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**TOWN OF WESTMINSTER
ZONING BOARD OF APPEALS
11 SOUTH STREET
WESTMINSTER, MA 01473**

Meeting Minutes
September 21, 2023

Call to Order

The meeting of the Zoning Board of Appeals was called to order at 6:01 p.m. by Acting Chairman Alan Twomley.

Roll Call

The following members were present: Acting Chairman Alan Twomley, Member Liz Irvine and Associate Member John Bowen.

Case #23-03 Neysa A. Miller, 33 Dawley Road

Fred Miller, son of the applicant reviewed the application with the board. His mother, Neysa Miller, who is elderly, would like to replace the existing non-conforming porch and stairs for safety purposes. In the building commissioner's determination, he states the applicant will need to seek a finding that proposed change, extension, or alteration is not substantially more detrimental than what presently exists. This alteration would be closer to the lot line than what presently exists.

The Chair opened the hearing to public comment. Mark Friberg spoke in favor of the petition.

After discussion, Member Bowen made a motion to close the public hearing which was seconded by Member Irvine and unanimously approved. Member Bowen made a second motion that the proposed change, extension, or alteration is not substantially more detrimental than what presently exists which was seconded by Member Irvine and unanimously approved.

Case #23-04 Deborah Ouellette, 36 Shore Avenue

Deborah Ouellette was present at the hearing and reviewed her application with the board. The Building Commissioner stated in his determination that the original home office at this location is no longer applicable. A business name change was made, and the new registration shows the corporate offices changed from 1 to 2 employees and he also states that no evidence exists that Ouellette Sand and Gravel continued and/or discontinued to operate at this location. The board asked for her argument on these issues and the complaints made by neighbors in regard to the business in a residential neighborhood. Mrs. Ouellette submitted a letter from their insurance carrier stating that it was suggested they change their business name to an LLC for liability purposes but stated nothing else has changed.

Acting Chairman Twomley asked for comments from the public. Megan Curtis, direct abutter stated that the truck that is at the location is partially on her property, and she wanted to protect herself and thought it was a good opportunity to express her concerns. Jeff White, of 8 Pine Avenue, spoke in opposition of the petition.

The Chairman closed the public portion of the hearing and discussion ensued among the members of the board in regard to the truck at the location, which was not part of the original permit, the change of ownership and whether they feel the change or alteration is substantially more detrimental than what presently exists. After lengthy discussion, the board suggested the applicant request a continuance of the hearing so that she can provide the board with more information such as a timeline of the business, town licenses received through the years, ownership and any other changes that have taken place to defend her argument that the business is not substantially more detrimental than the present use. The members also recommended that the truck be removed from any portion of Ms. Curtis' property. Mrs. Ouellette asked for a continuance and the board unanimously voted to approve the continuance to their next meeting of October 19, 2023, at 6:00 p.m.

Motion to adjourn at 6:55 pm. by Acting Chairman, Alan Twomley.

Respectfully submitted,



Elizabeth Irvine

Zoning Board Member



Alan Twomley

Acting Chairman