Lancaster Zoning Board
Location: Lancaster Town Hall
June 28, 2023

Call To Order: Chair Linda Ogle opened the meeting at 1830H and led the Pledge of Allegiance.

Roll Call:
Regular Members Present: Chair Linda Ogle, Vice Chair Tricia Frenette, Steve Young, Les Hilton, Nate Kenison
Absent: None
Alternate Members Present: Donald Freddette, Melissa Potter
Absent: Chris McVetty
Others Attending: Land Use Coordinator Robin L Irving, Kathy Jean Lavoie, Maggie Jones, Denise Boynton (Griswold Abutter), Brad Griswold (Applicant), Hunter Griswold (Applicant), Sally Craft (Griswold Abutter), Pamela Sansoucy (Griswold Abutter), Charles Cotton (Reed Road Landowner), Joshua Wilds (Griswold Abutter), Nikki Wilds (Griswold Abutter), Rob Christie (Mt. Prospect Road Landowner), Steve Wallace (Reed Road Landowner), Greg Westcott (Applicant), Lynette Westcott (Applicant), John Davidge (Griswold Abutter), Harriet Beattie (Reed Road Landowner), Fletcher Manley (Reed Road Resident), Mary Wanamaker-D'Aveni (Mt. Prospect Road Landowner), Tony D'Aveni (Mt. Prospect Road Landowner), Tina Pitre (Reed Road Landowner), Ron Caron (Reed Road Landowner), Marie-France Lancup (Reed Road Landowner)

Minutes:
Tricia Frenette moved to approve the May 31, 2023, meeting minutes as written. Nate Kenison seconded the motion. All members voted to approve the May 31, 2023, meeting minutes as written, no objections. *Motion passed.*

Appointments: None

Public Hearings:

Chair Ogle OPENED the PUBLIC HEARING for ZBA Case #546:

Case# 546—Westcott, Gregory & Lynette for an Area Variance concerning Article 5, Section 5.02, Permitted Uses (d) "Multi-unit housing or mixed-use structures with a density no greater than two (2) dwelling units per 10,000 square feet of land and with a minimum of one off-street parking space per dwelling unit." Owner(s)/Applicant(s) wish to construct, on two lots, 4 new residential units wherein 2 units are allowed on each lot, for a total of 8 new residential units. Land Zoned Commercial. [Lot #1: Tax Map P05 Lot 067 (0.25 acres; 10,890 sf); Lot #2: Tax Map P05 Lot 069 (0.30 acres; 13,068 sf) both off Foss Place].

Chair Ogle read the Applicant's Variance Application:

A variance is requested from *Article 5, Section 5.02*, of the zoning ordinance to permit: "*An area variance is requested from two dwelling to four. The size of both lots 1 & 3 can accommodate the proposed four unit built as an over-under fourplex. The footprint will be the same as if it were two dwelling units.*"

1. Granting the variance would not be contrary to the **public interest** because:
   Applicant's Response: "*Our request does not unduly violate the zoning ordinance. Housing is desperately needed in our community. Granting this variance would not alter the character of the neighborhood but will enhance the area with new construction.*"

2. If the variance were granted, the **spirit** of the ordinance would be observed because:
   Applicant's Response: "*Multiple apartment buildings already exist in this area of town; we are only asking for two additional units. They will be on the second floor therefore the buildings' footprint will remain the same as a two-unit. The apartments will have their own off-street private parking with entrance and exit.*"

3. Granting the variance would do substantial **justice** because:
   Applicant's Response: "*It is not economical to build only two dwelling units. The fourplex proposal is consistent with the area's present use.*"

4. If the variance were granted, the **values** of the surrounding properties would not be diminished because:
   Applicant's Response: "*Multi-unit apartment buildings already exist in the neighborhood, in fact, we feel the new construction will enhance the values of surrounding properties.*"

5. Unnecessary Hardship
   A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary **hardship** because:
      i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

