

MINUTES for HOPE BOARD OF APPEALS HEARING

Tuesday, March 6, 2018 at 6:30 pm

Hope Town Office

The continued Hearing from February 26, 2018 was called to order by Appeals Chair Brian Powers Sr at 6:30 pm.

Present: Appeals Board Brian Powers Sr, Steve Bowman, Ron Wright, John Jensen and Mary Ireland; Planning Board Lewis Merrifield, Langley Willauer, Jessica Snyder and Robert Hall; Town of Hope Attorney Bill Kelly; Will Gartley and Holly Grenert; Town Administrator and Code Enforcement Officer Samantha Mank; and two members of the public

PROCEEDINGS ARE BEING RECORDED BY AUDIO/VIDEO.

New material was available: plans worked out by Will Gartley and Samantha Mank which had been made available to Brian Powers and the four Planning Board members electronically prior to the meeting. Brian Powers Sr made it clear that the function of the Appeals Board was not to discuss new plans, but address the STOP WORK order.

Powers asked for comments to be made from listening to the audio tape of the September 2017 meeting of the Planning Board. Both Mary Ireland and John Jensen spoke to the clarity of the Planning Board's decision about the cottage. References to "remodeling" and "the cottage will not be demolished" were on the tape. Planning Board members in attendance agreed. Steve Bowman spoke about his concerns that a new foundation and new construction would create so close to the pond.

Will Gartley said his clients had wanted to save the stone chimney, possibly the floor and walls after tearing off the roof, but it seemed "from day one" that it was not feasible.

Lewis Merrifield said the new plans complicated the issue and voiced his opinion on role of Appeals Board. Langley Willauer said this was not Appeals role and Grenerts should set up meeting with Planning Board; Jessica Snyder said that the Planning Board had worked hard; that there was a disconnect when the owners created the issue; and that it should go back to the Planning Board. Robert Hall agreed with others and said that plans were different than what had been signed. Samantha Mank added that the other two Planning Board members had been contacted and offered their opinions.

Appeals chair Brian Powers ended public portion and called for deliberation. After discussion he polled the Appeals Board members.

John Jensen provided a motion that stated the 75 Loon Lane STOP WORK order should remain in effect and referred back to Code Enforcement Officer. Steve Bowman seconded. Vote was unanimous.

Attorney Bill Kelly suggested we give reasons for backing decision.

Mary Ireland: I back the STOP WORK order based on the comments made on audio tape concerned with no demolition of cottage.

John Jensen: I back the order due to lack of proper erosion control based on photographs by Code Enforcement Officer.

Brian Powers Sr: I back the order due to breakdown in communication on expansion. Decision to tear it down within 25 feet of pond was not part of the understanding of the Planning Board.

Samantha Mank stated that appellant should now pay Town of Hope's Attorney's fee. It was decided that this was a matter for the Selectmen, not the Board of Appeals.

Adjournment was at 7:23 pm.

Respectfully submitted,

Mary Ireland, Secretary