to everyone present tonight and explained the procedure for tonight's hearing. Mr. DiPietro noted that there were two (2) members and two (2) alternate members absent tonight. With that said, Mr. DiPietro explained to the applicant that they had the option to continue the Public Hearing until February to wait for all the members to be present or they could move forward tonight but that they would need three (3) positive votes tonight in order for the Variance to be valid. Mr. DiPietro indicated that they had already gone before the ZBA previously and were granted. Mr. DiPietro also pointed out there was a 30-day appeal period. Ms., Kidder and Mr. Gaudreau decided to move forward tonight knowing that there were only three (3) members present.

On another note, Mr. DiPietro asked the two (2) other people present tonight what case they were here for tonight. They both indicated that they were here tonight for the 32 Heather Circle application. Mr. DiPietro informed them that the applicant had withdrawn their application. With that said, the two (2) abutters left the meeting.

Ms. Royce read the only case before the Board tonight into the minutes for the record.

Case #24-01
Elizabeth Kidder & Luke Gaudreau
37 Lakeview Way – Tax Map 17, Lot 88
Zoned Residential One

Applicant is requesting a Variance to establish a home office within a proposed separate structure that will not be attached to the single-family dwelling in a Residential One zone. (Article 2, Section 2.02(38) (Variance previously granted on February 25, 2020)

Mr. DiPietro asked if there were any questions for the applicant. Mr. Stuart asked if there were any changes since the last time. Ms. Kidder explained that they received the Variance and then covid hit and that put a stop to everything at the time and they didn't realize that it had lapsed. Ms. Kidder also mentioned that they really didn't have any building plans last time and now they do. Mr. DiPietro asked the applicants if they could share that with the Board members. Ms. Kidder presented the Board members with

copies of the survey plan and the building plan. Ms. Kidder pointed out the house location of the proposed structure and the house location. A brief discussion ensued with regard to the path that already exists of which they already use. Ms. Kidder also mentioned that she is currently doing the home office out of the existing house. Parking was pointed out to the Board members. Mr. Stuart asked about the dimensions. Ms. Kidder stated that that the room would be 12 feet by 15 feet which would be 180 square feet which is well below what they had stated last time which was 375 square feet and they were also hoping to put on a deck on two (2) sides which would bring it to 368 square feet. Mr. Stuart stated that the 375 would still allow them to take care of what they want to do. Ms. Kidder said yes. Mr. DiPietro asked if there would be electrical and plumbing. Ms. Kidder indicated that what she does is dry so she would not need any plumbing.

Mr. DiPietro asked Mrs. Rouleau-Cote if she had anything else to add. Mrs. Rouleau-Cote indicated that she has worked with the applicant and that it is all remaining the same. Mr. Stuart stated that the conditions they put on the Variance last time would be the same. Mr. Stuart read the previous Notice of the Decision to the Board members. Mrs. Rouleau-Cote added the lighting and parking, especially during the winter months. It would be basically your life safety items. Mr. Kimball asked if they went to the Planning Board. Ms. Kidder said no they did not get that far because covid happened right after that.

Mrs. Rouleau-Cote reiterated that they would have a discussion with the Planning Board regarding lighting, parking, hours of operation and if she were putting up a small sign. Mr. Kimball believed that they would basically be doing the same Notice of Decision as previously granted. Mrs. Rouleau-Cote said yes if the Board is comfortable with doing that. The Board believe there were no changes, and it was the same square footage. Mrs. Rouleau-Cote added that she has been running her business from her home and there have been no complaints.

Mr. Stuart believed he was ready. With that said, Mr. DiPietro stated that he would entertain a motion to vote on the application as presented.

Mr. Stuart made a motion to vote on the Variance application as presented with the conditions to remain as the previous Variance granted on February 25, 2020 for Ms. Elizabeth Kidder and Mr. Luke Gaudreau as follows: 1) That the single-story detached accessory dwelling will not exceed 375 square feet which structure shall be limited to dreadlock/African hair styling shop and the sale of accessories; 2) Contingent upon a site plan review by the Planning Board; and, 3) To include code compliance and life safety code provisions, 37 Lakeview Way, Tax Map 17, Lot 88, seconded by Mr. Kimball. Mr. Kimball voted to grant finding all five (5) factors have been met, Mr. Stuart voted to grant finding all five (5) factors have been met, and Mr. DiPietro also voted to grant finding all five (5) factors have been met. A vote was taken and, all were in favor and the motion passed.

Mr. DiPietro informed the applicant that there was a 30-day appeal period and thanked Ms. Kidder & Mr. Gaudreau for their presentation and the discussion ended at 7:19pm.

The second case was withdrawn and therefore no discussions took place tonight.

**Case #24-02
Michelle & Matthew Plaza
32 Heather Circle – Tax Map 12, Lot 7-5
Zoned Residential One**

Applicant is requesting a Variance to construct a 12 foot by 18 foot shed on existing concrete pad to be within the 30-foot side setback in a Residential One zone. (Article 4, Section 4.06(6))

New Business/Other Business

Minutes

Mr. DiPietro moved on to the approval of the minutes of December 13, 2023.

Mr. Stuart made a motion to approve the minutes of December 13, 2023, seconded by Mr. Kimball. A vote was taken and, all were in favor and the motion passed.

Mr. DiPietro asked if there was any other business to do. Mr. Stuart asked if there were any cases for next month. Both Mrs. Rouleau-Cote and Ms. Royce stated that there were no cases to date for next month, which was February 20th. The deadline for February is January 30th.

Mr. DiPietro thanked the Board members for tonight's meeting and asked for a motion to adjourn.

Adjourn

Mr. Stuart made a motion to adjourn, seconded by Mr. Kimball. All were in favor, the motion passed unanimously, and the meeting stood adjourned at 7:49p.m.

The next Zoning Board meeting is scheduled for Tuesday, February 20th, 2024 at 7:00pm and will be held at the Town Hall, 47 Chester Road unless otherwise noted on the upcoming Agenda.