   Applicant's Response: "*The proposed use is a reasonable one and is consistent with the existing neighborhood. The area variance sought is reasonable because it will allow maximum use of valuable real estate for new apartments that are desperately needed in our community.*"

      ii. The proposed use is a reasonable one because:
      Applicant's response: "*Lancaster has limited buildable real estate with utilities, town water, sewer and power. It's important that we consider this because one of the goals of the town's master plan is to promote habitational construction in our urban area of town. This will allow for ease of walking to stores, grocery, shopping, etc.*"

   B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.
   Applicant's Response: "*Strict application of the ordinance poses a hardship in that it is not practical to only build two dwelling units. Professionals in the field we have consulted with have said the property can easily support a fourplex. Granting the area variance will enable a reasonable and prudent use of valuable real estate proving greatly needed housing for our community. We understand the purpose of the area ordinance is to limit overcrowding and to control density. The two building lots we are requesting a variance for comply with the spirit of the ordinance with the type and style of the*

buildings, their placement on the lots allowing for their own off-street paved parking, a secluded secure area for trash dumpster and strategic placement of fuel for heat."

LUC Robin Irving announced that she had provided copies of the conceptual renderings to the Board for any Q&A. Applicant Greg Westcott explained that the renderings were simply ideas of fourplexes for the Board to get an idea of how a fourplex could be designed. Westcott will contract an architect to render a final design only after a decision on the density. Westcott originally conceptualized four side-by-side units, but felt that they would not be as attractive or consistent with the surrounding buildings. LUC Irving noted that the lots are small but meet the buildable lot size; given that, a residential unit would be able to have an attached or detached ADU, so the lot arguably could have 4 units (1 per residential unit) by special exception. Applicant Westcott showed the Board the lots on a map indicating 3 lots along Foss Place: Westcott owns the lot at the corner of Foss Place and Railroad Street and the lot at the end of Foss Place; the middle lot is owned by someone else and has a modular home situated on it. The majority surrounding multi-unit homes have more than 3 apartments. The proposed buildings will be situated to the rear of the lot because the idea is to have the parking lot area open and accessible. The area is commercially zoned, so the setbacks are 10 feet on the sides and 15 feet on street frontage. The parking area accommodates at least one parking spot per unit, but there conceptually are 9 parking spots in the proposed design. Westcott spoke with Water/Sewer Superintendent Bilodeau and confirmed that both water and sewer are capable of supporting the additional units; Westcott further arranged for curbstops to be installed when the Town was repaving Foss Place. The buildout plan will be to build the fourplexes serially so that revenue can be generated from one before the other one is started.

Don Freddette asked how the building were going to be oriented on the lot(s). Westcott responded that the intent is to maximize the parking capability while taking into consideration snow removal; while orientation would be aesthetically pleasing length-wise from the Railroad Street frontage, getting the best space for parking may mean that the building will be fronting Foss Place. Freddette asked if there would be any lighting. Westcott responded that downward-directed lighting will likely be on the building to illuminate parking spots and stairwells/landings because safety is a concern for prospective tenants. No one could confirm where streetlight lighting was in the area. Tricia Frenette stated that there should be no on-street parking. LUC Irving responded that the Board could address the issue of parking with a condition of approval. Frenette also asked if the intent would be to use curbside trash pickup or have a can. Frenette explained that many curbside pickup clients do not abide by the rules and regulations associated with service, e.g. leaving trash out overnight and leaving trash exposed for bears, raccoons, and crows. Westcott responded that the concept is a dumpster enclosed within a wooden barricade; this design is to restrict the dumpster use to tenants-only and to not have trash bags lining the streets. LUC Irving emphasized that the Board could address the trash with a condition of approval.

The Board had no further questions.

Chair Ogle **OPENED TO THE PUBLIC** the PUBLIC HEARING

There were no comments or questions from abutters.

