

MINUTES

Zoning Board of Appeals Meeting – August 18, 2020
115 Pleasant Street, Via Zoom.
Gardner, MA 01440

Sitting in on Hearing:

In Attendance:

Raymond LaFond
Randy Heglin
Michael Gerry

Roland Jean
Rachel Taylor
Steve Rockwood
J Flick
Rachel Davis

GETV
Nora Allard
Marcela Guzman
Elaine Larosse
Kris Singer

Meeting Called to Order by Chairman Raymond LaFond at 6:00 PM. Mr. LaFond went over the ground rules for the Zoom meeting and how the proceeding where to take place, stating “In pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Gardner Zoning Board of Appeals will be conducted via remote participation and on the City’s YouTube Channel. The audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the City’s website as soon as possible after the meeting. Since this meeting is being conducted via Zoom, all votes taken will be by roll call and all participants to raise their hands to be recognized”. Mr. LaFond explained the requirements that must be addressed for a Variance or Special Permit. He then noted the meeting was being streamed live to YouTube, and requested if anyone objected. There were no objections.

<u>Case No.</u>	<u>Case Type</u>	<u>Case Description</u>
2020-06-01	Special Permit	62 Princeton St / Licensed Day care
2020-07-01	Special Permit	94 Lynde St / Domestic Pigs

Case # 2020-06-01: Marcela Guzman – Operate a Day Care at 62 Princeton St, Gardner, MA Parcel ID #H27-20-17, located in the Single Family Residential 1 zoning district (SFRI) is denied as it does not comply with Chapter 675-Attachment 1:6- #85, of City Code of Gardner. The states that your use requested, “#85 Small family Licensed Day Care” requires a “Special Permit” (SP) issued by the Gardner Zoning Board of Appeals.

Mr. LaFond opened the floor to Marcela Guzman Owner of 62 Princeton St.

Mrs. Guzman thanked the Board for hearing her case, stating she has had a small day care on the premises since 2007, and feels she provides a service need to the community.

Mr. LaFond requested Ms. Guzman to answer the 9 questions prompted in the Special Permit application.

- 1) Playhouse Family Day Care first opened October 14, 2007. Ms. Guzman has always kept up with all regulations and certifications needed to operate the business. The property is a family home similar to those around her in the community.
- 2) The day care uses the home's driveway for the parents to drop off and pick up children. There are no problems with traffic or pedestrians.

Mr. LaFond requested what the hours of operation were for the day care?

Ms. Guzman informed the Board that her hours are currently 6.30 AM to 6.30 PM.

Mr. LaFond asked how many children would be present at the property at one time.

Ms. Guzman said that 10 children in total is what she is allowed but they come and go at different times of the day. Drop off is staggered over a few hours in the AM. Starting at 6.30am, some come between 7am and 9am the last drop off is at 2pm which is also the time some children beginning to be picked up.

Mr. Gerry questioned Ms. Guzman about times of operation as on her application packet she states the start time as 5.30am.

Ms. Guzman clarified that she has had to change her working hours due the Covid-19 pandemic.

Mr. LaFond then asked about the ages of the children attending the day care.

Ms. Guzman informed the Board the that most of her children were under the age of 7years old but she does take children with special needs up to the age of 16, having no more than 6 at any one time.

- 3) There is onsite parking for 2 vehicles in the driveway, these are used for personal use most of the time as clients only pull into driveway for pick up and drop off. The employees do not have the ability to drive so they don't need the parking.
- 4) The property has no issue with noise or weather problems. The property has city water and sewer.
- 5) There has been no noise complaint, the neighbors are far enough away to hear very little from the day care.

Mr. LaFond asked if the children play outside year round as the weather permits?

Ms. Guzman confirmed that the children do play outside daily if possible.

- 6) There is no hazard to abutters or public, as the children only play in a fenced area.

Mr. LaFond asked how close the abutters were.

Ms. Guzman said that there are three neighbors around her directly, one across the street, one on the corner of the lot and one behind her. There is a fence that around the entire property and another fence inside of that which separate the children from any other area.

Mr. Heglin clarified that there was a fence within a fence for the children as he had noticed there was a gap in the fence along Richard St.

Ms. Guzman stated that children are never in that area at all and stay within the fenced off playground area.

Mr. Heglin also asked about the neighbors having a "beware of the dog" sign. Was this a problem for the day care, and what kind of dog was it.

Ms. Guzman believes the dog is a bulldog and has never been any concern to her or the running of the day care.

