

## DRAFT MINUTES

<b>Members Present:</b>	R. Brosseau, R. Stearns, D. Vigneau, A. Welch
<b>Members Absent:</b>	S. Woulfin
<b>Alternates Present:</b>	D. Blanchard
<b>Alternates Absent:</b>	S. Barefield, T. Ward
<b>Staff Present:</b>	L. Painter, Director of Planning and Development; J. Woodmansee, Zoning Agent; E. Galbraith, Administrative Assistant

## CALL TO ORDER AND ROLL CALL

Chair Brosseau called the meeting to order at 6:38 p.m. Members present are Brosseau, Stearns, Vigneau and Welch. Alternate Blanchard is seated for absent member Woulfin.

Due to technical difficulties with the livestream, action on the minutes and opening of the hearing was postponed until the livestream was fixed. During this time, Painter updated members on the requirements for virtual meetings pursuant to Governor Lamont's Executive Order 7B. D. Vigneau departed the meeting during this break.

The meeting resumed at 6:56 p.m. after the live stream issues had been addressed.

## MINUTES

Welch MOVED, Stearns seconded, to approve the February 25, 2020 meeting Minutes as presented.

Motion PASSED unanimously with Brosseau, Stearns, Welch and Blanchard voting in favor.

## PUBLIC HEARINGS

**Application for a variance to the minimum front yard setback requirements to authorize a bridge-like structure 0 feet from the front property line at 28 Meadowood Road (Parcel ID: 15.21.21) Daiyue Hu owner/applicant. (Z-0004)**

Brosseau opened the public hearing at 7:02 p.m. Members present are Brosseau, Stearns and Welch. Alternate Blanchard is seated for absent member Woulfin. Brosseau provided an overview of how the public hearing would function and the telephone number and access code for members of the public to use to comment during the hearing. Painter read the legal notice into the record and noted the following information that was provided in the meeting materials regarding the application:

- Memo from Linda Painter dated 6/22/2020

- Copies of Executive Orders 7B and 7I and revised operating procedures based on those Executive Orders
- Emails from Jillene Woodmansee to the applicant dated 2/3/20, 2/7/20, 2/10/20, 5/11/20, and 6/11/20

Vigneau rejoined the meeting at 7:06 p.m. and was seated for the hearing.

As the applicant was not present, Painter presented an overview of the application, a summary of repeated attempts to communicate with the applicant regarding the status of the application, and the lack of documentation from the applicant that required abutter notice had been provided. Woodmansee noted that the information on how to participate in the hearing was sent to the applicant by both email and regular mail due to the lack of response to previous emails.

Staff also noted that the application was filed in response to a Notice of Zoning Violation issued to the applicant in October 2019, which provided the option of removing the structure or applying for a variance as the structure did not conform to setback requirements and was therefore ineligible for a zoning permit. Enforcement of the violation was stayed pending the outcome of the variance application; if the application is denied, enforcement action will resume.

Following staff's overview, at approximately 7:15 p.m. Painter again repeated the telephone number and access code for members of the public to use if they wished to comment on the application. While the Board waited to see if anyone would call in, members questioned staff regarding various aspects of the application and hearing process. No members of the public or the applicant joined the meeting during this time period.

Welch MOVED, Vigneau seconded, to close the hearing on ZBA File No. Z-0004, Application of Daiyue Hu for a variance to property located at 28 Meadowood Road.

Motion PASSED unanimously.

The public clearing was closed at 7:21 p.m.

## **OLD BUSINESS**

### **Application for a variance to the minimum front yard setback requirements to authorize a bridge-like structure 0 feet from the front property line at 28 Meadowood Road (Parcel ID: 15.21.21) Daiyue Hu owner/applicant. (Z-0004)**

Following discussion,

Vigneau MOVED, Stearns seconded, to deny the variance application of Daiyue Hu to authorize a bridge-like structure 0-feet from the front property line at 28 Meadowood Road as described in application materials and heard at public hearing on June 23, 2020.

In making this decision, the Board considered all testimony and communications received during the public hearing. This denial is based on the following findings:

- The applicant failed to provide any documentation that neighboring property owners had been notified of the application and public hearing pursuant to the alternative notice procedures identified in Governor Lamont's Executive Order 7I.

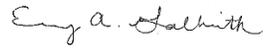
- The requested variance is not in harmony with the general purpose and intent of the regulations;
- Literal enforcement of the front yard setback requirement will not create exceptional difficulty; and
- There are no conditions unique to the property that create an unusual hardship in meeting the front yard setback requirement.

Motion PASSED unanimously.

## **ADJOURNMENT**

The meeting was adjourned at 7:26 p.m.

Respectfully Submitted:



E. Galbraith  
Administrative Assistant