

**TOWN OF CLINTON
Zoning Board of Appeals Meeting
Zoom Meeting Transcript
June 24, 2020**

1

00:00:03.449 --> 00:00:05.640

TOC - Tech Support: I'm started the recording and the live feeds.

2

00:00:06.450 --> 00:00:06.870

Joseph Malcarne: Okay.

3

00:00:07.620 --> 00:00:08.250

johncalogero: Thank you.

4

00:00:08.519 --> 00:00:10.200

Town Clerk Carol Mackin: Thank you, Fred. You're welcome.

5

00:00:11.309 --> 00:00:14.940

TOC - Tech Support: We have two people in the waiting room. The applicant and someone called Samantha.

6

00:00:18.150 --> 00:00:21.540

TOC - Tech Support: Probably one of the public concern public residents.

7

00:00:31.050 --> 00:00:41.400

Charles Canham: Are lean forward a message from Elizabeth Carl at 390 click corner, who said that she would be joining the meeting as well.

8

00:00:43.080 --> 00:00:46.020

Joseph Malcarne: Arthur will attend since he's like

9

00:00:47.490 --> 00:00:51.390

Town Clerk Carol Mackin: I just I just received an email from Arthur, so he's on his computer.

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00:00:51.420 --> 00:00:51.870

So,

11

00:00:54.030 --> 00:00:54.480

Arthur

12

00:00:56.820 --> 00:00:59.940

Town Clerk Carol Mackin: Well, let me email him back. Arthur get on. I'll

13

00:01:01.470 --> 00:01:03.450

Town Clerk Carol Mackin: Get on soon we're waiting for you.

14

00:01:05.070 --> 00:01:07.740

johncalogero: He's got one minute before he's late so yeah

15

00:01:10.380 --> 00:01:12.510

Town Clerk Carol Mackin: All right, let's see if he has a sense of humor.

16

00:01:14.100 --> 00:01:16.950

Town Clerk Carol Mackin: prodding him from across town say

17

00:01:25.710 --> 00:01:26.760

Town Clerk Carol Mackin: Let's see.

18

00:01:29.910 --> 00:01:32.370

Town Clerk Carol Mackin: So we're waiting on Norma and

19

00:01:33.600 --> 00:01:35.100

Town Clerk Carol Mackin: Do we expect Norma

20

00:01:36.930 --> 00:01:37.860

Inspector.

21

00:01:41.100 --> 00:01:42.120

Joseph Malcarne: Yeah, there she is.

22

00:01:42.180 --> 00:01:42.870

TOC - Tech Support: On cue.

23

00:01:42.960 --> 00:01:44.580

Town Clerk Carol Mackin: Okay, awesome.

24

00:01:47.400 --> 00:01:49.020

Town Clerk Carol Mackin: Good, good, good. I know.

25

00:01:51.900 --> 00:01:52.470

johncalogero: Good evening.

26

00:02:08.490 --> 00:02:14.070

Norma Dolan: Okay, let's join with audio. But then you have to unmute yourself. Okay. Yes. Hi, Carol.

27

00:02:14.220 --> 00:02:15.360

Town Clerk Carol Mackin: Hi, Norma

28

00:02:16.980 --> 00:02:21.450

Town Clerk Carol Mackin: Good to see you. Yeah. Thank you, happy to sit in for Arlene

29

00:02:22.080 --> 00:02:22.680

Oh slicer.

30

00:02:28.110 --> 00:02:29.220

Joseph Malcarne: Well, do we have

31

00:02:34.290 --> 00:02:35.100

Let's see if I can

32

00:02:38.490 --> 00:02:38.670

Joseph Malcarne: Hear

33

00:02:39.270 --> 00:02:42.300

TOC - Tech Support: The Elizabeth that you talked about Charles is in the waiting room, I think.

34

00:03:00.630 --> 00:03:02.250

Joseph Malcarne: Is there someone

35

00:03:04.950 --> 00:03:13.230

Joseph Malcarne: To do the sake of time, and getting a skill is there someone that would be willing to summarize this if we get started in

36

00:03:14.370 --> 00:03:15.270

Joseph Malcarne: The planning board.

37

00:03:17.790 --> 00:03:19.410

TOC - Tech Support: In our other exemptions. Yep.

38

00:03:19.710 --> 00:03:20.760

Joseph Malcarne: Well, in

39

00:03:22.080 --> 00:03:23.760

Joseph Malcarne: In Arthur's absence.

40

00:03:25.020 --> 00:03:27.480

Joseph Malcarne: So john you have that handy.

41

00:03:28.110 --> 00:03:28.860

johncalogero: I do

42

00:03:29.340 --> 00:03:30.540

Joseph Malcarne: Alright, so

43

00:03:31.320 --> 00:03:33.270

johncalogero: I think I do. Hold on one minute.

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00:03:36.000 --> 00:03:36.540

johncalogero: I did.

45

00:04:01.620 --> 00:04:03.150

johncalogero: Me. Nothing's disappear.

46

00:04:05.280 --> 00:04:05.970

johncalogero: Okay, got

47

00:04:07.020 --> 00:04:07.110

Joseph Malcarne: It.

48

00:04:08.220 --> 00:04:08.670

Joseph Malcarne: Okay.

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00:04:08.970 --> 00:04:09.300

Well,

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00:04:12.000 --> 00:04:15.660

Joseph Malcarne: I think we'll go ahead and get started. Everyone ready that's here.

51

00:04:16.290 --> 00:04:17.880

johncalogero: Is the African here.

52

00:04:17.970 --> 00:04:20.610

TOC - Tech Support: Yes. Yeah. Do you want me to let the public and yet.