Chair Ogle **CLOSED TO THE PUBLIC** the PUBLIC HEARING

Les Hilton moved to **APPROVE** the application for Variance **WITH CONDITIONS** that 1) There shall be no on-street parking on Foss Place or Railroad Street; and 2) On site trash collection shall be

secured and shielded from public ways, and trash pickup and handling shall be managed by the Landlord. Tricia Frenette seconded the motion. All Board members voted to APPROVE the application for Variance WITH CONDITIONS that 1) There shall be no on-street parking on Foss Place or Railroad Street; and 2) On site trash collection shall be secured and shielded from public ways, and trash pickup and handling shall be managed by the Landlord, no objections. *Motion passed.*

Chair Ogled reminded the Applicant that there is a 30-day appeal period. LUC Irving reminded the Applicant that the Variance will be recorded at the registry.

Chair Ogle CLOSED the PUBLIC HEARING for ZBA Case #546.

Chair Ogle OPENED the PUBLIC HEARING for ZBA Case #544. ZBA Case #544 was tabled and continued from 4/26/2023.

Case# 544 – Griswold, Hunter d/b/a Griswold Logging LLC and Griswold, Brad & Valerie for a Special Exception concerning Article 5, Section 5.04, "Uses Permitted by Special Exception in the Agricultural District." Applicant/Owner seeks special exception approval to construct and operate a firewood processing facility/sawmill having a footprint of approximately 1 acre on land situated in the Agricultural District. Land Zoned Agricultural. (Tax Map R16-Lot 034, 98.60 acres, off Reed Road). **CONTINUATION FROM 4/26/2023**

Because there were many interested parties in attendance of this hearing, LUC Irving explained the posture and procedure of the case: In early April, the applicant had asked Irving if he could construct or install a firewood processing facility on his land off Reed Road. The Applicant further stated that he would be timbering his own land as well as trucking in raw materials from other sites. Irving was not comfortable issuing any permits because she felt that the trucking in of raw materials from other sites was a distinction about the process that would require input from the ZBA. At the hearing on April 26, 2023, the proposal was still very fluid with no clear plan for the site or scope of operation. As a result, the Applicant requested a continuance for two months. The Land Use Office requested additional information including scope of operation, a sketch or plan of the layout, and an expanded narrative. The Applicants submitted materials and those materials were made available to those who requested them. The Board needs to be able to review requested additional materials 24 hours prior to public hearing. The current proposal is different from the originally submitted written proposal. Given the new information, the ZBA must first determine whether this change shifts the proposed activity to a permissible agricultural activity outside the scope of a Special Exception or whether the change has no impact and the ZBA proceeds on the merits for a Special Exception. If the Board decides to proceed with the Special Exception hearing, the Applicant will present their case to the Board, and ONLY the Board will ask questions. Once the Board has completed their questioning, Chair Ogle will open the hearing to the Public wherein Abutters will be granted priority to comment. Secondary to abutters will be other residents along Reed and Mt. Prospect roads. Thirdly, Chair Ogle may permit other interested parties to comment. Following public comment, the Board will continue their questioning and can either proceed to a decision on the merits or continue until the next meeting.

Chair Ogle read the Applicant's Application for Special Exception:

Section A: Special Exception Requirements under State Law:

Would the use be detrimental to the public health of Lancaster residents or the general public?
Applicant's Response: *No. No by-products are harmful to health.*

Would the use be detrimental to the safety of Lancaster residents or the general public?
Applicant's Response: *No. It will be away from public and a safety program in place.*

Would the use be detrimental to the character of Lancaster?
Applicant's Response: *No.*

Would the use be detrimental to the welfare of Lancaster?
Applicant's Response: *Yes. Keeping firewood sales local and using local resources.*

Section B: Section 3.48 Town of Lancaster Zoning Ordinance Requirements

1. Is the granting of this Special Exception in harmony with the purpose of the Zoning Ordinance?
   Applicant's Response: *Yes. In section 5.04 under permitted uses, letter "J" all agricultural uses as defined in RSA 21:34-a et. seq.*

