

ASHLAND ZONING BOARD OF ADJUSTMENT  
MARCH 6, 2013

Call to Order

Michelle Fistek called the ZBA [Board] meeting to order at 6 PM.

Roll Call

Members present - Don Latulippe, Robert Boyle, Eli Badger, Michelle  
Fistek, Alternate Pat Tucker  
Absent with notice - Elaine Allard

*At this time Don Latulippe stepped down as a voting member [conflict of interest] and Acting Chairman Fistek appointed Pat Tucker as a voting member for this meeting.*

*Procedure was announced - applicant to present case and speak to the Variance checklist; abutters will have a chance to speak; public hearing will be closed for Board deliberation.*

Case 2013-01            SAAMCO, LLC - requested for Variance [relaxation of side setbacks in Commercial Zone from 15' to 10']

Owner Michael Latulippe stated that they were before the Board because the original plans for the building were to not go outside the footprint of the existing building. They have added a deck and ramp which has created an issue regarding the side setbacks. The deck will be used for eating and better handicapped access.

Micheal Latulippe spoke to the statements found on the *Granting a Variance Checklist* –

1. The variance will not be contrary to the public interest.  
***It is in line with the existing building***
2. The spirit of the ordinance is observed;  
***Believe it is***
3. Substantial justice is done;  
***Deck has been started***
4. The values of surrounding properties are not diminished;  
***Does not feel that property values would be affected***
5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.  
***Deck and ramp needed to comply with ADA***

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Pat Tucker stated that she felt a site plan was needed as the drawing presented was not adequate.

Abutter Richard Kirby spoke with the following concerns (1) would like a survey of the property done; (2) wants to make sure that traffic on his property is not affected; (3) asked if traffic flow would go around the building and exit through the 10" area; (4) make sure that there would be no parking in the 10" area.

Board closed public hearing – discussed the need for a site plan as required on the application. Mr. Badger asked if the Planning Board had denied SAAMCO, LLC. Mrs. Tucker responded that the owners had originally stated [to the Planning Board] that they would not be making any changes to the original footprint and subsequently added the deck which did change the original footprint. The applicant was told [by the Planning Board] that they needed to apply to the Zoning Board for a variance.

***Motion to recess meeting to March 13, 2013 at 6 PM –Ashland School Library – Badger; second – Tucker; vote 4-0 in favor.***

There being no further business, the meeting was declared adjourned at 6:37 PM.