

## ZBA Minutes April 19, 2023 – Location: Town Hall

Present: Kevin Moore, Paul Vandal, Chet Jambora. Deb Fagerstrom as clerk.

Call to order 5:37 by Kevin. Seconded by Paul. All in favor.

Kevin motioned to approve the minutes from March 13, 2023. Paul seconded. All in favor.

Kevin motioned to open the hearing for 30 Haynes Hill Rd, Mare and Amand Dimo. Paul seconds. All in favor.

Amand and Mare Dimo have a construction restoration business and a dumpster business that they've been running out of their home at 30 Haynes Hill Rd. They've been keeping the dumpsters off site, primarily, but now need to keep them at the property at 30 Haynes Hill Rd. Mr. Dimo explains it's time-consuming and costly to drive to Ware to pick the dumpsters up and take them to other locations. He states keeping dumpsters on their Haynes Hill property would be more convenient and there would be a quick turnaround. Mare said with the flea market coming up, it would slow them down with traffic.

Kevin mentions that the Building Dept gave them a cease-and-desist order for having this business and dumpsters on the property, after he denied them permission to do so. Mare Dimo said they'd been doing this already for 3 years and don't want to be told they can't. She explained they wanted to do it legit now that the dumpsters would be there, so she asked for the permit but was denied. Amand mentioned if denied, he can have a farm with loud farm animals and began naming many different ones. He said he could have a bunch of sheep, cows, and peacocks if he's denied having his dumpster business on his property. He said that they'd start a loud peacock farm instead.

Time for abutters to speak is offered.

Mike Moloney – Abutter from 60 Mill Lane. Expressed concern about noise and visibility. Mare Dimo said they operate from 7-3 and there has never been noise. Mike Moloney mentioned there has been some noise. He then asked the Board what types of Special Use Special Permits the ZBA can legally grant. Kevin explained the Dimo's do not meet the criteria in any way for a special use.

Bob Zietkowski – Abutter from 26 Haynes Hill - said he has no objection if the dumpsters are cleaned and empty, and no weekend work takes place.

John Prescott - 109 Haynes Hill. Explains that he goes by the property daily; he agrees with most of the abutters that the dumpsters shouldn't be there. Commercial business is not allowed in the ag/res district.

Paul Vandal explained he drove by, and the appearance isn't very good. He asked if she's in the middle of a project, as sometimes it will temporarily be in disarray during a project. Mare said

there's no project going on and this is how they keep their yard. She said she is not going to change and shouldn't have to change her yard or how she uses it because others do not like it. She then made a comment about not liking Paul Vandal's shirt, but he can wear whatever he wants.

Kevin motions to go to vote. Asked if there is any more discussion. Seeing none, he motions that since having a commercial dumpster business in AG/RES does not fit within the zoning bylaws, we deny the application. Paul seconded. All in favor. Appeal for Special Permit is denied.

The Board reviewed a new application for prefab garage at 51 Holland Rd, which is a non-conforming lot. With the review of the land survey plot plan, the owner will be meeting all setback requirements, and this will not make the lot more non-conforming. This does not need a hearing. Kevin motions to approve. Paul seconded. All in favor.

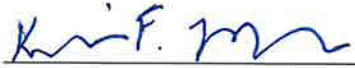
Review new application for 160 Palmer Rd for a 2-family unit. The Board agrees that this is not an allowed use, according to the Zoning Bylaws. Kevin motions that this needs to move forward to a hearing if the applicant so wishes. Paul seconds. All in favor.

Discussion about the need for digital plans to be submitted with applications as they will be easier to file for permanent records and we don't have a scanner large enough for some of the larger plans submitted. Also, some applicants deliver copies of plans reduced to 8.5 by 11 and it's not readable for the board members. Further discussion about the cost to mail certified letters to abutters is increasing due to postage. Motion by Kevin to change and update the format of the application and instruction forms and add that an electronic copy of application and plans be part of the ZBA application process. Also, to increase the hearing fee due to increased postal expense. Paul seconded. All in favor.

Kevin motions to adjourn at 6:09 pm. Paul seconds. All in favor.

Respectfully submitted,

Debra Fagerstrom, ZBA Clerk

Kevin Moore, Chair  Date approved: 29 June 2023