- 7) Business is in harmony with neighbors and intent of zoning code with a special permit.
- 8) No impact on the city services, property has city water and sewer.
- 9) The in home day care is supportive of the wellbeing of children and support the social and economic health of their families and the neighborhood.

Mr. LaFond asked if there was any questions at this time.

No Questions

Mr. LaFond requested a copy of Ms. Guzman's Day Care License.

A copy was in with the application packet.

Mr. LaFond had further questions, asking if this should be classed as a small or larger day care as with approx. 10 children at a time it would fall under larger daycare.

Ms. Guzman did clarify that with her new license she was hoping for 10 children permit, even though there would be no more than 8 at any given time.

Mr. LaFond requested a site visit of the property as no plot plan was included in the application. (On review, there is a plot plan in the application but the location of the house was not noted). Mr. Lafond also asked about a car being seen in one of the photos supplied.

Ms. Guzman apologized for the car being there but she took the pictures in a hurry so as not to miss the filing deadline for the ZBA. The car is not normally there and the children have no access to that part of the yard.

Mr. LaFond clarified that children are not able to get into the driveway or garage area as they are in a fenced in area away from any cars or danger.

Mr. LaFond asked what days the day care would be open and if there were ever overnights or weekends

Ms. Guzman's days of operation are Monday through Friday with no weekends or overnights stays. The daycare is open year round with hours in the summer for children that need it, her full time program offers care for holidays and part time covers before and after school for kids of that age.

Any further questions.

Any questions from representatives of the City.

Mr. Roland Jean noted that the application was for a small day care which is classed as 6 or less children. This request is for up to 10 children and this change should be addressed.

Mr. Heglin questioned the table of use code number on this case, stating that the actually use # should be 83 or 84, even though both of these would still need a special permit.

It was then noted that Mr. Heglin and Mr. Gerry were in need of a more recent table of use.

No questions from Abutters

Any further questions

Mr. LaFond requested a site visit for Friday August 21st at 9.30am.

This time and date was agreed upon by all.

Mr. LaFond made a Motion to close this case.

Mr. Heglin and Mr. Gerry Agreed.

Guzman Meeting closed.

Case # 2020-07-01: Elaine LaRosee - application to keep porcine at **94 Lynde St, Gardner, MA** Parcel ID # R27-21-3.1, located in the General Residential 3 zoning district (GR3) is denied as it does not comply with Chapter 675- 410 of City Code of Gardner. The "Table of Uses" slates that your use requested, Line # 12 'Agricultural use, non-exempt' requires a "Special Permit" (SP) issued by the Gardner Zoning Board of Appeals.

Mr. LaFond opened the floor for Mrs. LaRosee's opening statement.

Mrs. LaRosee of 94 Lynde St, wished to read out a statement she had in regards to the letter Lawyer John Barret had submitted to the board.

Mr. LaFond requested that this document be submitted to Zoning clerk tomorrow to be kept in the file.

The following document was read out to the Board members.

Response to Solicitor's Opinion Letter of 6/29/20 (received 8/12/20)

On August 12, 2020, I received a copy of Assistant Solicitor Barrett's (herein Barrett or Sol. Barrett) Opinion Letter, dated June 26, 2020.

The precise question posed to Sol. Barrett on or before 6/26/20, was "Are the pigs which are kept at Ms. LaRosee's home 'livestock' or 'pets.'"

Based on my reading of the opinion, Sol. Barrett did not have my statement and my interpretations as I read them.

Sol. Barrett specifically refers to my pigs as pot-bellied, so when the question was posed it was acknowledged that they are pot-bellied. Which begs the question why does he refer to them as pot-bellied and give a description of their general ilk, but I received a request from the Building Department admin on July 29, 2020 asking for a description of all three pigs?

I obviously am not privy to internal deliberations and do not know the mindset of those pondering the issue, but there has been information that is known and not everyone involved is on the same page.

I will make a quickish statement about the Opinion Letter and then we can go from there. This is my understanding as a non-lawyer and so please correct me on legal basis where I'm wrong.

Barrett states "this is an issue which has met with various results throughout the United States. Early legal decisions largely dealt with pigs under nuisance law." He cites a 1966 case from Washington State; however, he states that law may not particularly apply to modern day pig problems with pigs kept as pets. Dealt with noise and odor.

Second case, Andover, MA, 1964, dealt with keeping certain number of pigs. In this particular case, a "piggery" is constituted by the keeping of four (4) or more pigs. That then does not apply to my appeal for my pets.

