

TOWN OF THORNTON

Zoning Board of Adjustment

Approved on: MM
ZBA Initials: 23 Feb 23
Rec'd by Town Clerk on: 3/7/23
Town Clerk Initials: ACP

ZONING BOARD OF ADJUSTMENT MEETING MINUTES February 9, 2023

WELCOME:

Chairman Joe Monti welcomed the members.

CALL TO ORDER BY CHAIR:

Mr. Monti called the meeting to order at 6:07 p.m. with the Pledge of Allegiance.

ROLL CALL BY CHAIRMAN:

Mr. Monti completed the roll call.

The following members were present: Chairman Joe Monti, Vice-Chairman Jerry Sobolewski, Alan Rawson, Joan Marshall (via Zoom), Kerrin Randall, Board Assistant

The following members were absent: Maureen Patti

Others Present: None

Others Present on Zoom (names are as they appeared): None

Mr. Monti stated the Board will still be meeting on February 23, 2023. Mr. Monti stated that all votes taken at this meeting will be by roll call, as Ms. Marshall is participating via Zoom.

PRELIMINARY BUSINESS:

1. Discuss Process for providing guidance to landowners with less than the required road frontage.

Mr. Monti stated a streamline process needs to be established for property owners who do not have the required road frontage that will not require a full hearing before the ZBA. He stated that based on the advice and criteria provided by legal counsel, the process to be established will save time and money for those who do not need the required road frontage.

Mr. Monti reviewed that the drafted documents were created using the language and criteria adopted at the December 19, 2022 meeting. The Board reviewed the following:

- a. DRAFT - Road Frontage Decision ZBA Letter
- b. DRAFT - Road Determination Checklist

Mr. Monti proposed the following:

- If someone questions whether their parcel has the required frontage, a request will be made to the Zoning Office.
- Staff will research the parcel and use the Road Determination Checklist which lists the criteria adopted at the December 19, 2022 meeting.
- Staff will make an initial determination and confer with the Chair, who will review the request and confirm, if applicable, that the parcel meets the criteria.
- If the parcel meets one of the criteria adopted at the December 19, 2022 meeting, a Road Frontage Decision ZBA Letter will be drafted and signed by the Chair. This letter indicates that the parcel is in compliance, and the criteria that was met to make this determination.

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Discussion on the Zoning Compliance Application process occurred, and Ms. Randall clarified that should a property owner require review from the ZBA for required road frontage to obtain a Zoning Compliance Application, the process that has been proposed would be enacted. She stated the property owner would need to submit a copy of the ZBA letter stating their compliance with the road frontage requirement with their Zoning Compliance Application.

The Board reviewed the checklist and letter again, and all agreed that the process discussed will streamline the process for property owners and save them time and money.

MOTION: "To adopt the Road Determination Checklist, and to adopt the Road Frontage Decision ZBA Letter as the method of communication to property owners."

Motion: J. Sobolewski

Second: A. Rawson

Discussion: None

Roll Call Vote: J. Monti – yes, J. Sobolewski – yes, A. Rawson – yes, J. Marshall – yes

Vote: 4 - YES, 0 - NO, 0 - ABSTAIN

Motion Passes.

MOTION: "To adopt the process listed below for the review of parcels that lack required road frontage. This adoption includes the authorization for Zoning Board staff and the Chair to determine if criteria has been met and authorizes the Chair to sign decision letters.

- If someone questions whether their parcel has the required frontage, a request will be made to the Zoning Office.
- Staff will research the parcel and use the Road Determination Checklist which lists the criteria adopted at the December 19, 2022 meeting.
- Staff will make an initial determination and confer with the Chair, who will review the request and confirm, if applicable, that the parcel meets the criteria.
- If the parcel meets one of the criteria adopted at the December 19, 2022 meeting, a Road Frontage Decision ZBA Letter will be drafted and signed by the Chair. This letter indicates that the parcel is in compliance, and the criteria that was met to make this determination."

Motion: A. Rawson

Second: J. Sobolewski

Discussion: None

Roll Call Vote: J. Monti – yes, J. Sobolewski – yes, A. Rawson – yes, J. Marshall – yes

Vote: 4 - YES, 0 - NO, 0 - ABSTAIN

Motion Passes.

NEW BUSINESS:

1. Moore Refund Request

Mr. Monti reviewed a request from Charles and Kathryn Moore for the refund of application fees paid to the ZBA for an Appeal of Administrative hearing. He reviewed that the hearing was for the non-approval of an 8'x6' shed ZCA on a parcel without road frontage, and the appeal was granted.

A. Rawson stated that after going through the process to determine what qualifies as road frontage, he feels that the request is justified, as their parcel meets the criteria adopted by the ZBA. He questioned if this request for return of fees needed to go before the BOS and Mr. Monti stated no, as only the ZBA application fees are being requested.

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MOTION: "To return the ZBA application fees submitted by Charles and Kathryn Moore in the amount of \$376.92."

Motion: J. Sobolewski

Second: J. Marshall

Discussion: None

Roll Call Vote: J. Monti – abstain, J. Sobolewski – yes, A. Rawson – yes, J. Marshall – yes

Vote: 3 - YES, 0 - NO, 1 - ABSTAIN

Motion Passes.

2. Amendment to ZBA Applications - Public Notice Timeline

Ms. Randall reviewed that the notification for hearings timeline for abutters and public notices is listed as 10 days prior to the hearing date, when ZBA notifications are no less than five (5) days per the RSA. She stated the change in language will be consistent with the RSA.

Proposed Amendment:

Public Notice of the hearing will be **mailed to abutters and** published in The Plymouth Record Enterprise **no less than five (5) days** prior to the scheduled hearing.

MOTION: "To accept the proposed amendment to the ZBA Applications."

Motion: J. Monti

Second: J. Sobolewski

Discussion: None

Roll Call Vote: J. Monti – yes, J. Sobolewski – yes, A. Rawson – yes, J. Marshall – yes

Vote: 4 - YES, 0 - NO, 0 - ABSTAIN

Motion Passes.

ADJOURNMENT:

MOTION: "To adjourn at 6:58 p.m."

Motion: J. Sobolewski

Second: A. Rawson

Discussion: None

Roll Call Vote: J. Monti – yes, J. Sobolewski – yes, A. Rawson – yes, J. Marshall – yes

Vote: 4 - YES, 0 - NO, 0 - ABSTAIN

Motion Passes.

Respectfully submitted,

Kerrin Randall

Zoning Board Assistant