2. Is the granting of this Special Exception in harmony with the intent of the Zoning Ordinance?
   Applicant's Response: *Yes. Sawmills are permitted, thus firewood is no different.*

Section C: Pursuant to Section 12.02 of the Zoning Ordinance, the applicant must introduce clear and convincing evidence in resolution of the following queries:

1. Will the character of the area be adversely affected?
   Applicant's Response: *No. The firewood production will not be very noticeable from the road, situated deep into the lot.*

2. Will the value of adjacent property be adversely affected?
   Applicant's Response: *No. No direct impact from operation on abutters, no impact on view.*

3. Will the character of the lot be affected?
   Applicant's Response: *No. Other than the structure and some seasonal storage, remainder of the lot shall remain intact to the extent that property will be selectively harvested via intent to cut.*

4. Will hazardous waste be disposed of on the property?
   Applicant's Response: *No. Any waste oil from the processor will be disposed of per state and local regulations.*

   Will provisions be made for disposition of all waste without jeopardy, financial or otherwise, to the Town of Lancaster?
   Applicant's Response: *Yes.*

5. Will traffic in the area be adversely affected?

Applicant's Response: *No. Access will be restricted to owner/operator only with deliveries permitted as needed. Will abide by road bans.*

Applicant's Narrative: *The property I am looking to have an exemption approved for is currently zoned as agricultural. In section 21:34-a, a farm/agriculture is defined in many ways one being "the production, cultivation, growing, or harvesting of any agricultural, floricultural, viticultural, forestry, or horticultural crops including but not limited to berries, herbs, honey, maple syrup, fruit, vegetables, tree fruit, grapes, flowers, seeds, grasses, nursery stock, sod, tree or tree products, Christmas trees grown as part of a commercial Christmas tree operation, trees grown for short rotation tree fiber, compost, or any plant that can be legally grown or harvested extensively for profit or subsistence." I believe that a firewood operation would fall under the classification of agricultural practices as it is taking timber of the land and turning it into a heating source for the residents of Lancaster and surrounding areas. Also, in Section 21:34-a it states "the transportation to the farm of supplies and materials." Meaning additional lumber to be used as firewood would be able to be transported to this property in order to be processed for firewood sales. Not limiting the production to just timber on the property, but timber from other properties as well in order to fulfill firewood productions. A sawmill is permitted on agricultural zoned property and a firewood processor is like a sawmill in the sense that it takes a log and turns it into a usable product to be used or sold. I take pride in cleanliness and safety of a worksite so the land being used for firewood production wouldn't be an atrocity to neighbors and travelers. There will be no hazardous materials being disposed of on the property and no hazard to neighbors or travelers.*

Applicant Brad Griswold presented the case. Brad's son, Hunter, is going through the learning process of starting a new business. One of the reasons that the Griswolds requested that the April hearing be tabled was so that they could continue to educate themselves as to what they needed to accomplish, what statutes were involved, what exceptions would be needed etc. During this collection of information, the process became well-defined as activity pursuant to a valid Intent to Cut, the harvesting of our wood and processing it just like any other logging operation. That means that, out of a harvest, some wood would get slashed, some gets chipped for biomass, and some gets split for firewood to sell. All of those things are accepted practices under the New Hampshire statutes related to logging and no exceptions are required. The Applicant is not requesting a firewood processing "facility" as they are not requesting the construction of any buildings or structures. The Applicant is not anticipating additional trucking. There should be no impact on the neighborhood in any way. The Applicants purchased the land because they did not want it to be developed, agreeing to covenants on the land that dramatically reduce the value of 'undevelopable' land. The Applicant's vision was to protect the neighborhood and its natural beauty, and the integrity of the community for both current and future generations. Because this is a simple logging operation pursuant to a valid Intent to Cut, the Applicant asked if a Special Exception is even necessary.

