

# Zoning Board of Appeals

---

December 19, 2022

6:00 pm

Town of Woodstock Town Hall, Lower Level, Room C

## Regular Monthly Meeting

### 1. Regular Meeting

- a. Call to Order
  - i. Chairman Suzanne Woodward called the meeting to order at 6:02 pm.
  - ii. Raymond Smith gave the Chairman notice that he will be submitting his resignation to the Board of Selectmen.
- b. Roll Call
  - i. Members Present- Martin Nieski, William Brower, Suzanne Woodward, Dotti Durst, Stuart Peaslee
  - ii. Members Absent- Raymond Smith, Robert Laurens
  - iii. Others Present- Zoning Enforcement Officer Dan Malo, Recording Secretary Amy Monahan and David Shaw

### 2. Designation of Alternates

- a. William Brower made a **\*Motion** to seat Dottie Durst and Stuart Peaslee. **\*Seconded** by Suzanne Woodward. **\*The motion passed unanimously.**

### 3. Review of Minutes

- a. Suzanne Woodward reviewed concerns with the group that were brought up at the May meeting and suggested that ZBA offer preliminary discussion to applicants before applications are submitted.
- b. Regular Monthly Meeting Minutes from Monday, May 16, 2022
  - i. Dottie Durst made a **\*Motion** to approve minutes from Regular Monthly Meeting on May 16, 2022 as presented. **\*Seconded** by Suzanne Woodward. **\*The motion passed unanimously.**

### 4. New Business

- a. #21-06 David Shaw, 1164 Route 198, (Map 5173, Block 012, Lot 10-1) Variance to place a shed 10 feet from a property line where 20 feet are required
  - i. Susanne noted that the numbering of this application is incorrect and should be #22-02
    1. Martin Nieski made a **\*Motion** to change the application number from #21-06 to #22-02 for the record. **\*Seconded** by Suzanne Woodward. **\*The motion passed unanimously.**
  - ii. This application is asking for a 10' variance and the contour map speaks to the difficulty dealing with slope on the property. Dan Malo has provided the following documents- topographical map, hand drawing of site plan, email from adjacent property owner Brandon Russell and documents providing proof of public notice.

# Zoning Board of Appeals

---

## 5. Public Hearing

- a. #21-06 David Shaw, 1164 Route 198, (Map 5173, Block 012, Lot 10-1) Variance to place a shed 10 feet from a property line where 20 feet are required
  - i. Suzanne Woodward read the notice for public hearing and opened hearing at 6:15 pm. Notice was properly made and a sign was posted at the site with public hearing information.
  - ii. Mr. Shaw noted that he had no idea he needed a variance to build a shed when he started this project but Dan Malo has guided him through this process. He noted that there is no other location that could house a shed on his property.
  - iii. Dotti Durst asked about how the shed would open and wondered how egress would work. Mr. Shaw noted that there would be sliding barn style doors opening towards the home.
  - iv. A letter has been received from the adjacent neighbor noting that he has been notified of the public hearing. This neighbor has no objections to the shed as proposed.
- b. Martin Nieski made a **\*Motion** to close public hearing for #21-06 David Shaw, 1164 Route 198, (Map 5173, Block 012, Lot 10-1) Variance to place a shed 10 feet from a property line where 20 feet are required. **\*Seconded** by Suzanne Woodward. **\*The motion passed unanimously.**

## 6. Old Business

- a. #21-06 David Shaw, 1164 Route 198, (Map 5173, Block 012, Lot 10-1) Variance to place a shed 10 feet from a property line where 20 feet are required
  - i. William Brower made **\*Motion** to approve application #21-06 David Shaw, 1164 Route 198, (Map 5173, Block 012, Lot 10-1) Variance to place a shed 10 feet from a property line where 20 feet are required as presented. **\*Seconded** by Martin Nieski. **\*The Motion passed** with one in opposition (Peaslee).
    - 1. Stuart Peaslee stated he is unsure that there is no other possible location for placement of a shed on the property from what has been presented. Stuart feels that the due process for decision making in this case has not been met.
    - 2. Martin Nieski noted that hardship is determined by what this applicant cannot do on his property that others can do on their property. In this case, the applicant cannot use a majority of his property because of topography and lot configuration.

## 7. Correspondence and Bills

- a. Request from Town Clerk for 2023-January 2024 ZBA Meeting Schedule
  - i. A proposed meeting schedule was sent out to the board members for review.
    - 1. Dan noted that the June meeting would have to be adjusted as the town hall is closed June 19<sup>th</sup>.
    - 2. The Board members agree on the changes to the proposed meeting schedule changes and Dan Malo will revise and submit to the Town Clerk.
- b. Suzanne Woodward suggested that the same budget amount be requested in 23-24 as allocated for the current year.

## Zoning Board of Appeals

---

- i. William Brower made **\*Motion** to approve the request of \$825 be allocated to the Zoning Board of Appeals for the FY 23-24 Budget period. **\*Seconded** by Dotti Durst. **\*The motion passed unanimously.**
  - 1. The Board members would like to see a standard ZBA sign created for future public notices with funds from the Zoning Board of Appeals Budget.

### 8. Citizens Comments

- a. There will be a Tri Board Town Meeting on Tuesday, January 17, 2023 at 6 pm in the Woodstock Middle School Cafeteria with the Board of Selectmen, Board of Finance and Board of Education. There will be a Public Forum immediately following the Tri Board Meeting for public comment and questions. All are encouraged to attend.
- b. William Brower asked if there is a zoning regulation that states distance of adjacent buildings set precedent for new standard setback of neighboring lots. It is unknown if such regulation exists and Dan Malo will look into the regulations to find the answer to this question.

### 9. Adjournment

- a. Suzanne Woodward made a **\*Motion** to adjourn. **\*Seconded** by Martin Nieski. **\*The motion passed unanimously.** The meeting adjourned at 6:48 pm.

Respectfully submitted by Amy Monahan, Recording Secretary. DISCLAIMER: These minutes have not yet been approved by the Zoning Board of Appeals. Please refer to next month's meeting for approval/amendments.