

Approved 1/7/2026

**ZONING BOARD OF APPEALS MEETING MINUTES  
WEDNESDAY, December 3, 2025**

**Attendance: Chair Dan Heney, vice chair Mike Fitzpatrick, Jim Palmer, Ron Forget, Margaret Bacon, Les Stevens, Ken Frasier Building Inspector**

**Absent: Sean Holland**

**Dan Heney called the meeting or order at 6 pm.**

**PUBLIC HEARING**

- 1. (0:15 TS) 7:00 PM PUBLIC HEARING: Pensco Trust Co., LLC (#2025-11) 48 Shady Lane, (Special Permit)**

**Date of Application: 11/12/2025**

**Decision Date for Special Permit: 90 days after close of Public Hearing**

Dan Heney recused himself and turned the meeting over to vice chair Mike Fitzpatrick, Margaret Bacon recused herself from the discussion of the public hearing.

The application is to construct a single-family home on a pre-existing non-conforming lot on property located at 48 Shady Lane, Assessors Map 148 parcel 5. Douglas Ward, the petitioner, joined the discussion, and stated they are requesting a withdrawal without prejudice, and the board received a letter from Allen Engineering. They are making some changes to the plan and felt it best to withdraw, notify again and refile with the updated plan, and get on the January agenda. Mike Fitzpatrick read the letter from Allen Engineering into the record.

(4:35 TS) Motion to accept the request withdrawal without prejudice for 48 Shady Lane, made by Les Stevens, 2<sup>nd</sup> by Jim Palmer. The vote passed unanimously.

(5:10 TS) Chair Dan Heney and Margaret Bacon rejoined the meeting table.

**DISCUSSION**

- 1. (5:45 TS) Conservation Commission Member & Agent & BOH Representative – Process and Procedures**  
Jim Foran with Conservation Commission, Brandon Faneuf Conservation Agent, and Steve Donatelli Board of Health Title 5 Agent joined the table for the discussion for some applicant feedback with their processes. They discussed at length the boards and commissions decisions and where an applicant should go to first, and the need for some communication between the boards and commissions application filings. Ken Frasier the Building Inspector asked that there be more consistency with the decisions that he can have come to his office. They discussed the option of using the OpenGov website to help loop everyone in. They are going to have a checklist put together and get opinion from Town Counsel for what they can do.
- 2. (1:03:35 TS) North Brown, LLC – Possible votes**  
The representatives from North Brown discussed the streetlights and what has been installed, inspected and approved in 2017 by the inspector engineer of the town, and now they hear eight years later that they are deficient. They discussed at length why they have

been flagged as a deficiency and went over all the plans. They discussed the bond, which is with Town Counsel, and they should hear back soon, and update on work completed is the sidewalk binder is installed and they were not able to complete the sidewalks before the cold weather, they will be paving in early April.

3. Mail
4. (1:59:30 TS) Approve Minutes: **October 1, 2025 & November 5, 2025** – Possible Votes  
(2:03:30 TS) Motion to approve the October 1, 2025, meeting minutes as written, made by Les Stevens, 2<sup>nd</sup> by Margaret Bacon. The vote passed unanimously.  
(2:05:30 TS) Motion to approve the November 5, 2025, meeting minutes as written, made by Mike Fitzpatrick, 2<sup>nd</sup> by Jim Palmer. The vote passed unanimously.
5. Signatures: Vouchers, Decisions, Legal Documents

**Upcoming Meeting: January 7, 2026 & February 4, 2026**

(2:06:00 TS) Motion to adjourn the meeting at 9:07 pm, made by Mike Fitzpatrick, 2<sup>nd</sup> by Jim Palmer. The vote passed unanimously.

Respectfully submitted,

Stephenie Gosselin