Don Freddette expressed his concern that an Intent to Cut is not a long-term "forever" logging operation because what is harvestable would get depleted. Freddette asked if the Applicants intend to bring in any logs from other sites or any other 'outside' raw materials. Applicant Brad Griswold confirmed that the operation would not involve bringing in logs. Freddette further asked if the splitting device was portable and not a fixed structure. Applicant Brad Griswold confirmed that the splitting device was portable and can be towed by a F150 pickup. Brad Griswold pointed out that putting a structure up on that parcel would not make sense when road bans make the structure landlocked at times during the year. Freddette asked what kind of vehicle will be used for firewood deliveries. Applicant Hunter Griswold confirmed that at most, a 1-ton truck with a box would be used for firewood deliveries (up to permissible 17,000 lbs, not subject to road bans). Hunter

Griswold went on to say that he is a one-man operation and there is a limit to how much he can do at that capacity and he acknowledged that the timbering operation is not a long-term activity because he will run out of harvestable timber—his intent is not to go onto the land and cut just anything that can be used as stock for firewood, but will practice a sustainable forest management plan for the property

LUC Irving stated that the Intent to Cut is under the purview of the Board of Selectmen and overseen by DRA. She asked the ZBA to decide whether they even had jurisdiction. Les Hilton moved that the terms of the Applicant's application did not meet the threshold of a Special Exception because the use is controlled by a valid Intent to Cut therefore the ZBA does not have jurisdiction over the matter. Nate Kenison seconded the motion. All members of the Board voted that the terms of the Applicant's application did not meet the threshold of a Special Exception because the use is controlled by a valid Intent to Cut therefore the ZBA does not have jurisdiction over the matter, no objections. *Motion passed.* LUC Irving stated that all questions or concerns about the Griswold logging operation should be directed to the Board of Selectmen. LUC Irving also announced that the Cease and Desist issued to the Griswolds will be revoked because the operation is permissible. Abutter Sally Craft asked if there was information on the website about Intents to Cut; LUC Irving provided her with a synopsis of law from the DRA link.

Because there was confusion regarding whether there was a pending valid application in light of the ZBA's determination that the ZBA had no jurisdiction, Applicant Brad Griswold officially withdrew their application for a Special Exception.

The Griswolds continued to address questions from concerned abutters and other residents. Abutter Pamela Sansoucy requested clarification of the location of the operation. LUC Irving explained that an Intent to Cut application is specific to the listed Tax Map and Lot and scope of operation. Abutter Sally Craft expressed concern over the distance of the splitter being 500 feet from her house, so she wanted to know how long the operation would be running. Hunter Griswold responded that an Intent to Cut expires on March 31st unless an extension is filed and he anticipates filing every year. How long an operation runs is driven by the selling price of your end product. Also, as part of the management plan, the cutting location moves around on your property as you log certain areas. Hunter described a field that somewhat overgrown, basically right on the property line where Fuller's sugar lines are, that would be a perfect log landing. Hunter consulted with Road Agent Tim Brown and put in the temporary access between where there is access to the property and the collection site. Rob Christie asked if the driveway was permitted. The Applicant responded that they did not think that it was formally permitted as it is a very old logging road. Hunter Griswold further explained that, due to the neighborhood opposition, he tried to be respectful, so he decided to move the landing so that no one could actually see it. It is still close enough to the road so that it can be travelled safely but out-of-sight- from the abutters and roadway. The Applicants kept in mind that the road is scenic. Abutter Craft raised the notion that "outside" does not mean "out-of-range" and re-emphasized her concern about the noise. The Applicant responded that they intend to operate squarely under the terms of a valid Intent to Cut. The Griswolds thanked everyone for their time and effort.

Chair Ogle CLOSED the PUBLIC HEARING for ZBA Case #544.