53

00:04:20.610 --> 00:04:21.810

Joseph Malcarne: Yes. Let's let the public

54

00:04:37.980 --> 00:04:39.330

Joseph Malcarne: Hello and welcome.

55

00:04:41.130 --> 00:04:42.030

Joseph Malcarne: As we

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00:04:45.900 --> 00:04:51.270

Joseph Malcarne: Welcome. For those of you who have joined us and Arthur. Welcome. Good to have you with us.

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00:04:53.430 --> 00:05:02.340

Joseph Malcarne: My name is Joseph McCarthy and I am the Zoning Board Chairman and I'm calling this meeting to order at approximately 7:33pm

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00:05:03.570 --> 00:05:07.770

Joseph Malcarne: For those of you who are perhaps new to zoom

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00:05:08.820 --> 00:05:17.580

Joseph Malcarne: The suggest that you keep yourself muted until it's your time to talk just to avoid background noises

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00:05:18.270 --> 00:05:33.330

Joseph Malcarne: And as you may know that tonight's meeting has been convened in accordance to the governor's march 13 2020 executive order to 2.1

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00:05:33.840 --> 00:05:44.490

Joseph Malcarne: As extended which suspends certain provisions for the open law meetings to allow the CPA to convene a meeting via video conferencing.

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00:05:45.000 --> 00:05:59.280

Joseph Malcarne: Which were using Zoom In accordance with this executive order. The public has been provided with the ability to view tonight's meeting for zoom YouTube channel and there any other friend.

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00:06:01.980 --> 00:06:02.070

Lilltefield: Through

64

00:06:02.340 --> 00:06:03.510

Joseph Malcarne: Through public media.

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00:06:03.870 --> 00:06:07.740

TOC - Tech Support: Yeah, that's it. YouTube and live and joined to the meeting.

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00:06:07.920 --> 00:06:08.220

Joseph Malcarne: I get

67

00:06:09.900 --> 00:06:18.630

Joseph Malcarne: A link to the town's YouTube channel has been provided in the meeting notice and transcripts will be provided at a future time

68

00:06:19.860 --> 00:06:32.610

Joseph Malcarne: To start, I will just let's see. Ask that no ask that my colleagues introduce themselves. This is going to kind of be fun. So we have, we do it a little different. So

69

00:06:34.800 --> 00:06:53.610

Joseph Malcarne: Maybe I will just introduce them. So we have John College here. We have Charles Cannon. We have Norma Dawn. You can wave when they say we have Virginia tomorrow, we have Arthur Weiland and we have Ron remind me of pronouncing your last name, so I do it right.

70

00:06:54.690 --> 00:06:55.890

Ron M: Like Joseph. It's my Stella.

71

00:06:56.460 --> 00:06:58.140

Joseph Malcarne: Stella Ron Mustang.

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00:06:59.760 --> 00:07:02.070

Joseph Malcarne: And on

73

00:07:03.360 --> 00:07:04.410

Joseph Malcarne: Let's just see.

74

00:07:05.670 --> 00:07:13.470

Joseph Malcarne: All all adjoining property owners have been notified and have all fees been paid. Darrell

75

00:07:13.890 --> 00:07:15.810

Joseph Malcarne: Yes. Okay, perfect. Thank you.

76

00:07:18.510 --> 00:07:24.390

Joseph Malcarne: On the agenda for this evening, you had the little field area there.

77

00:07:25.590 --> 00:07:28.140

Joseph Malcarne: Let me just make sure

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00:07:31.650 --> 00:07:34.260

Joseph Malcarne: There's not anything else that you need to discuss

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00:07:39.690 --> 00:07:58.620

Joseph Malcarne: Okay. So, that being said, we will move on to our first area of events which is on the agenda. And so, who do we have who's if you can just kind of wait. So I see who you are, for the applicant. There we go. The applicant.

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00:07:59.790 --> 00:08:01.920

Joseph Malcarne: I'm sorry, it was said you

81

00:08:02.910 --> 00:08:05.220

Elizabeth: Were not the applicant. Where'd that neighbor.

82

00:08:05.460 --> 00:08:08.670

Joseph Malcarne: Okay, thank you for joining us. Alright.

83

00:08:09.810 --> 00:08:10.680

Joseph Malcarne: So that

84

00:08:10.740 --> 00:08:24.210

Joseph Malcarne: Would be me. All right. Thank you, Mr. Little few right. Thank you. Thank you for being here. If you can kind of in your own words describe why you're here and what you're asking of the Zoning Board.

85

00:08:25.050 --> 00:08:39.480

Lilltefield: Um, basically, I met with john he was over yesterday to ask permission for a 21 round foot pole. I have a kind of a small live. It's called I think non conforming

86

00:08:40.050 --> 00:08:51.600

Lilltefield: And there's certain places where it can be putting I have a well I have a septic system. There's a drainage system also in there so I'm kind of limited on where it can go and I lose everything I

87

00:08:52.260 --> 00:08:52.530

Know,

88

00:08:54.960 --> 00:08:56.040

Lilltefield: It could be my computer.

89

00:08:56.310 --> 00:09:03.390

Joseph Malcarne: Yeah, now we are good. We can still hear you. You're just being kind of so everyone that's looking can see what your life is

90

00:09:04.860 --> 00:09:05.760

Lilltefield: Yeah, I just lost

91

00:09:20.220 --> 00:09:21.090

TOC - Tech Support: He froze up

92

00:09:22.320 --> 00:09:22.710

Joseph Malcarne: Okay.

93

00:09:23.040 --> 00:09:23.400

Sorry.

94

00:09:24.900 --> 00:09:28.140

Joseph Malcarne: While while we're waiting, are you there. Yes.

