

Town of Stoddard
Zoning Board of Adjustment
Meeting Minutes of January 21, 2016

The meeting was called to order by Chairperson at 7:45 pm.

The Pledge of Allegiance was led by Nick Nicoletti.

Members Present

- Roll call: Paul Krampfert, Richard Scofield, Angel Nicoletti, Dave Costin, Curtis Taylor, Dean Huber, new alternate member in audience

Members Excused

- Ed Saleski

Others Present

- John Lemanski, Fred Ward, Mr. Nicoletti

Hearing

- Application for Variance for John & Barbara Lemanski Case #2015-11, 1163 Shedd Hill Rd, Stoddard. Tax map #105, Lot #2
- The Chairperson read the rules regarding Hearings to the audience. Paul stated "we are taking this time to announce that this hearing will continue at the Feb 18 meeting, so that the Board will have time to complete a Site Visit of this property." The Board and Mr. Lemanski agreed upon the date and time of Saturday, January 30th, at 10 am, for the Site Visit of the property. Paul asked that Mr. Lemanski mark the boundary line closest to the garage prior to the site visit and he agreed.
- No abutters were present at this hearing.
- The Secretary read the Notice of Public Hearing and the locations and times the notices were posted.
- Mr. Lemanski presented his Appeal, stating he has had a canvas garage at that location for 9 years. In researching his options to replace the canvas structure, he and his neighbor decided to build something covering the structure to protect it from the snow. He and his son built a roof with four supports, (with no anchoring device) over the canvas garage (listed as a pole barn on the building permit). He stated he could move the structure to a location over the current driveway, which would be approximately 25 feet from the property line, if necessary. The power lines would not be in the way. He has spoken to his neighbors, (except for the Living Trust) showing them a picture of what he plans to do, and stated they all encouraged him to follow his plans.
- Paul asked the Board for any questions. Paul asked Mr. Lemanski to place markers at the site he would move the barn to. Mr. Lemanski agreed. In response to Angel's question as to what it will ultimately look like, Mr. Lemanski stated the structure is currently four upright beams with a roof covering the canvas garage, which is deteriorating. He stated he may eventually enclose the sides and put boards on the trusses for storage.
- There were no other questions from the Board or Mr. Lemanski. Arrangements were made to meet him at the site on January 30, 2016 at 10 am. This hearing will continue at the next scheduled ZBA Meeting on February 18, 2016.

New Business

- Paul stated this is a two part discussion with a Motion for Rehearing on the ZBA Decision of November 19, 2015, concerning Global Montello filed by Fred Ward. Also, Global Montello's Objection to Mr. Ward's Motion for a Rehearing on the Decision. Paul stated this is a meeting not a hearing and there will be no public input. A vote will be taken at the end of the discussion to either grant the rehearing or not grant a rehearing. Mr. Ward asked to tape the discussion and this was granted.
- All Board members had copies of both Mr. Ward's Request for Rehearing and Global Montello's Objection to the Motion.
- Paul asked for discussion from the Board on Mr. Ward's Motion. Richard stated nothing in Mr. Ward's paperwork makes him an abutter or makes him more greatly affected than the general public by the Global decision. Therefore he feels he has no grounds for requiring a rehearing. Curtis agreed with Richard in that Mr. Ward has no standing to ask for a Rehearing. Curtis stated he has heard testimony and information from the architect, planners, abutters and general public and feels his decision is solid. Angel stated Mr. Ward does not have standing to request a rehearing. His property is more than 4,000 feet from the Global site, he is not listed as an abutter and there was nothing in his paperwork showing he is more affected by the decision than the general public. Dave Costin agreed with Angel. Paul asked if there was any more discussion. There was not.
- Paul asked for discussion on the Global Montello Group Corp. Objection to Fred Ward's Motion for Rehearing on the Decision of November 19, 2015. Global Montello stated that "as the crow flies" Mr. Ward's property is over 4,000 feet away from their site. Mr Ward is not listed as an abutter to the site. Richard stated Global's objection to the Motion addresses everything the Board has recorded in the hearings. Paul asked if the Board believes Global's reply was true and accurate, regarding the new fuel tank construction, lighting, illumination and noise as presented at the hearings. Curtis spoke to the environmental improvements addressed by Global in their objection, stating the information given was the same as recorded at the hearing on which the Board based their decision. The new systems are much better than what is there now. Angel stated the new dark sky lighting is also an improvement over what is there now. Paul asked for further comments and there were none.
- Paul asked for a vote in favor of granting the Motion for Rehearing by Mr. Ward. There were no votes in favor to grant a rehearing.
- Paul asked for a vote in favor of denying the Motion for Rehearing by Mr. Ward. The vote was unanimous. Curtis Taylor, Paul Krampfert, Dave Costin, Angel Nicoletti and Richard Schofield voted against Mr. Ward's Motion for a Rehearing on the Decision of Nov. 19, 2015.
- Global Montello's Objection to Mr. Ward's Motion: The Chairman of the ZBA stated the Board agrees, after reviewing all the evidence in Global Montello's Objection to Mr. Ward's Motion for a Rehearing on the Decision of November 19, 2015 to uphold our decision to not grant a Rehearing.
- Fred asked if he will be getting a decision letter. Paul stated it was a matter of public record as it was discussed at a meeting not a hearing, but will check with our attorney.
- Paul announced the annual Legislative Breakfast is scheduled and the issue of water infrastructure will be discussed.
- Dean Huber has been appointed as an Alternate member of the ZBA.
- Approval of Minutes of ZBA Meetings 11//19/15
- Board accepted the minutes after grammatical corrections.

Correspondence and Reports

- Review of December budget: \$3,552.95 over on the legal portion of our budget.
- Payroll submittal dates for 2016 were handed to the Secretary.
- Paul read an undated letter from The Harris Center, meant for Global Montello Corp., to the Board. It was addressed to the Town but misplaced and never received by Global. The letter expressed concerns the Harris Center had on the expansion of Mr. Mikes and it's affect on Robb Reservoir. (drainage will no longer go into the brook that feeds Robb Reservoir) The letter itself is moot, however the environmental issues listed in it have been addressed in the hearings.

Old Business

- Paul would like to return to working on the ZBA forms.
- Secretary will draft an updated ZBA member list.

Adjournment

- Richard made a motion to adjourn the meeting. Angel seconded the motion and the motion carried. The meeting concluded at 9 pm.

The next meeting of the ZBA will be held on Thursday, February 18, 2016, at 7:30 pm at the Stoddard Town Hall.

Respectfully Submitted,

Kathleen Ellis

Secretary for the ZBA