OTHER BUSINESS:

Land Use Permits: LUC Irving announced the most recently issued land use permits: 1) Jeffrey & Amalia Carty at 20 Hodge Road; demo existing barn, construct Reed's Ferry shed on a gravel pad, extend laundry room to accommodate side-by-side washer & dryer. LUC Irving described the

location of the home as being the Vincent/Ryder home with the turret(s) 2) Daniel Morris & Megan Jany at 63 McGary Hill Road; RENEWAL to construct tiny home and porch and install a solar array. LUC Irving pointed out that she changed one of the conditions of approval to allow them to secure the home on a slab rather than a full foundation. They can keep the composting toilet so long as they do not hook up to any water because NHDES mandates that a dwelling shall have a septic if it serviced with water. Further, one of the goals of the HOP Grant project is to adopt definitions and other provisions that address alternative types of housing, 3) Kyle VanDerLaan and Melissa Grella at 4 Stone Street; demo & reconstruct mudroom from existing front porch and modify the landing and steps. LUC explained that the existing landing and stairs are already non-conforming but the new design will be less non-conforming therefore closer to compliance with the setbacks, 4) James Parks at 19 First Street; construct a slab under the mobile home's first runner to support extension of bathroom and porch. Tricia Frenette asked why the park is not requiring a full slab under state law? Irving responded that this mobile home pre-dates the requirement, but the addition does not; if the trailer is ever replaced, a slab will have to be installed, 5) David & Donna Joki at 131 Elm Street; RENEWAL to construct a stick-built single-family home on a full foundation with a garage on a slab. LUC Irving stated that the applicants currently have just the shell constructed, 6) Jayne Tarkleson Berube at 457 North Road; 603Solar to install fixed-tilt rooftop solar array, 7) Waterstone New Hampshire Retail Properties o/b/o Shaw's Store #2532 at 199 Main Street; modifying interior to expand the existing "DUG" or "drive up and go" and installing a separate exit. LUC Irving explained that the parking spaces currently dedicated to DUG will remain the same. She emphasized that one of the conditions of approval for this permit was that there shall be no parking in the fire lane, therefore there can be no driving up to the sliding doors to retrieve a delivery, 8) LRH-2 LLC and Sharon Kopp at 55 Main Street (former Simon the Tanner building); COMMERCIAL first floor renovation ONLY, construct client exam rooms, reception area, update lighting and ducting, sprinkler system. Irving stated that the second and third floors are already permitted for the 8 apartments, so this permit is for the commercial unit on the first floor intended for The Carlisle. ~~Linda Ogle~~ *Melissa Potter* [rli] mentioned that there have been a number of Facebook complaints that new businesses on Main Street only have steps and are not ADA-compliant. LUC Irving responded that 1) the buildings on Main Street pre-date ADA mandates, therefore are only recommendations, 2) federally funded projects require ADA-compliance so if any grants are accepted, accessibility is a condition of grant approval, 3) the zoning ordinance does not require ADA compliance but it can be made a condition of approval of a permit or plan, and 4) installing an access onto the Main Street frontage often makes the landing encroach on the right-of-way. In the Central Business District, the right-of-way is considered to be to the storefront. In the case of 55 Main Street, there is ADA access via the side entrance to the apartment elevator. In the case of The Yellow Deli, the owners have asked about installing a ramp similar to what the Polish Princess has. Tricia Frenette mentioned that Dr. Drum used to have an accessibility problem but the issue was resolved when the sidewalks were re-done. Chair Ogle asked if there were any restrictions on what can be displayed in store windows. Irving said that there is not, only signage is regulated, 9) Kim & Grant Currier at 41 Gore Road; construct a stick-built deck on piers, 10) David Ricker & Gretchen Cook o/b/o Easter Seals New Hampshire at 525 Prospect Street; interior renovation, demolish & replace dropped ceilings, demolish & replace sheetrock, install new sinks/toilets/showers, replace floors, 11) Cody Charron & Beverly Gesel at 79 Garland Road; RENEWAL to construct modular on full basement with a deck. Irving explained that this renewal also amended the size of the deck because insurance required a certain size for secondary ingress/egress, 12) Charles Fitch III, John Fitch, and Marilyn Foss (Trustees) at 202 Summer Street; to install one, with the option of two, 30,000 GWC liquid propane filling station on reinforced piers and a storage/staging pad for portable tanks, 13) Steven Millett at 40 Holton Park; construct a stick-built shed with a lean-to, 14) James Murphy at 23 Prospect Street (Sutherland house); construct drive-in basement-level reinforced ICF wall garage with option to construct barn/garage onto cap.

