

TOWN OF DERRY
ZONING BOARD OF ADJUSTMENT MINUTES
May 18, 2017

Members Present

Lynn Perkins, Chairman
Heather Evans, Vice Chairman
Stephen Coppolo, Secretary
Randall Kelley

Members Absent

Joseph Carnevale

Alternates Present

Donald Burgess

Alternates Absent

Code Enforcement

Robert Mackey

Mr. Perkins called the meeting to order at 7:00 p.m. with the salute to the flag, and notice of fire and handicap exits and that this and all Zoning Board meetings are videotaped.

The Board introduced themselves for the record.

It was noted for the record that Mr. Burgess would sit for the following case.

17-113 Mark Lundgren – Boston Burn
Owner: Phillip Jarrell

The applicant is requesting a variance to the terms of Article VI, Section 165-46.A of the Town of Derry Zoning Ordinance to allow a glass blowing studio in a residential zone at 46 East Derry Road, PID 39031, Zoned MDR

Patrick Curley, Chief Financial Officer Boston Burn Retail, said he was present this evening to represent the applicant.

Mr. Perkins asked if he had written permission to represent the applicant. He said that he protocol of the Board is that the applicant or the owner are present to represent their case or to have an letter submitted to giving authorization for someone to represent them.

Mr. Coppolo said that he sees a letter in the file from Philip Jarrell but does not see anything allowing representation of Mr. Curley to speak in their absence. He said that the issue of no letter of representation is affecting the rights of the owner to speak on behalf. Mr. Coppolo said that it was important formality for authorization and having a contractor relationship or being part of group does not give rights to represent.

Mr. Coppolo asked if he was an owner of Boston Burn. Mr. Curley said no he was in the accounting system tied into Boston Burn.

There was some discussion with regard to hearing case.

Mr. Mackey said that there is a letter in the file from the owner giving permission for use. He said that his office had not known that the principals would not be here to represent or would have requested letter to be submitted.

Mr. Perkins said that due to the unique setting it would be wise to table the case to the next meeting. He said that a letter would need to on file to allow to speak on behalf of applicant. Mr. Curley said that he would not be here for the next meeting but would inform the applicant of the Board's protocol.

Mr. Burgess motioned to table case #17-113 to June 1, 2017 meeting and to be placed first on the agenda.

Seconded by Mr. Kelley.

Vote: Unanimous.

Mr. Burgess, Mr. Kelley, Mr. Coppolo, Mrs. Evans, Mr. Perkins.

Hearing was Tabled to June 1, 2017 meeting and to be placed first on the agenda.

Approval of Minutes

Mr. Perkins motioned to approve the minutes of April 20, 2017 as amended.

Seconded by Mr. Coppolo.

Vote: Unanimous.

Mr. Burgess, Mr. Kelley, Mr. Coppolo, Mrs. Evans, Mr. Perkins.

Mr. Perkins motioned to approve the minutes of May 4, 2017 as amended.

Seconded by Mrs. Evans.

Vote: Unanimous.

Mr. Burgess, Mr. Kelley, Mr. Coppolo, Mrs. Evans, Mr. Perkins.

Other Business

Mr. Perkins said that the Board will discuss and vote on their summer schedule at the June meeting.

Mr. Mackey said that there had been one case submitted to the office that will also be scheduled for the June meeting.

Adjourn

Mr. Burgess motioned to adjourn.

Seconded by Mr. Coppolo.

Vote: Unanimous.

Mr. Burgess, Mr. Kelley, Mr. Coppolo, Mrs. Evans, Mr. Perkins.

Adjourn at 7:16 pm

Minutes transcribed from notes & tape:

Ginny Rioux

Recording Clerk

APPROVAL OF MINUTES JUNE 1, 2017

Mr. Kelley motioned to approve the minutes of May 18, 2017 as written.

Seconded by Mrs. Evans.

Vote: Unanimous.

Mr. Burgess, Mr. Kelley, Mr. Coppolo, Mrs. Evans, Mr. Perkins.