

**NELSON ZONING BOARD OF ADJUSTMENT
MEETING & HEARINGS**

Date & Time Meeting Convened: September 14, 2010 7:00PM

Location: Nelson Town Library

Board Members Present: Richard Popovic, Chairman, Jason Walters, Mike Giacomo, Alternate: Maurice Lagace

Others Present: Tim O'Meara

Called to order by Richard P.

Old Business:

Item #1) Richard P. motion to accept July 13, 2010 minutes as printed;

Unanimous vote to accept.

New Business:

**Item #1) Timothy & Dorrie O'Meara Application for an Area Variance
Z10-03 at 7:01PM**

Richard P. asked for a roll call of the Board members present which the Clerk did showing Rich Popovic, Jason Walters, Mike Giacomo, & Maurice Lagace present. He called for the Clerk's report. The Clerk said that the Hearings were posted in the newspaper August 27, 28 & 30th and had been posted on three town bulletin boards. The certified letters were sent and none had been returned as undeliverable.

Richard P read the rules to be followed in this Hearing.

Timothy O'Meara explained their request to replace & enlarge an existing deck, enlarge a walkway to accommodate a rescue cot & wheelchair entrance into the house.

Richard P. opened to the public for any discussion in favor of this variance. Richard P. read an email from Donna & Joe Cunningham (abutters) in favor of granting this variance

There being no further viewpoints or questions he closed the Hearing

The board deliberated viewing all the documentation presented.

Richard P. called for a vote on the 5 criteria for granting a variance

- 1) If the variance were granted, the values of the surrounding properties would not be diminished

Yea 4 unanimous

Nay 0

- 2) Granting this variance would be in the Public's interest

Yea 4 unanimous

Nay 0

- 3) Would denial of this variance cause unnecessary hardship to the owners

Yea 3 Rich P., Mike G., Jason W.

Nay 1 Maurice L.

- 4) Granting this variance would do substantial justice

Yea 4 unanimous

Nay 0

- 5) Granting this variance is not contrary to the spirit of the ordinance

Yea 4 unanimous

Nay 0

Variance Z10-01 is GRANTED The clerk will send notice of the decision in the mail & notify the Selectmen.

Meeting Adjourned: Maurice L. moved for adjournment & Mike G.2nd. Unanimous vote, meeting adjourned at 7:32PM

Next Meeting: Since no Hearings have been applied for at this time, no date has been set for another meeting.

Respectfully submitted,
Carol Raynor Clerk

Date signed: _____

Richard Popovic, Chairman _____

Jason Walter _____

Mike Giacomo _____

Maurice Lagace, Alt. _____

DRAFT