Additionally, Barrett contends Gardner BOH has not adopted any regulation vis-à-vis pigs and that the Zoning Ordinance of the City of Gardner does not specifically define pets or livestock; the ultimate defining issue to litigate tonight.

Barrett states that the Building Inspector determined pigs are livestock and that keeping livestock falls under agriculture - non-exempt, requiring special permit from ZBA. See 128, 1A.

Barrett cites Building Inspector of Mansfield v. Curvin, 1986 deals with a piggery. He had 60 pigs. Within this paragraph, he mentions M.G.L. c. 40A, § 3, dealing with zoning (in part) Within 40A, § 3, it mentions Part I, Title XIX, Chapter 128, section 1A, which, as previously put forth in my original statement, after June 26 and prior to July 16, 2020, 128, 1A deals with "Farming, Agriculture, Farmer; Definitions." I contend that this does not pertain to my situation.

Barrett goes on to state, "Here, the protection of agriculture would not seem to be relevant as Ms. LaRosee is not keeping the pigs for consumption or breeding, nor is her lot in excess of 5 acres. However, the categorization of the pigs as an agriculture use does not seem to perfectly fit the situation."

With that statement alone, "perfectly fit the situation," I contend leniency should apply and the special permit should be granted.

Barrett determines that since case law in Massachusetts, and seemingly Gardner in turn, is not dispositive (or seems to settle) the issue he then looks to other states. I would contend we are in Massachusetts and what does Washington, Indiana and Georgia have to do with the Northeast? There was some Massachusetts issues between 1966 and 1997, dealing with piggeries, so that should be the comparator.

There were two avenues; Board of Health and zoning regulations. BOH has no "toe in the water" as no complaints of noisome conditions or odor effects were complained about. So it falls to BI and his interpretation of his what I contend is his overarching "livestock" belief.

Barrett cites Barnes v. City of Anderson, Indiana 1994. This squares with pigs for purposes (livestock) distinguishing pet pig from other domestic animals if "farm purposes" was not defined (even vaguely) because otherwise domestic animals as a whole would include dogs, cats and hamsters. Again, farm purposes falls under 128, 1A. We do not meet the definition. Here the court ruled a pet pig could be kept on the residential property, while barn yard pigs could not. My pets are not barn yard animals. Other than a fence, built at Roland's suggestion, there are no structures erected for the pigs outside of the house, in which they reside, when not in the fenced area.

Barrett then states where a city had an ordinance which prohibited the keeping of pigs on less than 1 acre, the court upheld that proposition on public policy grounds, and keeping pot-bellied pigs served public interest of unpleasant aspects of living near or with swine. Georgia case, 1997. A Pennsylvania case from 1915 deals with 1/4 acre of residential land. Citing City of Lilburn v. Sanchez, Georgia 1997, the Sanchez's had one pig as a pet but claimed it was unconstitutional to remove their pet. Their rules were written clearly and concisely within the city's ordinances. They were overruled at the Supreme Court level. I am not claiming fundamental right or protected class, I'm just pointing out that Lilburn had precise municipal standards for hogs and pigs within their regulations. Again, Gardner does not have specific ordinances.

Barrett states that "Gardner's ordinances may be read as prohibiting the keeping of livestock in residential areas on lots of less than 5 acres without obtaining a special permit." He states "it seems consistent with public policy and purposes of 375.110" Again, Gardner does not have a livestock definition. I read it as vague and not dispositive, and not in keeping with the definition of livestock or agriculture for that matter.

Barrett summarizes that there is divided case law and also Gardner's ordinances as they now stand and that his opinion is that Building Commission's decision must stand. Why? There was no opinion as to "livestock" versus "pet" from a legal standard and that is left on me to define it for you.

We will now discuss "Livestock" versus "Pets."

Definition of "livestock."

One is: "Livestock is commonly defined as domesticated animals raised in an agriculture setting to produce labor and commodities such as meat, eggs, milk, fur, leather and wool."

Another is: "Livestock is defined as farm animals who are raised to generate profit."

Definition of "Pet."

One is: "A domestic or tamed animal kept for companionship or pleasure."

Another is: "A pet, or companion animal, is an animal kept primarily for a person's company or entertainment rather than as a working animal, livestock or a laboratory animal."

City of Gardner's website, Part II, General Legislation.

When you use the search bar and type in "Livestock," "Livestock" does not generate any results.