95

00:09:28.830 --> 00:09:32.220

Lilltefield: Okay, I am, but I think my computer is having an issue here.

96

00:09:32.880 --> 00:09:37.380

Joseph Malcarne: Okay, are we can hear you. So just keep going with what you're saying.

97

00:09:39.510 --> 00:09:39.870

Okay.

98

00:09:41.340 --> 00:09:46.500

Lilltefield: Okay. Um, so again it is a non conforming lot I'm kind of limited on where

99

00:09:48.030 --> 00:09:55.530

Lilltefield: You know, it can be placed on the on the current property. So I asked for a variance. Just be because it's a very tight space.

100

00:09:57.330 --> 00:09:57.630

Lilltefield: Okay.

101

00:09:58.290 --> 00:10:00.240

Joseph Malcarne: Perfect, thank you, Arthur.

102

00:10:00.960 --> 00:10:02.160

Lilltefield: Glad you can hear me because I

103

00:10:02.340 --> 00:10:03.840

Lilltefield: Have no shame in. All right.

104

00:10:03.960 --> 00:10:04.260

Yeah.

105

00:10:06.270 --> 00:10:08.730

Joseph Malcarne: We can hear you. So just bear with us. Bear with

106

00:10:11.370 --> 00:10:13.260

Joseph Malcarne: Arthur, you can take it from here.

107

00:10:13.710 --> 00:10:29.010

Arthur Weiland: Yes, it's nice to have the picture on the screen that we have at the moment because you can see the law outlined and you can see the neighboring properties on that side of the road. We have one house quite a, quite a ways up to

108

00:10:30.810 --> 00:10:41.460

Arthur Weiland: The right on this picture on this drawing and the other house, although it's closer to the property. It's also the pool be

109

00:10:42.270 --> 00:11:04.650

Arthur Weiland: On the upper side of the lock and question. So it's part of what I will be saying is it doesn't seem to be encroaching terribly on the neighboring homes on that side of the road. So I am ready to usually. The next step is to read the planning board shall. Yep.

110

00:11:04.860 --> 00:11:05.610

Joseph Malcarne: I will be right.

111

00:11:06.000 --> 00:11:07.350

Arthur Weiland: So we have a

112

00:11:07.440 --> 00:11:09.720

Arthur Weiland: Letter from the planning board. I think copy

113

00:11:12.750 --> 00:11:19.380

Arthur Weiland: And even before the planning board for review. And I'll start sort of

114

00:11:21.120 --> 00:11:36.390

Arthur Weiland: After the Greetings and salutations that this is radicchio motion that the town of Clinton planning board approves the following a subject application.

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00:11:37.470 --> 00:11:38.730

Arthur Weiland: The following morning

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00:11:40.530 --> 00:11:41.010

Excuse me.

117

00:11:42.450 --> 00:11:42.960

Arthur Weiland: I

118

00:11:44.670 --> 00:11:45.630

Arthur Weiland: I'm going to start over again.

119

00:11:47.100 --> 00:11:47.820

Arthur Weiland: Now there is

120

00:11:48.990 --> 00:12:05.550

Arthur Weiland: With a resolution to with the last year be resolved that the clinton planning board makes a positive recommendation to the Zoning Board of appeals on the requested area variance to section 250 attachment to reducing the rear yard, sit back

121

00:12:06.180 --> 00:12:17.400

Arthur Weiland: For 15 to 16 the for the installation of an above ground pool and the various on the allowable lot coverage in an age zone, that's Hamlet's own

122

00:12:18.030 --> 00:12:29.460

Arthur Weiland: Age of 12% as requested by Eric live Littlefield on property is located at 370 Clinton quarters road good and corners. Do your

123

00:12:30.210 --> 00:12:45.600

Arthur Weiland: It gives us hex grid. The most important numbers being 561529 whereas, number one, the applicant is requesting a reduction of the rear yard set back from 50 feet to 16 feet.

124

00:12:46.710 --> 00:12:54.690

Arthur Weiland: Or the installation of above ground pool and a variance on the allowable lot coverage, which is 12%

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00:12:55.890 --> 00:12:58.440

Arthur Weiland: For instance is 68 feet.

126

00:12:59.520 --> 00:13:10.620

Arthur Weiland: That should be square feet of increase from the allowable 1934 square feet. And I'm going to add you. That's the allowable on this particular lot

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00:13:12.180 --> 00:13:21.210

Arthur Weiland: Which is a 3.37 acre non conforming lot the proposed side. There are variants of 35 feet is acceptable as the

128

00:13:21.870 --> 00:13:44.580

Arthur Weiland: Hamlet zoning district note for allows that total a total of 35 and 65 feet must not be less than 50 feet and the width of the narrower two sides shall not be less than one third of the total with the two side yards, which would be 33 feet. In this case, and he has 35 feet.

129

00:13:45.690 --> 00:13:57.000

Arthur Weiland: I added a little there. But anyway, so complicated formula for them Hamlet's that's not in the planning board but item to back to the planning board.

130

00:13:57.480 --> 00:14:13.110

Arthur Weiland: Sorry, the applicant is proposing to place the pool in the setback area as the best place to cite the pool on this very small area item three, the property is not in an ag district item for

131

00:14:15.150 --> 00:14:22.500

Arthur Weiland: The property is not within original slide scenic and historic protection overlay district. I didn't find the property is in a

132

00:14:23.970 --> 00:14:39.150

Arthur Weiland: CEA critical environmental area. I didn't see the various requested is substantial but choices are limited on this small non conforming lot as the septic is in the side yard.

