

The meeting was called to order at 7 pm on November 27, 2007. The members of the Board who were present were Mary Repole, Greg Noyes, Marilyn Mills, Nancy Kratky, and Martha Leister.

It was established that a quorum was present.

Mr. Scott stated the case before the ZBA was a request for a variance in the setback requirements for Mr. and Mrs. Wigley at 14 Kendall Head Road.

Mr. Wigley explained what he is trying to accomplish with the change in the setback requirement. He stated that he bought the property when it was dry and he was not aware of the wet spots that would require a lot of "fill" to place a house where he would get the full benefit of the view and a "reasonable return on his investment".

Michael Solomon, who will do the ground work on the property spoke in favor of the variance and told of the additional cost for the work if no variance is allowed.

The following abutters were present and voiced opposition to the variance: Carolyn Lowe, Don Robes, Tim Kelly, John and Terry Carlton and all stated that there were covenants that they all agreed to as part of the homeowners association for Kendall Head and they felt that they all followed them so they thought the Wigleys should do the same. They also stated that they had to bring in "fill" and had no problem with him having to do the same. They felt he got the land at less than they paid so he could use the extra to bring in the "fill". They also presented conflicting maps of the area.

They also wanted the Board to clarify which requirements he was obligated to follow. The cities or the Homeowners Association.

Mary Repole said that if the Board wished she would call MMA for clarification from their attorneys.

Ed Emery suggested that the Board members who had not seen the property should go there tomorrow morning to get a clearer picture of the issues.

Greg Noyes moved to close the Public Hearing. It was seconded by Martha Leister. The vote was unanimous and the meeting was closed.

The regular ZBA meeting was opened and the participants who were interested decided that they would meet at the property tomorrow morning. Mary Repole again stated that she would get information from the MMA attorneys and report back to the Board on Monday. It was also agreed that they would meet again next Monday at 7pm.

Mr. Noyes moved that the meeting be tabled until next Monday. Mr. Emery seconded and the vote was unanimous.