When you type in "Pet," it brings you to the link of the Table of Use under Zoning 675, and line 62, Pet day-care with no overnight stays.

When you type in "Animals," it brings you to Chapter 312 Animals, with three articles. Article I is "Dog Control," Article II is "Feeding Wildlife," and Article III is "Disposal of Deer."

We will use Article I, as the other two articles are irrelevant. Part 312-2, "Responsibilities of owner or keeper." It states, "No owner of any dog shall fail to provide such dog with a sufficient quantity of wholesome, nutritious food and potable water, adequate shelter from inclement weather, humane means of exercise, and necessary veterinary care upon sickness, disease and injury." My pigs are more well taken care of than some dogs in this town. Tractor Supply has their feed, treats and hay. Chewy.com has their treats in a flavored variety. They have a vet. They were castrated. One has had two rabies shots, going on three, and the other two are coming due for their second yearly set of shots. I get the bigger pig bi-annual hoof trims, tusk cuts and ear wax removal. The younger ones seem to just need yearly (at least beginning this year in October.) They have different growing patterns than the big boy does. I have a hose and spigot able to run to the pen, where a pool has water to dip in (when we don't go out front) and their five-gallon dish is filled daily. They have a 4-gallon water feeder available on the porch, as well. And as pigs are super bad with anesthesia and don't tolerate it well, I take a chance every time I take them to the vet for their "pig maintenance" that they may never wake up. They cannot be worked on without being anesthetized; unlike a dog or cat or other pet that usually is anesthetized for surgeries only. And I pay an extra fee for their care because they are considered "exotic" in the vet world, but not by Massachusetts definition of exotic, i.e. snakes.

Gardner has no precise general legislation or articles pertaining to cats, pot-bellied pigs or even livestock, yet the Building Commission has been given broad authority to interpret the ordinance, which I claim is disparate treatment in his one-size fits all assumption my pets are livestock.

In asking for leniency, you must consider and agree in my favor that when the city or town does not have explicit, clear language of a definition, and the state does, the state does not cede to the city or town, and the state determination stands. While the Solicitor reads Gardner's ordinances one way, I read it another way, and livestock falls on the state of Massachusetts's definition, as they have one. The Solicitor has not opined on this issue.

In sum, I believe that the overly vague and overarching definition of livestock is erroneously and disparately applied and the pot-bellied pigs should be considered as pets, as they live indoors, stay indoors all winter long once the snow hits the ground, stay inside on grey and rainy days (they act like princesses), they are potty trained indoors, they are not overly noisome, nor aggressive as they don't run to people; rather they either shy from people they don't know, or they just lay and block the door and make you go over them, depending on their mood.

I believe the vague ordinance should be looked upon with leniency as there is no case in fact on point with the facts of my case and a special permit be awarded.

Lastly, administrative notice of:

IN THE

Supreme Court of the United States

*STATE OF INDIANA, STATE OF ALABAMA,
STATE OF ARKANSAS, STATE OF LOUISIANA,
STATE OF MISSOURI, STATE OF NEBRASKA,
STATE OF NORTH DAKOTA, STATE OF OKLAHOMA, STATE OF SOUTH
CAROLINA, STATE OF TEXAS,
STATE OF UTAH, STATE OF WEST VIRGINIA, AND
STATE OF WISCONSIN,
Plaintiffs,*

v. COMMONWEALTH OF MASSACHUSETTS,

Defendant. The States of Indiana, State of Alabama, State of Arkansas, State of Louisiana, State of Missouri, State of Nebraska, State of North Dakota, State of Oklahoma, State of South Carolina, State of Texas, State of Utah, State of West Virginia, and State of Wisconsin ("Plaintiff States") bring this action against the Defendant the Commonwealth of Massachusetts, and for their cause of action assert as follows:

Basically, Massachusetts has strict laws regarding farm animals (poultry, hogs, calves) for sale in Massachusetts and how Massachusetts laws of animal cruelty in housing/raising of other states' commodities for sale into Massachusetts. They are not regulating pot-bellied pigs. (13) states

Mr. LaFond requested once again that this statement be submitted to Rachel in the office tomorrow.

Mrs. LaRosee stated she would deliver it the office via email.

Mr. LaFond then requested that Mrs. LaRosee answer the 9 questions asked in the special permit application packet.

- 1) The yard is currently fenced in and has not made detrimental change to the neighborhood character.
- 2) The pigs live and sleep inside the house, they do not run around outside unsupervised. They are no issue to traffic or pedestrians.