133

00:14:40.320 --> 00:14:49.200

Arthur Weiland: I live seven in undesirable change the neighborhood will not occur as many of the surrounding lots are non conforming and have pools.

134

00:14:49.650 --> 00:15:02.490

Arthur Weiland: It made the ledge difficulty of self created as the applicant wish wishes to build a pool in the setback area. Item nine no adverse effects will be created by building

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00:15:03.990 --> 00:15:09.990

Arthur Weiland: By the building of this structure, except during construction or minute where I'm making a quick note.

136

00:15:13.620 --> 00:15:15.030

Elizabeth: So I have a question.

137

00:15:15.540 --> 00:15:25.230

Joseph Malcarne: And we what we do is the Zoning Board discusses a few things. And then once we finish that, then I'll open a public hearing

138

00:15:25.530 --> 00:15:29.760

Joseph Malcarne: Okay, once the things open, then you'll be able to ask questions.

139

00:15:29.850 --> 00:15:31.050

Elizabeth: Sorry, not

140

00:15:33.060 --> 00:15:50.880

Arthur Weiland: Only all of those items that the it continues. Now, therefore, be it resolved the planning board is making a positive recommendation for approval to the town zoning board of appeals. It was seconded by Mrs. Mr. Thomas all i motion. Karen seven zero

141

00:15:56.250 --> 00:15:57.450

Joseph Malcarne: Any other comments or anything.

142

00:15:58.380 --> 00:16:14.340

Arthur Weiland: Um I familiar with the property. I think the property pictures showed the expansive the side yard where was certainly reasonable for the pool to go if it's if variances given for that.

143

00:16:15.930 --> 00:16:17.610

Arthur Weiland: I think planning board.

144

00:16:19.230 --> 00:16:20.670

Arthur Weiland: covered a lot of the

145

00:16:21.960 --> 00:16:22.500

Arthur Weiland: Issues of

146

00:16:23.790 --> 00:16:33.180

Arthur Weiland: This, this is a neighborhood with a lot of old lots of varying sizes and pools are normal.

147

00:16:34.740 --> 00:16:38.550

Arthur Weiland: Addition to general use of properties.

148

00:16:40.650 --> 00:16:42.990

Joseph Malcarne: Thank you. Any other comments from the Zoning Board.

149

00:16:45.990 --> 00:16:49.200

Joseph Malcarne: All right, I would like to make a motion to open the public hearing

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00:16:51.120 --> 00:16:52.980

Joseph Malcarne: It's a second it Charles

151

00:16:53.610 --> 00:16:55.080

Charles Canham: Yes, my second

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00:16:56.190 --> 00:16:57.210

Joseph Malcarne: All in favor.

153

00:17:00.960 --> 00:17:01.200

Joseph Malcarne: Okay.

154

00:17:02.370 --> 00:17:09.810

Joseph Malcarne: Now's the chance for the public. And if you would start by stating your name and your address. And then any questions or comments to me.

155

00:17:11.130 --> 00:17:23.550

Elizabeth: Hi, Dad. So my name is Elizabeth, Carl, I live at 390 Clinton corners road. I'm a little unsure with where Mr Littlefield would like to put the pool.

156

00:17:24.720 --> 00:17:36.360

Elizabeth: Because I do know his property address and it seems like it's very close to the road where I'm from my understanding where he wants to put this

157

00:17:37.800 --> 00:17:54.570

Joseph Malcarne: Okay, I'm Fred, do you have a copy kind of showing. We are approximately on it, it's going maybe just put your cursor on it. If you have something that yeah right about see a lot there that's about where it's

158

00:17:54.990 --> 00:17:56.280

Joseph Malcarne: So I have to go.

159

00:17:57.000 --> 00:18:09.030

Elizabeth: You know, um, we have an older home. I think most of the homes in the area are older. Now, they may have pools, but this one will be what I'm guessing is right up to the street.

160

00:18:11.190 --> 00:18:14.610

Joseph Malcarne: At the location, maybe, Arthur. If you want to talk about that.

161

00:18:16.770 --> 00:18:21.690

Arthur Weiland: I can't use this Christian, but I would say it's behind the house.

162

00:18:22.440 --> 00:18:22.830

Arthur Weiland: Because it

163

00:18:23.160 --> 00:18:37.860

Arthur Weiland: Is it is an almost a horseshoe driveway that's going in the front of the house in and out to the road. It's more like over the letter, the number two. Yeah, between the two. And I thought, right up there for a second.

164

00:18:38.370 --> 00:18:41.550

Arthur Weiland: That's it. That's a portion of the yard that is open.

165

00:18:42.840 --> 00:18:45.420

Elizabeth: Up so it's not going on the side yard.

166

00:18:47.160 --> 00:18:57.390

Arthur Weiland: Well, it's it's going good. You see the other building in the next next law that's a that's that's the back yard.

167

00:18:58.590 --> 00:19:00.990

Arthur Weiland: setback that that these

168

00:19:02.580 --> 00:19:03.000

Elizabeth: Right.

169

00:19:03.270 --> 00:19:09.330

Arthur Weiland: It's, it's not going in the legal technical side yard. It's going out to the side of the house, but

170

00:19:10.200 --> 00:19:29.190

Arthur Weiland: Our yards are divided defined by X number of feet in different districts. So it's approaching on the set back to the town requires between properties on the side in the rear because of the size of the lot. It is encroaching on the rear

171

00:19:29.880 --> 00:19:36.750

Elizabeth: Okay, so that's where, that's where the variance is being so what is in the we're not towards the street, not

172

00:19:37.020 --> 00:19:38.130

Arthur Weiland: The street. Correct.

173

00:19:38.250 --> 00:19:41.100

Elizabeth: Okay, that was, that was the concern.

