

Wilmington Zoning Board of Appeals  
December 18, 2013  
Wilmington Community Center

**BOARD MEMBERS PRESENT:** Alicia Armstrong, Jerry Bottcher, Robert Girardin, Alternates, Herb Crispell and Jean Baker.

**PUBLIC PRESENT:** Bob Guynup, Lawrence Hegele, Rose Cooney, Levi Bombard, Jim Carmelitano, Mary Ellin Carmelitano, Holee Bombard, Beth Benway, Paul Benway III, Al Armstrong, Richard Sibalski, Jane Sibalski, Dan Hansen, David Baker, Michelle Burns and Shirley Lawrence.

**PUBLIC HEARING REQUEST BY LARRY HEGELE AND ORDERED BY THE COURT REGARDING DECISIONS MADE BY THE CODE ENFORCEMENT OFFICER AND PERTAINING TO THE NORTH POLE CAMPGROUND. LARRY HEGELE IS WISHING TO APPEAL THESE DECISIONS.**

**PUBLIC HEARING CALLED TO ORDER AT 7:01 P.M. BY CHAIRMAN ALICIA ARMSTRONG.**

\*The Chairman read the original complaint discussed at the June meeting and the responses of the code enforcement officer. (Copies on file). Number 5 and 6 were listed as corrected by the CEO.

\*Rose Cooney presented their case to the board in a binder with their complaint and supporting documentation (copies on file). Rose wished to read the first 7 1/2 pages and was limited by the board to 10 minutes as this subject has previously been thoroughly reviewed by the board and the board is familiar with the history of this case. Rose stated that all information pertained to their original complaints and was not new information.

\*32 letters have been sent out to the neighbors within 500' and 2 replies have been received and 2 were returned unopened. The replies received were from Dan Hansen and Guy Stephenson and were both favorable.

**PUBLIC COMMENTS:**

\*Dan Hansen stated that the APA is in the business of waterfront and land use and wetlands and their inspection of the campsite in 2006 would have addressed this.

\*Al Armstrong addressed Rose Cooney stating that the property looks fantastic and questioned why they cannot be good neighbors.

\*Jane Sibalski stated that as a neighbor to the campground her way of life is not affected by the noise. It is just another noise in the neighborhood. The campground was in place before her family built their house and was probably there before Larry and Rose bought their property.

**\*The board determined that they have complied with the Judge's order that the board have a public hearing.**

**PUBLIC HEARING CLOSED AT 7:56 P.M**

**BOARD DISCUSSION**

**\*\*Point 1 - regarding campsite size.**

**\*\*\*Bob Guynup stated that he had measured the sites and they were 3,000 square feet. He measured the three sites closest to the Hegele property and they were all at least 3,000 square feet. (Rose agreed that she would be satisfied if she could witness the measuring of the sites.) Rose insisted that there were additional sites that were not added correctly. This was voted on at the June 19th meeting and nothing has changed.**

**\*Point 2 - regarding tent sites being used as RV sites. There is water and electric on these sites and could be used by either tent or RV's. This was discussed on June 19th and the board agreed with the CEO decision.**

**\*Point 3 - 100 acre Campground has sites within the setback areas. The answer was that the RV's belong to the family and are being stored and not used on the sites.**

**Point 4 - RV sites along the river violate the setback requirements. The letter from the APA covers that issue. These are prior existing sites and the APA has inspected the campground and found no issues.**

**All points that were presented on June 19th have been addressed.**

**Alicia Armstrong read the letter from the Judge ordering the public hearing (copy on file).**

**Bob Guynup noted that the board has 62 days to make a determination.**

**\*All of these items were discussed in June at which time the board determined that this was a neighbor to neighbor dispute and did not involve the board. Jean Baker reiterated this as still being her opinion.**

**The town attorney, James Martineau was asked to attend this meeting but was unable to attend due to illness. He advised that the board could render a decision tonight or continue on to the next meeting.**

**Herb Crispell volunteered to go to the campground and do the measurements in question if the owner was in agreement.**

**Robert Girardin made a motion to stand by the previous decision that was made on June 19, 2013 by the board; seconded by Alicia Armstrong;**

**Discussion: Jerry Bottcher felt there has not been anything that would alter his decision of June and would accept the CEO's decisions as fact.**

**Roll call vote: Robert Girardin-yes; Jerry Bottcher-yes; Alicia Armstrong-yes. (Alternates do not vote)**

**REGULAR MEETING OPENED AT 8:34.**

**THERE WAS NO ADDITIONAL BUSINESS.**

**MEETING ADJOURNED AT 8:35 PM**

