

HDC Minutes - Aug 27 - '98

- note - meeting was delayed 1 wk.
to accomodate notification of Favreais-
so they could be present.

The meeting was called to order at 7:40 PM by chairman Andy West. Commission members in attendance were Petr Kraniak, Clarence Rabidov, Patience Bundshue, Rick Carrier, John Poor, ^{Karen Peltud} and Andy West. Bob Casignino (H.D. Resident) was present to observe commission and express interest in joining. Town B.I. Jeff Newton was present as well as select chairman Vito Andrewlinas.

The meeting proceeded with the reading of the July minutes - which were approved after a minor change recommended by John Poor. The Commission then turned it's attention to old business - specifically The Favreaw property on Frye Hill Rd.

At the previous meeting it had been decided to send a letter to the Favreus from both the H.D.C and the B.I. - requesting their presence at ~~our next meeting~~ this August meeting to provide answers and documents to explain the ~~the~~ violations, and discrepancies at their construction site on Frye Hill Rd. It was also requested that they provide necessary items to finish incomplete applications from the past. This letter was written and sent - ~~request~~ with instructions for the Favreus attendance, what to have with them ~~&~~^{and} the suggestion of their lawyer being present. Also noted were persons to contact if they could not make the date specified. Since there was no notification of schedule conflict it was expected they would attend - However they did not. (Andy

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West did in fact note that he had received an affirmative phone call from them. This made a considerable change in the agenda of the meeting.

First Andy West read a copy of the letter that had been sent to the Favreus from the ~~commission~~ H.D.C. and B.I. (see attached). Much discussion and speculation followed concerning the Favreus' absence — the commission was aware of extenuating circumstances. That day a funeral had been held for Don Langlois builder of the house, and Uncle to the couple. In light of this the commission assumed this was the reason for the absence but much was said about the ~~absence~~^{lack} of any notification whatsoever to the commission ^{from} by the Favreus concerning their predicament.

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The commission then went on to rehash, and reclarify the situation in general!

John Poor restated the issues and contentions the commission had in regard to the Favreau property. He noted 3 important items:

- 1.) There was a major addition to the house - the back deck - that was not included in the plans or subsequently applied for.
- 2.) The house plans the H.D.C. received differed from the plans the B.I. received - with the notable difference being the addition of a dormer. ~~the~~ The commission's primary inquiry is how this happened.
- 3.) Past applications were still incomplete (^{requested} samples, dimensions,

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examples had not been provided for applications whose approval had been in good faith contingent upon the submitting of these items.

After clarifying the complaints against the Fairways the commission then addressed the subject of prioritizing the complaints. It was decided that past transgressions (incomplete applications) be addressed and completed before the subject of violations (i.e. deck and dormer) would be broached. With this approach agreed upon by all - attention was then turned to what ^{punitive} actions could be taken if any.

Much discussion followed as to what action the commission was willing to take. legal and otherwise. Rick Carrico ^{asked} ~~addressed~~ B.I. Jeff Newton to note what Building Code Violations

if any had occurred. He said none had - that according to the plans that had been submitted to him (with his assumption that we had seen and approved the same plans) none had occurred. His primary concern was how and why the HDC's and his plans had been different ones.

A discussion occurred as to the prevention of this same miscommunication in the future. A master plan was suggested (that travels to all town offices), ~~and~~ an official stamp was suggested by Patience Bundshre. This stamp would accompany all plans that leave our meeting with approval. This stamp would be singular and specific to the commission and carry the weight of official verification.

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This idea was well recieved - but not officially decided upon - perhaps a subcommittee would address it in the future.

After observing and listening to all discussion Chairman of the Selectman Vito Andrawlinas spoke. He said that our situation involved 2 separate issues

① When the commission oversees applications that are not pertinent to the B.I. - it needs a well defined policy of enforcement - and it needs to make sure that the applicants are aware of this policy.

②. "Violators must not be rewarded" the town needs to implement a non-criminal method of compliance which should include a schedule of fees + penalties.

After hearing Mr. Andrewlinas the commission turned to the subject how do we interpret the Favreais non-appearance. Clarence Radidoux suggested we run it by the Town Council for advice. Vito Andrewlinas agreed and suggested we do this in writing - the response can take up to 2 wks. Andy West said we should put a package together for the town council summarizing the whole affair. John Poor suggested a subcommittee. This was agreed upon and one was formed. Patience Benschke, Clarence Radidoux, and John Poor would meet and

- 1.) draft package for town counsel
- 2.) interpret Favreais non-appearance
- 3.) solicit other advice + guidance from experienced commissions (ex - Nantucket)

Other Old Business was then attended.

- 1.) The Raymond School handicap ramp was progressing well - but it ~~is~~ is apparent some sort of grill or screen would be needed to hide the stairs.
- 2.) It was noted the photos of 2 Bowers barn were not yet with the application for demolition
- 3.) John Poor will submit article for next special Town Meeting for H.D.C. signs - he drafted the article on the spot, the Commission approved it and he put it in the selectman's box.

Next came officer elections. Andy West stated he did not wish to continue as Chairman but would continue his pivotal role with the Fairview matter

through its resolution. Discussion followed about possible New Chair~~man~~ persons. All willing did not have the necessary experience on the commission to take over the job. It was deemed necessary for Andy to continue for 1 more year while others gained experience. Andy acquiesced - and the following slate was voted on and passed.

Andy West to continue as chairman for 1 year.

Rick Carrier to become Vice Chairman replacing John Poor.

Karen Pickford as secretary.

meeting adjourned at 10:30 pm.

note meeting was audiotaped with some audible but mostly inferior results.

respectfully submitted
Secretary Karen Pickford