174

00:19:41.700 --> 00:19:48.270

Arthur Weiland: The street I think needs 75 seat and is way, way far in effect does. That's not a problem.

175

00:19:48.660 --> 00:19:49.620

Elizabeth: Uh huh. Okay.

176

00:19:50.130 --> 00:19:53.430

Arthur Weiland: I may be incorrect. But it may be 50 but I think it's 75

177

00:19:54.420 --> 00:20:16.890

Elizabeth: It was more concerned that it was being put placed so close to the street. Given the size of Mr little fields property. Mm hmm. That, you know, I, I'm somewhat familiar with the property. I did not think he had enough in the back to support a 21 foot diameter pool.

178

00:20:18.780 --> 00:20:21.120

Elizabeth: That was what the art. My concern was

179

00:20:22.650 --> 00:20:25.140

Elizabeth: I think we've I think you've answered my question.

180

00:20:26.160 --> 00:20:29.490

Joseph Malcarne: Hey, Charles, did you have a comment.

181

00:20:32.310 --> 00:20:43.620

Charles Canham: I was just gonna say that the materials that are lean distributed showed at eight feet from the road in the center of the road to the pool so well, back of the front yard setback.

182

00:20:46.140 --> 00:20:53.460

Eric: If I can comment as well. It actually is from where the end of the houses in the backyard.

183

00:20:53.940 --> 00:21:03.990

Eric: Then that's where the pool goes from there towards the back of the property so it's it's after the the back of the house, so it doesn't go you know after the

184

00:21:04.950 --> 00:21:14.280

Eric: In front of the back of the house. So it's clear because I need obviously a walkway between the pool in the back of the house to come around that side yard so it is actually in in the back.

185

00:21:15.360 --> 00:21:16.410

Eric: Elizabeth just, you know,

186

00:21:16.440 --> 00:21:16.950

Elizabeth: Thank you.

187

00:21:17.010 --> 00:21:21.840

Elizabeth: To what how far as a sideline going north from the corner, your house.

188

00:21:22.950 --> 00:21:38.220

Joseph Malcarne: So, any, any questions that we have will come to the board and then. So if you have a question, you can, of course, just ask the Board like you did and then I will then kind of redirect that so, Mr Littlefield.

189

00:21:39.930 --> 00:21:41.280

Joseph Malcarne: Do you understand the question.

190

00:21:42.420 --> 00:21:44.400

Eric: No. So you can actually

191

00:21:46.140 --> 00:21:48.750

Joseph Malcarne: David environment restating the question.

192

00:21:49.110 --> 00:21:55.050

Elizabeth: So how far is the pool going to be out of a sightline on the road from the north corner your house.

193

00:21:55.800 --> 00:21:58.530

Eric: Okay so north is that way.

194

00:21:58.950 --> 00:21:59.400

North is

195

00:22:00.480 --> 00:22:00.780

Elizabeth: Here.

196

00:22:01.290 --> 00:22:06.000

Eric: Right, exactly. And it's to the east of the end of the house.

197

00:22:07.200 --> 00:22:08.190

Elizabeth: Understand that

198

00:22:09.390 --> 00:22:18.390

Arthur Weiland: It's sort of a northeast diagonal. And judging by updated method we have it looks like it's 30 to 35 feet from the

199

00:22:20.190 --> 00:22:26.490

TOC - Tech Support: Diagonal And judging by updated map that we have. It looks like it's 30 to 35

200

00:22:26.490 --> 00:22:26.760

See

201

00:22:30.870 --> 00:22:31.920

Joseph Malcarne: We have to hear you twice.

202

00:22:35.220 --> 00:22:35.970

Arthur Weiland: Sorry about that.

203

00:22:37.110 --> 00:22:43.200

Arthur Weiland: I don't know. I know the fellow doing tech and I don't know it's unfortunately that oh he made himself.

204

00:22:43.410 --> 00:22:44.310

TOC - Tech Support: That was my bad.

205

00:22:46.890 --> 00:22:47.160

Arthur Weiland: Yeah.

206

00:22:47.250 --> 00:22:50.010

Arthur Weiland: I wish you, we all had this updated map as as

207

00:22:51.300 --> 00:23:06.000

Arthur Weiland: Was pointed out that Charlie pointed out that we have in our package because it actually shows the pool on the map just roughly but gives it a better I can, if, if you'll if tempo give my camera the map.

208

00:23:09.720 --> 00:23:10.380

Arthur Weiland: Here we go.

209

00:23:12.390 --> 00:23:16.470

Arthur Weiland: As long as anybody needs to look at it, you see the blue pool in the middle of that.

210

00:23:17.610 --> 00:23:17.910

Joseph Malcarne: Yeah.

211

00:23:19.050 --> 00:23:32.100

Joseph Malcarne: I think it's pretty close, where he has the dot actually is probably more accurate. Even then than that. Where, where you have it, it would probably be even closer to the back of the property. If you go back, Fred to the one that you had. I think that's actually

212

00:23:33.210 --> 00:23:47.850

Joseph Malcarne: You know, more accurately, based upon this because it's 35 feet from the side and 16 feet from the back. So I think it's probably like between the two and the nine based upon those

213

00:23:49.380 --> 00:23:49.560

Arthur Weiland: Yeah.

214

00:23:52.140 --> 00:23:54.570

Joseph Malcarne: Okay, um, any further.

215

00:23:55.860 --> 00:23:57.060

Joseph Malcarne: Questions from the public.

216

00:23:57.840 --> 00:23:59.460

Elizabeth: How was it will be unfilled

217

00:24:00.780 --> 00:24:04.380

Eric: I'm not going to fill it with I'm trying. Yeah, he

218

00:24:05.130 --> 00:24:06.780

Joseph Malcarne: Asked a question to know are there.

