



decision rendered on August 20, 2012 granting Andrew & Rene Bosworth's request for an equitable waiver to retain an existing improvement constructed without permits or a variance from Section XI.B.1. of the Zoning Ordinance. Members seated: Thibault, Walker, Beauregard, Sr., Tatro and Mitchell (for Jim Vitous).

Members of the Public Present: Richard Dell'Erba

Hutwelker reviewed the procedure for considering the Requests for Rehearing. He stated that he would serve as chair and moderate the discussion, but would not be seated. He noted that it was not a public hearing and that comments from the public would not be entertained. Hutwelker stated that the request submitted by Board Member Thibault would be considered first. In the event that the Board denied Thibault's request, it then would consider Dell'Erba's request. If Thibault's request is granted, there would be no need to consider Dell'Erba's request. It was noted that while Dell'Erba's request may not need to be considered this evening, it would be part of the record.

Board members acknowledged that they had reviewed Thibault's request. Board members did not have any questions regarding the request. Walker stated that he felt that the statements made by Thibault in his request were valid. Walker noted that the meeting was somewhat "frenzied," resulting in a situation where it was difficult to follow-up on questions/comments, difficult to hear all the testimony and that there was question as to whether some members of the Board and the public felt intimidated by some people in the audience. Tatro concurred with Walker's assessment. Thibault stated that the Board may have erred by omission, by not pursuing further questions of the applicant and builder.

Motion by Walker to grant Thibault's request for rehearing. Seconded by Mitchell. Vote in favor of the motion: Walker, Mitchell, Thibault and Tatro. Opposed: Beauregard, Sr. Motion passes.

Carbonneau stated that the public hearing would be scheduled for the next meeting of the ZBA, to be held on Monday, October 15, 2012 at 7:00 p.m.

#### **ADJOURNMENT**

**Motion** by Beauregard, Sr. to adjourn. Second by Mitchell. Vote: All in favor. The meeting adjourned at 6:40 p.m.

Respectfully submitted,

Sara H. Carbonneau  
Town Planner