Mr. LaFond asked if people come to visit the pigs on the property.

Mrs. LaRosee stated that children like to stop by and pet the pigs, but it is not a petting farm. Many people will stop and ask questions and like to pet the pigs. There is even a small paved area so that visitors can stand safely to see the pigs.

Mr. LaFond then clarified that he asked this question because of the paved area in one of which also included a welcome sign which leads him to believe the public would come to the property to see and pet the pigs.

Mrs. LaRosee said the sign was just a decoration of the yard which was put up when they first moved into the property and was in no means an advertisement for public viewing of the pigs. People just randomly stop on their walks to look at the pigs.

- 3) Not applicable as the pigs are not a business. Mrs. LaRosee does conduct her own business from the property but it has no connection to the pigs at all other than it's in the same building.
- 4) There is no designated facility for waste disposal, but drainage of water is not an issue.

Mr. LaFond then asked what happens to the waste that comes from the pigs.

Mrs. LaRosee informed the Board that there is an area outside in the front where the pigs go to play and eat, she picks up the poop in the same way you would clean up after a dog. She uses disposable poop bags which she puts in the regular city trash. The other waste products such as hay and rooted debris is composted in the back of a neighbor's yard. The entire street dumps there grass cuttings and yard waste back there also. The pigs are free roaming in the yard so they tend to poop where they want. The yard and fenced area are cleaned regularly of all waste products.

- 5) There is no problem with lighting as the only lights that are outside are small blue solar lights hung around the fenced perimeter. The property does not smell like a pig pen at all and on dry days it may get a little dusty but no real pollution comes from the pigs at all. The pigs have dug up the yard so there is little grass in there and they often are taken to the neighbors, Dorothy's, yard to eat the grass.

Mr. LaFond asked if the lights stayed on all night and if there were any complaints about them.

No complaints on the lights.

- 6) Inconvenience to abutters or pedestrians is not an issue and the neighbor actually lets the pig play in her yard, Mrs. LaRosee always picks up after the pigs and will mow the lawn if the pigs have been there. She is aware that there has been some complaints about the pigs though.

Mr. Heglin asked if the pigs roam free when they graze or are they leashed in some way.

Mrs. LaRosee stated that she is always with the pigs as they would run away if left alone. They only go in the back yard and they could actually be used to clear the overgrown brush as they root and eat everything. In March she had started to teach the pigs to use stairs so they could walk through the house to the back to go outside as they will not walk on the gravel driveway. The pigs will follow where ever she goes so there is no need for them to be leashed. They respond better to the word "Cookie" as a form of control.

- 7) There is no discord to her for owning the pigs. The pigs are a large commitment as they live 15 to 20 years. The pigs define who she is as a person.
- 8) There is no hiring or firing and the pigs are family pets and she takes care of them herself.
- 9) This does not apply to this case.

Any questions from the Board.

No questions

Any questions from City representatives?

No questions

Questions from Abutter for the case?

No questions

Questions for abutter against this case?

Mr. Flick of 14 Maple St, questioned what was happening with the waste from the pigs as dumping on a property may be a health code violation. Mr. Flick also recommended that should the board grant the special permit could it be considered that the permit stays with the applicant should she move and not with the property. He also believes that a site visit should be considered, as abutters to the property are very close.

Mr. LaFond asked if there were any further questions from Mr. Flick or any other interested parties.

No questions.

Any questions from the Board

Mr. Heglin asked how big the pigs will get.

Mrs. LaRosee stated that her first pig which is the largest, came from Phillipston and last weighed in at 152lbs which is bigger than they expected him to get. The other pigs are around 80 to 100lbs. Ideally they should stay around 98lbs but they have to change their eating habits as she went from the bagged food instruction but was later told by the vet that she was over feeding. The two smaller pigs were purchased from Davis Farm Land and are potbellied, Hamlet she believes is part pink pig and potbellied mixed. The pigs are well cared for and have regular vet's visits. They are all castrated and have been kept up to date with rabies shots. They have to travel out to Walpole, NH for the vets as local vets will not service large animals.

Mr. LaFond read out letters the Board had received in regards to this case.

Letter from Suzanne T Cormier dated June 18, stating the pigs had chased her and were a menace to the area.

Letter from Mrs. Dorothy Fischesser dated August 14th, stating the pigs are no nuisance and are never unsupervised.

