

WESTHAMPTON ZONING BOARD OF APPEALS

MINUTES FOR MEETING OF SEPTEMBER 12, 2017

The meeting was called to order at 7:11PM. Members present: L. Aloisi, Chair; S. Morrigan, Clerk; J. Kelsey; W. Parks; and W. Tracy. Alternate absent: S. St. Marie. Guests present: M. Powers, G. Curtis, A. Kellogg, D. Berson, E. Thornton, D. Thornton, J. Wayne, D. Wayne, M. Hathaway, S. Manley, D. Gagne, E. Rickey, C. Provost, J. LaPrade, and T. Fondakowski.

The minutes of the August 8, 2017, meeting were reviewed. M. Kelsey moved, and Mr. Parks seconded the motion, to approve the minutes. The vote was unanimous in favor of approving the minutes.

There were several walk-in requests.

Mr. Manley came in with changed plans related to 164 North Road, and requested the ZBA's sign-off. After the ZBA reviewed Mr. Manley's materials, the ZBA authorized Ms. Morrigan to sign the sign-off sheet in lieu of Mr. Aloisi.

Mr. Gagne sought a sign-off for plans related to property located at 75 Mine Road. After reviewing the materials, the ZBA authorized Mr. Aloisi to sign the sign-off sheet.

Old Business

Zoning Bylaws Review Committee

Mr. Kelsey presented handouts from the Committee and asked the ZBA to provide comments or feedback before the Committee's next meeting on September 19, 2017.

109 Northwest Road

Mr. Berson, of Bacon\Wilson, attorney for Amber Kellogg, introduced himself to the ZBA. He stated that he had had correspondence with Town Counsel about the property. He asked the ZBA if the ZBA had seen that correspondence. It was stated no, and he said that was good. He mentioned that a letter had arrived from Town Counsel right before he left his office, but that he had not brought it with him. He stated that he and his client would return to the ZBA's next regular meeting, and that he expected all issues to be worked out by then. Mr. Berson did not state at that time what those issues were.

263 Main Road

The ZBA next reviewed materials, received September 11, 2017, related to 263 Main Road. The issues were reviewed. Mr. Miller had stated that a small shed on the property, built without a building permit, was too close to the SETBACK and a violation of the setback law. The owners had a number of extensions of time to respond. Fines were to begin on September 18, 2017. The owners attached a sheet to a previously withdrawn application, and the ZBA could not understand which parts of the paperwork were still being submitted to the ZBA.

Mr. Parks moved, and Mr. Kelsey, seconded the following motion: "I move that the ZBA reject the document entitled 'Reapplication for Application No. 207' as incomplete and confusing." The vote was unanimous in favor of the motion. Mr. Aloisi stated that he would ensure that the property owners received notice of the ZBA's decision.

New Business

250 Southampton Road

An application for a special permit, No. SP 202, for The Grinning Dog, a commercial kennel, received September 11, 2017, was reviewed. The ZBA decided to schedule a joint hearing with the Planning Board for November 14, 2017, at 8:00 PM in the Town Hall. Mr. Aloisi stated that he would ensure notice to the abutters and other interested parties and that he would send the Clerk a copy of the Notice for ZBA record-keeping purposes.

17 Pine Island Lake

D. Wayne and J. Wayne, new owners of 17 Pine Island Lake, wanted to discuss with the ZBA their plans to demolish and replace the former structure while maintaining the same footprint. The ZBA discussed how the process works, gave the Waynes a copy of the Zoning Bylaws, and thanked them for coming.

Need for new ZBA members

The ZBA next discussed the need for two new alternates on the ZBA. Mr. Aloisi agreed to transmit that request to the Select Board.

New Building Inspector

The ZBA expressed the wish to invite the Building Inspector to our next meeting. The Clerk agreed to do so.

Phone and email correspondence among ZBA members

The ZBA reaffirmed the following:

- Its desire to limit interactions between members and with non-members by email and phone;

- There would be no communication of matters of substance between meetings; and

- Questions from non-members would be referred to the ZBA's next regularly scheduled meeting.

All members were in agreement with these principles.

Mr. Kelsey moved, and Mr. Parks seconded the motion, to adjourn the meeting. The vote was unanimous in favor of adjournment, and the meeting adjourned at 9:48PM.

Respectfully submitted,

Shirley P. Morrigan
Clerk