

Zoning Board of Adjustment &

Planning Commission

July 24, 2023

Draft Meeting Minutes

1. Introductions

Zoning Board members present at the meeting were Todd Hindinger and Joseph Bublat. Ryan Gumbart, land use administrator, was also in attendance.

Planning Commission members present at the meeting were Howard Beach, Paul Tillman, Joseph Bublat, Mike Todd, and David Ainley.

The audience members were Andrew Grimson, Brian Bosenberg, Beth Huntoon, Neil Daniels, Gary Rapanotti, Julie Levy, John Heath, Jack Kauders, and Michael Supranowitz.

2. Call to order

Paul Tillman called the meeting to order at 6:31 PM.

3. Agenda Review

There were no changes.

4. Comments from the Chair and Land Use Administrator

Paul Tillman stated that the Town's attorney stated that any communication between his client(s) and him are exempt. It does not have to be shared.

Todd Hindinger read over the definition of exparte communication to everyone. Paul Tillman stated that if anyone has any doubt as to whether or not it is, be safe and don't say anything. The Select Board did discuss the ability to have online meetings because some people have not been able to get onto some meetings. They did not mention any meeting in particular. The Town manager is looking into better internet service for the Town Office. Todd Hindinger stated that Dave Fuller contacted him to make sure that the Bylaws are being followed. He informed him that they were. During a deliberative session, the members of the Board and Commission can discuss the hearing. Paul Tillman mentioned how the Select Board would like to see a quicker turnaround for the Zoning Board, less than 45 days. Todd Hindinger stated that the Board does them as quickly as they can. Some decisions take longer than others. Also, the Zoning Administrator is only part time.

5. Comment from citizens regarding items not on the agenda

There were none.

6. Approval of Planning Commission Meeting Minutes – July 10, 2023

Joseph Bublath made a motion to approve the minutes of July 10, 2023 with corrections. Mike Todd seconded it. All were unanimous. The motion passed.

7. Public Hearing: Combined Hearing: Habitat for Humanity PUD Project

Paul Tillman opened the hearing at 6:49 PM. Ryan Gumbart followed up with the attorney. The attorney agrees that there could be up to twelve dwellings units on this property. In reference to 5.5.6 C, the dwellings can be distributed among any number of buildings and the Planning Commission can modify the Zoning Regulations.

Paul Tillman wanted to know if anyone had spoken with the police chief in regards to his letter stating that this does have adverse effects. Ryan Gumbart stated that the Board and Commission can make a decision in regards to his comments. It does not have to address any specific undo adverse effect. He did not point to any specific standard. According to the subdivision regulations, this form is required to be filled out. Todd Hindinger stated that the form allows us to see what the municipalities have to say about any undo effects. He asked Ryan Gumbart how many new houses have been built in Weathersfield this year. Ryan Gumbart stated that there have been ten. Paul Tillman stated that the Board and Commission have to be able to defend their decision(s) from what is presented at the hearings. Ryan Gumbart stated that it is not a request for their approval. They do not have any standards. There are only State standards.

Andrew Grimson stated that it has not been figured out in regards to a 5,000 or 10,000 gallon water tank. He met with the Prudential Committee in regards to water for this project. They want him to come back once he has hired an engineer.

Todd Hindinger stated that the Zoning Board has a conditional use review and a site plan review. The form filled out by the municipalities will be looked at during those reviews. In the Board's decisions, there will be findings. Mike Todd wanted to know if the Planning Commission approves this subdivision, are they done. Paul Tillman stated no that we are still in the hearing. In the past, the Commission would come out of the hearing and make the decision. The Commission is making a decision for the PUD review. Ryan Gumbart stated that there are four reviews. They don't have to be all done at one time. It is still a combined hearing. The density question has been answered. The Commission could make a motion on the density. Hank Ainley stated that with the layout being presented, they are asking us for a modification for the density.

Mike Todd stated that the attorney says it could be two separate units. The Commission has latitude with the setbacks. Andrew Grimson stated that they still need to have the property surveyed and are in the process of purchasing the grange. Mike Todd stated that up to twelve units are allowed. Paul Tillman stated that the attorney said that the Commission has the ability to amend it. He does not feel comfortable with twelve units on this property. The applicants presented to us four buildings. We do have the latitude to go up to twelve, but I would like to stay with what was presented to us. Howard Beach stated that this application is for four buildings. He is fine with that. Paul Tillman, Mike Todd, Hank Ainley, and Howard Beach were in favor of the four buildings being allowed there. This solved the density question. Joseph Bublat was not. He stated that there still is an issue with the setback and the comments from the police and fire department. Mike Todd stated that they are trying to purchase the grange, so there might not be a setback issue. Paul Tillman stated that the comments from the police and fire department does not have to be solved now. Ryan Gumbart stated that a precedent can be set with the density issue within the currenct Bylaws. Mike Todd stated that each PUD is separate and might not be approved.

Paul Tillman made a motion to continue this Zoning Board and Planning Commission hearing to August 28, 2023 at 6:30 PM. Howard Beach seconded it. All were unanimous to continue this hearing.

Respectfully submitted,
Diana Stillson