219

00:24:06.930 --> 00:24:09.300

Joseph Malcarne: The, you know, we have certain

220

00:24:10.380 --> 00:24:21.180

Joseph Malcarne: Questions that we have on. I'm fine. If you want to answer that question, but maybe before we do that, are there. Were there any other questions that you that you had. And I'm sorry, what was your name.

221

00:24:22.170 --> 00:24:23.880

Joseph Malcarne: Again, I'm sorry, was it

222

00:24:24.210 --> 00:24:26.370

Joseph Malcarne: Wrong. Right. And what's your last name, Brian.

223

00:24:26.490 --> 00:24:28.500

Joseph Malcarne: Normal Brian Carroll

224

00:24:28.800 --> 00:24:31.110

Joseph Malcarne: Merrill. Can you spell that for me.

225

00:24:31.380 --> 00:24:32.220

Elizabeth: And he are

226

00:24:33.840 --> 00:24:37.020

Joseph Malcarne: Thank you. Okay. Were there any other questions, Brian.

227

00:24:37.980 --> 00:24:39.780

Elizabeth: How, how is the pool being filled

228

00:24:40.290 --> 00:24:42.300

Joseph Malcarne: Right, I got that. Were there any other ones.

229

00:24:43.380 --> 00:24:49.710

Elizabeth: Also the got the height of the fence around the pool. So for the sideline from the road.

230

00:24:50.550 --> 00:24:51.120

Okay.

231

00:24:52.530 --> 00:24:55.350

Joseph Malcarne: Any other ones. No. Okay.

232

00:24:57.660 --> 00:24:58.680

Joseph Malcarne: Mr Littlefield.

233

00:24:59.490 --> 00:25:07.440

Eric: OK, so the pool. Brian is being filled by a truck, because I don't want to tap into the well. So they'll bring a separate water source to fill that pool. Okay.

234

00:25:09.090 --> 00:25:20.100

Eric: And as far as the defense itself because it is over four feet. I think it's 52 inches. It does not require a fence and I'm not going to put up a fence in front of the property.

235

00:25:22.170 --> 00:25:28.080

Eric: You know, it was not planning on putting that there's a fence currently there and obviously a stockade in the back.

236

00:25:28.560 --> 00:25:37.860

Eric: But I think putting a big fence in the front of the house close to the road. I think it's just going to ruin the characteristic of it you know of the neighborhood. So I was not gonna put a fence in front of it.

237

00:25:39.450 --> 00:25:39.780

Joseph Malcarne: Thank you.

238

00:25:41.610 --> 00:25:42.690

Joseph Malcarne: Any other questions.

239

00:25:44.550 --> 00:25:47.130

Joseph Malcarne: Okay. I'd like to make a motion to close the public hearing

240

00:25:48.240 --> 00:25:49.890

Dale Lewis: I'd like to make a comment.

241

00:25:50.400 --> 00:25:52.350

Joseph Malcarne: Oh, okay. If you could

242

00:25:53.460 --> 00:25:54.690

Joseph Malcarne: Do to your name.

243

00:25:56.010 --> 00:26:03.120

Dale Lewis: On the list, right, I, I, my wife and I own the property that surrounds two sides of that property.

244

00:26:04.260 --> 00:26:04.650

Okay.

245

00:26:06.990 --> 00:26:09.060

Dale Lewis: Right 578539

246

00:26:09.270 --> 00:26:09.570

Okay.

247

00:26:10.950 --> 00:26:20.190

Dale Lewis: And and I just wanted to let you know that the location of that pool with the mandatory fencing required by the

248

00:26:20.760 --> 00:26:28.530

Dale Lewis: Zoning enforcement for fencing around pools. I think would be adequate, as far as a shield of seeing the pool.

249

00:26:29.460 --> 00:26:47.040

Dale Lewis: From anywhere like the road and there is quite a screen of trees and growth in front of the roadside there, but our property surrounds the both the north side and the east side of that property and and

250

00:26:47.940 --> 00:27:11.640

Dale Lewis: I we feel that the that that who will not be an adverse addition to that part of the property and the the sightline from from any of the public areas at all. And from our, our view of which is the closest view from two sides, we really don't have a problem with it either.

251

00:27:13.080 --> 00:27:16.260

Dale Lewis: I think it'll be actually an asset to that property.

252

00:27:17.310 --> 00:27:31.440

Dale Lewis: Which you know we've been in we've been in our location. Since 1978 or 79 and that property is evolved through the decades and and i think that that might be a

253

00:27:33.000 --> 00:27:49.470

Dale Lewis: good addition to the property's value and and I and I also feel that that up in appearance wise it will not affect the neighborhood very much if it would. I would respond to that. But I don't feel so it would be an issue.

254

00:27:50.610 --> 00:27:51.990

Joseph Malcarne: Okay. Thank you, Mr. Lewis.

255

00:27:52.080 --> 00:27:52.440

Eric: Thank you.

256

00:27:53.730 --> 00:27:56.010

Joseph Malcarne: Are there any other comments.

257

00:27:57.180 --> 00:27:59.880

Joseph Malcarne: Or at this time I'd like to make a motion to close it public hearing

258

00:28:02.340 --> 00:28:03.240

Joseph Malcarne: The second

259

00:28:03.930 --> 00:28:05.820

Joseph Malcarne: Second. All in favor.

260

00:28:06.540 --> 00:28:08.910

Joseph Malcarne: Aye. Okay. So moved.

261

00:28:10.890 --> 00:28:13.740

Joseph Malcarne: Further discussion from the Zoning Board.

