



BOARD OF APPEALS MEETING MINUTES

Wednesday October 26, 2016
Town Hall Meeting Room
6:30 p.m.

Call to Order

Chairperson Russell Gagner called the meeting to order at 6:30PM.

Pledge of Allegiance

Introduction of Board Members

Regular Board Members Present:

Russell Gagner; John Campbell; Ron Vigue; Diane Morrill; Ken Poirier

Regular Board Member(s) Absent:

None

Alternate Members Present:

Pat Boisvert

Staff Members Present:

James Bellissimo, Town Planning Tech; Joseph Rousselle, Code Enforcement Officer

Approval of Minutes

- Wednesday, January 27, 2016

Motion: Ron Vigue made a motion to approve the minutes of January 27, 2016 as presented.

Second: Diane Morrill

**VOTED – 5-0
Motion Passed**

In Favor: Russell Gagner; Ron Vigue; John Campbell; Diane Morrill; Ken Poirier

Opposed: None

Public Hearing

- Administrative Appeal of Code Enforcement Officer's Decision – Phillip Lemay
RE: Building Permit Issued at 183 Cranberry Meadow Rd. (R-37, 10)

Russell Gagner confirmed the building permit was issued to Rose Ellia on June 15, 2016 Ms. Ellia says yes. Mr. Gagner confirmed the date of the application for the appeal was received September 26, 2016 and Ms. Lemay says yes. Mr. Gagner states that appeals is supposed to be taken within 30 days, however the board can waive that 30-day requirement if the board deems there was a *good cause* for appealing after the 30 days.

Motion: Russell Gagner motions that the applicant does have standing to appeal, with a yes vote affirming the applicant does have good cause.

Second: None

Motion: Ron Vigue makes the motion that the applicant does not have standing to appeal.

Second: Ken Poirier

Discussion: Pat Boisvert states that it is beyond the 30 days, her only thought is that if the neighbor has no idea there was not permit asked for, the only way of knowing that the person is doing anything is when work is being done. Ms. Boisvert states the building was started on the 17th, and the Lemay's did contact the Town Manger on the 19th, and submitted the appeal on the 26th.

Ron Vigue says "you have to remember" abutters are notified of an appeal. Ms. Boisvert clarifies asking for a permit, the Code Enforcement Officer says "no."

Discussion ends.

**VOTED – 4-1
Motion Passed**

In Favor: Ron Vigue; John Campbell; Diane Morrill; Ken Poirier

Opposed: Russell Gagner

Adjournment

Motion: Russell Gagner made a motion to adjourn the meeting

Second: Ron Vigue

**VOTED – 5-0
Motion Passed**

In Favor: Russell Gagner; Ron Vigue; John Campbell; Diane Morrill; Ken Poirier

Opposed: None

The Board of Appeals adjourned at approximately 6:37 p.m.

Minutes prepared by Town Planning Tech James Bellissimo, for consideration at the Berwick Board of Appeals next meeting

Signed as Approved by the Board

Russell Gagner, Chair

Date