

Town of Farmington
Zoning Board of Adjustment Meeting Minutes
Thursday, July 6, 2017

Board Members Present:

Elmer Barron, Chairman
Joe Pitre
Bill Fisher, Alternate
Elise Haig, Alternate

Board Members Absent:

John Aylard, Vice Chairman, excused
Joanne Shomphe, Secretary
Paul Parker

Others Present:

Arthur Capello, Town Administrator
Dan DeSantis, Town Planner
George Sacco
Stephen Henry

BUSINESS BEFORE THE BOARD:

Call to Order:

Chairman Barron called the meeting to order at 7:10 p.m.
He asked Ms. Haig and Mr. Fisher to be seated on the board in place of the absent members Mr. Aylard and Mr. Parker.

Review of Meeting Minutes:

June 1, 2017- No errors or omissions

Motion: (Pitre, second Fisher) to approve the minutes as written passed unanimously.

Any Other Business to come before the Board: None

NEW CASES:

Application for a Special Exception and Variance by George Sacco: The applicant seeks a Variance and Special Exception to the Table of Permitted Uses in the Zoning Ordinance. The Special Exception is to allow for an auction showroom and area. The Variance would allow retail sales. Parcel is located at 56 Davidson Drive (Map 36, Lot 02); in the Industrial Business District.

George Sacco came forward to present his request for the Special Exception and Variance. Chairman Barron said he has performed work for both the State of NH and for Mr. Sacco on Mr. Sacco's property and said he felt he should recuse himself from the hearing.

Mr. Fisher who is also a member of the Planning Board said he has not voted on anything to do with Mr. Sacco's property as a Planning Board member and chose to remain seated on ZBA and to recuse himself from the case if it comes before the Planning Board.

Mr. Sacco said he did not object to Mr. Barron or Mr. Fisher voting on his application at this meeting.

Mr. Barron then decided to recuse himself and asked Mr. Pitre to Chair the hearing for Mr.

Sacco's case due to Vice Chairman Aylard's absence.

Mr. Pitre asked Mr. Sacco to present his request to the board.

Mr. Sacco said he was asking for the Variance and Special Exception so he could make use of his auctioneer's license, to use a portion of the existing building as an auction hall and to use his skills to make more use of his property.

Mr. Pitre asked if Mr. Sacco wanted to proceed with only a three member board.

Mr. Sacco said he did not see why this was a "big deal".

Mr. Pitre explained that he had the right to a hearing before a full board and that all 3 members would have to vote in favor of the Variance and the Special Exception for the requests to be approved.

Mr. Sacco said he didn't see why any of the members would vote against his requests and that he could appeal it if they did.

Mr. Pitre said he didn't know how the board would vote and that they would need to hear the evidence before reaching a decision.

Mr. Capello said this is a "one shot deal" and that there is no appeal except to take his case to Superior Court.

Mr. DeSantis advised Mr. Sacco that he may want to consider requesting a continuance of the hearing until the full board is present. He then asked Mr. Sacco if he is already holding auctions on his property.

Mr. Sacco at first said no but then added that he had held one auction after he was told that he could.

Mr. DeSantis asked Mr. Sacco who gave him permission to hold the auction.

Mr. Sacco said he would answer Mr. DeSantis' question later "off the record".

Mr. Sacco then requested a continuance of the hearing.

Mr. Pitre suggested the board could continue the hearing at the next scheduled meeting on August 3.

Recess-Chairman Barron rejoined the meeting and called for a 5 minute recess at 7:20 p.m. The meeting reconvened at 7:25 p.m.


Motion: (Haig, second Fisher) to continue the hearing on the application for a Special Exception and a Variance by George Sacco to August 3, 2017 passed unanimously.

Adjournment:

Motion: (Pitre, second Fisher) to adjourn the meeting passed unanimously at 7:25 p.m.

Respectively submitted

Kathleen Magoon, Recording Secretary



Elmer Barron, Chairman