

Zoning Board of Adjustment

August 4, 2022

Meeting Minutes

1. Introductions

Board members present at the meeting were Todd Hindinger and James Cahill. Joseph Bublat and John Broker Campbell participated via zoom. Ryan Gumbart, land use administrator, was also in attendance.

The audience members were Jessica and Kalem Taft.

2. Call to order

Todd Hindinger called the meeting to order at 7:06 PM.

3. Agenda Review

There were no changes.

4. Comments from Citizens regarding items not on the agenda

There were none.

5. Approval of Meeting Minutes – June 9, 2022

Todd Hindinger reviewed the minutes and had no changes. Since he is the only Board member at this meeting, the approval of the minutes are postponed to the next meeting.

6. Taft - Informal discussion

Power/internet was lost briefly. John Broker Campbell and Joseph Bublat joined via phone. Kalem Taft stated that when they applied for the permit, they did not know about the setback issues and other things. They have spoken with an attorney. The attorney told them to explore other options and to speak to the abutter, Arthur Riscen. Arthur Riscen explained to them the issues surrounding their property. The Tafts presented a letter to the Board from Arthur Riscen in support of Condition #1 (one time only).

Jessica Taft stated that they applied for a variance, but have considered building up. Arthur Riscen's issue was with Jaime Wyman. They have spoken with Arthur Riscen and he is fine with the addition.

John Broker Campbell stated he would like the Town's attorney to review the original application based on the language with the original decision. It is a legal document which states that no additions will be permitted. Todd Hindinger stated that the legal document was agreed to by the Select Board and the Zoning Board. He mentions that the Taft's could go to the Environmental Board. James Cahill restates that the legal document states no additions. Since there is a court order, the Board can not do anything.

Kalem Taft mentioned that if there was no court order, they could just build up. Todd Hindinger stated that they would still need a conditional use. The current building does not fit the Bylaws. Kalem Taft stated that they could rebuild the deck because there would not be a change in the footprint. It would be the same size. They have a timeline and don't want this issue to go on for months. Todd Hindinger stated that it would be necessary for any future application to accurately depict property lines and existing proposed structure because of how close each constructed line was due to setback required laws.

Kalem Taft stated that the map of the house is pretty good. They are only missing one post which he can't locate. It is close to the original map. Jessica Taft stated that it was built incorrectly by the previous owners. The Board stated that you, the Taft's, are the current owners now and have to follow the legal documents. Ryan Gumbardt will email the Town's attorney to see if anything can be changed now that Arthur Riscen is supporting it. He will let the Board and the Taft's know the lawyer's response. Then the Taft's can decide what to do next. They could have it surveyed, or go to the Environmental Board to get this document amended. It would still need to meet the Town's standards. Ryan Gumbardt stated that the Board could do a site visit. Todd Hindinger stated that it is a small parcel and the house fills up the area. Kalem Taft stated that if it is amended, they could have it surveyed. Then they could have another hearing to present the survey. The Board stated that if there is another hearing, the Board would have 45 days to render their decision. It does not usually take that long though. It might need a variance, or it might not. If the Town's attorney states that it can be amended, then it still needs to go to the Environmental Board.

7. Member training
8. Meeting dates
9. Communication with other boards and committee

Joseph Bublat wanted to know exactly what communication with other boards means. Todd Hindinger stated that in the past the communication has failed. This Board would like to be

informed of any changes to the Bylaws so they are aware of them. There have been Bylaws adopted and this Board has not been aware of them. John Broker Campbell mentioned that it is important for Joseph Bublat to be a Planning Commission member when he is at their meeting and a Zoning Board member when he is at one of our meetings. This Board just wants an overview of what is happening with the Planning Commission.

Joseph Bublat stated that the Town's website is not up to date. Ryan Gumbardt stated that the Town manager is aware of that and they are working on it. He wanted to know if the Board members use their personal email or have a Town one. The Board members all use their personal emails.

10. Zoning Bylaws update

11. Zoning maps

12. Discuss of items for future agendas

The Board's next meeting is August 18, 2022. The Martell hearing will be at 7:15 PM and the Yurek hearing at 8:00 PM.

13. Adjournment

James Cahill made a motion to adjourn at 8:19 PM. John Broker Campbell seconded it. All were in favor.

Respectfully submitted,

Diana Stillson