Irving identified this location as the house with the extensive excavation. He collects and restores antique vehicles. Chair Ogle asked if a pool was permitted for this location and LUC Irving stated that there was not, 15) Daniel & Angela Kenison at 7 Sunny View Drive; install fixed tilt rooftop solar array, 16) Candy & Thomas Anderson at 8 Mary Elizabeth Lane; construct single-family dwelling on full basement with an attached garage with an ADU on a slab, and a shed. The driveway on the plan indicates that access will be from Mary Elizabeth, not Route 3. The original septic was for a 3BR and needs to be amended to include the ADU over the garage.

Sign Permits: Maggie Baker & Toni Shea at 147 Street for "T SHEA Pottery & Home." Chair Ogle stated that they should post their business hours somewhere on the building or signpost.

Planning Board Decisions: None.

Training Topics/Materials: The June 7, 2023 Housing Roundtable powerpoint presentation and meeting minutes were provided the Board members. The Lancaster Housing Needs Assessment has been updated to include the survey and roundtable information.

Announcements/Correspondence: None

Other:

LUC Irving announced that, as of today, 6/28/2023, no appeal of the Boyd rehearing denial has been filed. The Board discussed the negative Facebook postings. Irving stated that, per formal complaint policy, no one has directly corresponded with the Town Offices/Land Use Office to request information, reference materials, or complain.

The Board members requested information on how to remove a member from the Board for non-attendance. Because cases have become more complicated and quorum is sometimes problematic, it is important to find members that are committed. LUC Irving would follow up and send everyone her recommendation on how to proceed after she directly contacts the member. The recruitment effort is ongoing.

Chair Ogle announced that there was a temporary banner flag at the church to promote the lunch program for children.

The target opening date is July 15th for Kevin's Country Kitchen located in the former MiMi's spot next to the ice cream shop. There will be grab-n-go breakfast and lunch sandwiches including paninis. The tenant requested from Land Use permission to erect a tent over outside seating on the front lawn; this will be permissible so long as the Fire Department approves the tie-downs, etc. The Board urged the tenant to focus on marketing his business; they also suggested that he should get involved with the Chamber of Commerce. LUC Irving said that she already referred him to CEDC.

LUC Irving said that she completed three commercial inspections with the Fire Chief this week: 1) the kitchen next to the ice cream shop intended to be used for another takeout food establishment, 2) space over Granite Grind anticipated to lease to a photography/yoga/craft studio, and 3) basement of 55 Main for an unidentified commercial entity (LRH needs an area variance to increase the density for this additional space, so they will likely be on the next agenda). The area has been renovated since the flooding.

Don Freddette asked if grease traps are mandated in the ordinance; Irving indicated that they are not in the zoning ordinance but might be in the sewer ordinance. Further, food establishments are supposed to be inspected by the State, so it might be mandated by the agency having jurisdiction.

Chair Ogle asked if there was any way to regulate lawncare, especially on highly visible properties. LUC Irving stated that there are no provisions in the zoning ordinance. She further said that restrictions like that are typically not imposed by government so as to not infringe on property owner's rights, however, many communities have homeowner's associations that can impose them.

Nate Kenison moved to adjourn the meeting at 1955H. Steve Young seconded the motion. All Board members agreed to adjourn the meeting at 1955H, no objections. *Motion passed.*

Respectfully submitted,
Robin L. Irving, Land Use Coordinator

Approved:
Linda Ogle RSI
Linda Ogle, Chairman of the Lancaster Zoning Board of Adjustment