Letter from Wakefield Place, signed Linda Hanssen dated August 13th. Listed several questions to the board with concerns for residents and conditions of the pig's living arrangements. Questions will be addressed throughout this meeting.

Last letter (picture) was sent via email August 18th, the sender wished to remain anonymous. The letter (picture) stated the pigs were often roaming free and are not suited for the residential zoned area. There was a concern that this would also effect the value of local property. A photograph was included which showed the pigs were in fact freely wandering in their own yard.

Mr. Heglin asked if this was a photo of Lynde St or Maple St.

Mrs. LaRosee confirmed that it was the Maple St side of her property and the pigs need to walk around the side of the house to get to the back yard as they do not walk well on the hardwood floor

of the house or the gravel of the driveway. They pigs like to go poop in the corner of the yard which she picks up. She believes this letter comes from the local busy body who is complaining just to be difficult.

Mr. Heglin began to address the questions from the Wakefield Place letter, asking how many pigs she has, or intends to have in the future and could she continue through the list addressing each question.

Mrs. LaRosee said she never intended to have more than 2 pigs. The second 2 pigs came with the intention that one pig would be taken by a friend but it didn't work out as the other owner had a pit-bull which would have killed the new pig. Mrs. LaRosee believed it was her humane duty to keep both pigs.

The pigs are not for commercial use and she would never ever contemplate using them for food, they are her pets.

The pen they are kept in is approx. 30x20ft. The Board will get a better feel for these pigs at a site visit. Mrs. LaRosee will show the members what "peanut butter jelly" time is which will prove the pigs are pets.

The pigs can make a barking sound when happy and playful but this would not be heard from any distance especially the Wakefield building.

The pigs are rarely alone and do not wander free, should they become loose they do not run fast and will not chase people, they return on command to the word "cookie".

Flies and other insects are present as the pigs do poop but the area is cleaned regularly as Mrs. LaRosee has the pigs inside and the home is open from kitchen to office and she doesn't want flies around her house.

During summer months when leaves are on the trees the pigs cannot be seen from Wakefield building but may be visible during the winter months, but only when the pigs are outside.

Mrs. LaRosee stated she was extremely upset by these complaints as she painstakingly takes very good care of her pigs, home, and community.

Any Further questions

Mr. Heglin asked if there is a recommended size of enclosure for the pigs.

Mrs. LaRosee informed the Board the Hamlet her largest pig actually lived in an apartment and was happy in small areas. Rooting and grazing in the yard is plenty of exercise for all three of them and they are very happy pigs. They stay inside most of the time right now as they do not like the heat, Mrs. LaRosee also hates the hot weather so if she stays inside so do the pigs.

Mr. Heglin offered to do some further research on enclosure size. He then asked what their diet was. Did they only have dried food or were they supplemented with fresh produce.

Mrs. LaRosee feeds a mainly dried food diet but will give fresh fruit and veggie regularly. They partially like carrots and apples.

Mr. LaFond asked if they eat leftovers or table scraps.

Mrs., LaRosee stated that on occasion she will give them, mashed potatoes or a mix of canned vegetables as a treat but they do not normally have table scraps, they will try to get into the trash but are not allowed or are fed anything that could be harmful to them. They are fed twice a day morning and evening. They also have a lot of cheerios as these are used as both a treat and a training tool.

No further questions.

Mr. LaFond requested a site visit for 10am on Friday August 21st, to which Mrs. LaRosee agreed.

Mr. LaFond moved to close the meeting.

Agreed by Mr. Heglin and Mr. Gerry

Move to close public hearing

Mr. LaFond informed the meeting that after the site visit and decision meeting would be scheduled for these cases and no further documentation could be submitted excluding any document requested from Mrs. LaRosee.

Mrs. LaRosee asked how many people would be at the site visit as she had concerns for social distancing and requested that masks be worn by all.

Mr. LaFond confirmed there would be 3 Board members at the visit, and masks would be worn. There may be a further person who had requested to be present at a site visit but Mr. La Fond could not disclose who it was.

Motion made to close the LaRosee case.

Motion unanimously approved. LaRosee case close.

5 minute recess to review minutes from previous meeting.

Motion to accept minutes from July 21st 2020

Unanimously approved by all Board members

Motion to approve minutes form July 28th Decision meeting

Unanimously approved by all Board members

Any further business

No Further business

Motion to adjourn

Unanimously approved to adjourn meeting

Meeting adjourned 7.42pm.



Raymond LaFond, Chair



Michael Gerry, Clerk



Randall Heglin, Member