262

00:28:15.450 --> 00:28:20.880

Charles Canham: Can, can I ask that maybe we close the shared screen so that we can see each other. It's just a little

263

00:28:21.060 --> 00:28:25.740

Charles Canham: Yeah, little easier to wave our hands when we want to talk this way.

264

00:28:26.430 --> 00:28:26.940

Joseph Malcarne: Thank you.

265

00:28:28.890 --> 00:28:31.500

Joseph Malcarne: Okay, any, any other comments.

266

00:28:33.150 --> 00:28:39.870

Charles Canham: I just will say that I think I'm the only person I know who was ever foolish enough to try to fill a pool from as well.

267

00:28:41.400 --> 00:28:41.820

Charles Canham: To go

268

00:28:43.950 --> 00:28:45.660

Charles Canham: Don't try it, it doesn't

269

00:28:45.840 --> 00:28:46.740

Charles Canham: Work, it's a

270

00:28:47.970 --> 00:28:49.830

Charles Canham: Credible mass and so

271

00:28:51.450 --> 00:28:57.840

Charles Canham: The water is really cold. Your kids won't like it. So I'm glad to hear that going to use, you know, a pool water service.

272

00:29:00.750 --> 00:29:01.620

Dale Lewis: Right.

273

00:29:02.970 --> 00:29:07.350

johncalogero: Here and it is a really beautiful tree in the yard and

274

00:29:08.760 --> 00:29:09.240

johncalogero: That

275

00:29:10.290 --> 00:29:14.040

johncalogero: The location of the pool is such that

276

00:29:15.810 --> 00:29:19.770

johncalogero: I believe, he'll be able to salvage that trade, it's not going to have to come down.

277

00:29:20.970 --> 00:29:28.680

johncalogero: And my truth so we don't know what kind of tree. It is, but it's some kind of a lilac or something but

278

00:29:30.180 --> 00:29:37.860

johncalogero: When it's in bloom. I'm sure it's quite beautiful and an asset to the neighborhood, and the fact that it doesn't have to come down, I think, is a positive thing.

279

00:29:39.420 --> 00:29:39.870

johncalogero: In terms of

280

00:29:39.990 --> 00:29:41.850

Eric: Magnolia actually Johnny had to let

281

00:29:42.000 --> 00:29:42.390

johncalogero: Go here.

282

00:29:42.540 --> 00:29:43.650

Eric: Check it today. Yeah.

283

00:29:44.460 --> 00:29:44.760

Great.

284

00:29:46.020 --> 00:29:46.170

Yeah.

285

00:29:47.310 --> 00:29:50.730

johncalogero: A little dry at the moment. But yeah, it

286

00:29:52.140 --> 00:29:53.640

johncalogero: Would be nice if that could be saved.

287

00:29:56.460 --> 00:29:58.290

Joseph Malcarne: Okay, thank you.

288

00:29:59.520 --> 00:30:01.830

Joseph Malcarne: Any other comments from the Board.

289

00:30:03.300 --> 00:30:04.620

Joseph Malcarne: Arthur. Oh.

290

00:30:06.060 --> 00:30:15.960

Ron M: No, I just say that I did do a I am familiar with the property and I did do a sort of drive by roadside visit

291

00:30:17.220 --> 00:30:23.280

Ron M: And I would think I would say that Mr. Lewis. His comments kind of summarize mine as well.

292

00:30:24.240 --> 00:30:40.170

Ron M: I think the the placement. They've chosen is the optimal considering a lot size optimal location and I don't see a major impact to Jason property owners or even passers by so I would kind of tend to agree with the comments made prior as well.

293

00:30:40.620 --> 00:30:40.860

Right.

294

00:30:42.450 --> 00:30:43.110

Joseph Malcarne: Okay, Arthur.

295

00:30:46.440 --> 00:30:54.090

Arthur Weiland: Right, so I'm going to read off my screen I emailed something to Carol. I know there's at least one mistake in it.

296

00:30:54.870 --> 00:30:56.700

Arthur Weiland: And we'll see what

297

00:30:56.940 --> 00:30:58.590

Arthur Weiland: Folks, think of it.

298

00:31:00.900 --> 00:31:09.120

Arthur Weiland: I would like to make a motion that we grant to Eric little field of 370 Clinton corners road with the grid grid number as cited

299

00:31:10.110 --> 00:31:29.010

Arthur Weiland: A variance from section 215 attachment to for regard setback from 50 feet to 12 feet in the hands of its own and to see the allowable lot coverage by 68 square feet, beyond the allowable 1934 square feet on this point three, seven acres

300

00:31:31.320 --> 00:31:41.310

Arthur Weiland: Desirable change will not be brought about the neighborhood by adding a moderately sized pool to the yard to the benefits of by the applicant cannot be achieved by some other

301

00:31:41.910 --> 00:31:51.300

Arthur Weiland: Visible method, besides granting the variants three the variances substantial but not significantly impinging on the next door homes.

302

00:31:52.320 --> 00:32:00.630

Arthur Weiland: For the installation of this above ground pool will not have an adverse effect on the physical or environmental conditions in the neighborhood.

303

00:32:01.290 --> 00:32:18.360

Arthur Weiland: Five. The alleged hardship was self created due to the desire to add a pool to the art six a residential area of areas doesn't require a negative statement seven residential area variance is a type to action under seeker and requires no further action.

304

00:32:19.650 --> 00:32:25.050

Arthur Weiland: At the site is in a CEA district.

305

00:32:26.310 --> 00:32:41.580

Arthur Weiland: Little error there and Carol Vika nine. The site is not within the boundary or buffer of a wetland 10 decide is not are not in the original and scenic artist store protection overlay district.

306

00:32:42.720 --> 00:32:43.530

Arthur Weiland: That correct

307

00:32:45.150 --> 00:32:45.660

Arthur Weiland: Pardon me.

308

00:32:50.070 --> 00:32:55.650

Arthur Weiland: I was a little Russia had a problem at the dealing with something at the cemetery.

309

00:33:02.340 --> 00:33:05.610

Arthur Weiland: That agrees with the planning board at

310

00:33:07.770 --> 00:33:13.380

Arthur Weiland: 10am 11 there are no known outstanding zoning violations.

311

00:33:14.640 --> 00:33:17.250

Arthur Weiland: That's my motion.

312

00:33:18.000 --> 00:33:19.200

Joseph Malcarne: Second for discussion.

313

00:33:21.600 --> 00:33:23.460

Joseph Malcarne: For us, the second thing, okay.

314

00:33:25.710 --> 00:33:26.250

Joseph Malcarne: Discussion.

315

00:33:31.590 --> 00:33:38.190

Joseph Malcarne: All right, any, any comments or Arthur's anything, any questions about other than whether it was in the

316

00:33:39.570 --> 00:33:40.560

Joseph Malcarne: Historic overlay.

317

00:33:40.920 --> 00:33:53.670

Arthur Weiland: I'm I'm concerned, but I didn't check to start protection overlay. But I don't think that there would be an issue with this change to this property in relation to any historic protection concerned.

318

00:33:56.340 --> 00:34:12.000

Joseph Malcarne: So we will go around the room. I will actually say your name and I vote means that you are in favor of granting the area variance and I may would be the law and favorite. So Charles can

319

00:34:14.910 --> 00:34:15.210

Joseph Malcarne: John

320

00:34:16.350 --> 00:34:16.710

johncalogero: Hi.

321

00:34:17.670 --> 00:34:18.720

Joseph Malcarne: Ron must hello

322

00:34:19.410 --> 00:34:19.710

I

323

00:34:21.180 --> 00:34:21.990

Joseph Malcarne: Virginia tomorrow.

324

00:34:22.650 --> 00:34:23.070

I

325

00:34:24.150 --> 00:34:24.750

Joseph Malcarne: Arthur while

326

00:34:25.890 --> 00:34:26.190

Arthur Weiland: I

327

00:34:26.910 --> 00:34:28.830

Norma Dolan: Know I'm a dog. I

328

00:34:29.760 --> 00:34:30.300

And I

329

00:34:31.980 --> 00:34:34.350

Joseph Malcarne: So you there has been granted.

330

00:34:35.940 --> 00:34:36.240

Eric: Again,

331

00:34:36.570 --> 00:34:45.480

Joseph Malcarne: If you have further questions about that and how that all works, feel free to reach out to Arlene, and she can let you know next steps that you need to do.

332

00:34:46.170 --> 00:34:52.530

Eric: Great. She's been great during this whole process, especially with dropping things off in a box and emailing and everything else due to

333

00:34:53.850 --> 00:34:57.000

Eric: The event. So she's a really great employee. She's really, you know,

334

00:34:57.990 --> 00:34:59.130

Eric: Good. Very good. Thank you.

335

00:35:00.330 --> 00:35:01.950

Joseph Malcarne: Very happy to do that. Thanks here.

336

00:35:05.730 --> 00:35:07.560

Joseph Malcarne: So I think we can

337

00:35:09.420 --> 00:35:19.680

Joseph Malcarne: Go back to just our own group at this point. So, any other any other further items of business that you have

338

00:35:21.240 --> 00:35:23.100

Joseph Malcarne: Do you have one. Go ahead.

339

00:35:25.170 --> 00:35:26.760

johncalogero: The lewises will be waving goodbye.

340

00:35:27.090 --> 00:35:29.340

Joseph Malcarne: Oh, goodbye. This is

341

00:35:35.100 --> 00:35:38.850

Joseph Malcarne: Okay, any other items to come before is only going over here.

342

00:35:40.710 --> 00:35:43.920

Joseph Malcarne: So big thank you to Carol for filling in and

343

00:35:45.150 --> 00:35:48.870

Joseph Malcarne: Thank you. And for Fred for keeping us going and

344

00:35:49.140 --> 00:35:50.430

Arthur Weiland: You can name tech com

345

00:35:56.700 --> 00:36:01.200

Joseph Malcarne: So thank you for for all your support. I'd like

346

00:36:03.300 --> 00:36:07.830

Joseph Malcarne: I'd like to make a motion to adjourn this zoning board meeting.

347

00:36:08.280 --> 00:36:10.020

Arthur Weiland: Oh geez. Time is

348

00:36:11.160 --> 00:36:12.090

Joseph Malcarne: Always like you

349

00:36:16.740 --> 00:36:18.660

johncalogero: Know, we have to go to nine.

350

00:36:21.180 --> 00:36:21.570

Charles Canham: Arthur

351

00:36:22.080 --> 00:36:25.230

Arthur Weiland: I want you to know that I shine my shoes for this meeting.

352

00:36:31.470 --> 00:36:33.090

Joseph Malcarne: Good, good. Said, Do I have a second

353

00:36:33.780 --> 00:36:34.140

Okay.

354

00:36:36.090 --> 00:36:36.360

johncalogero: Hi.

355

00:36:38.430 --> 00:36:39.870

Arthur Weiland: I'm leaving the meeting.

356

00:36:40.680 --> 00:36:41.250

Joseph Malcarne: Thank you.

357

00:36:42.930 --> 00:36:43.680

Town Clerk Carol Mackin: Everybody