

DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT

A regular meeting of the Zoning Board of Appeals was held on December 9, 2020. Present: Chairman Peter Hofmann, Bruce Gombos, Jeremy Gutman, Jon Maass, Paul Monte (arrived at 8:04 p.m.), and 1st Alternate Joseph Capasso, and Dan Roemer/Assistant Building Inspector and Trustee Liaison Michael Patino (arrived at 8:05 p.m.). Excused: None.

Chairman Hofmann said the new Trustee Liaison to the Zoning Board of Appeals is Trustee Michael Patino.

Chairman Hofmann called the meeting to order.

Motion by Chairman Hofmann, seconded by Mr. Maass to open the public hearing.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

1. Adopt Minutes for Zoning Board of Appeals Meetings of September 9, 2020 and November 18, 2020

Motion by Chairman Hofmann, seconded by Mr. Gombos to approve the meeting minutes of September 9, 2020 as submitted.

Mr. Gutman noted he would be abstaining from the approval of the meeting minutes for both meeting because he was not present at either meeting.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input checked="" type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	4 AYE	0 NAY	1 ABSTAIN	0 RECUSE	1 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

Mr. Monte arrived at the meeting.

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Trustee Liaison Patino arrived at the meeting.

Motion by Chairman Hofmann, seconded by Mr. Maass to approve the meeting minutes of November 18, 2020 as amended.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input checked="" type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	4 AYE	0 NAY	2 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

2. 21 Riverside Place – Public hearing for plans to construct a new deck on property

Mr. Steven Secon/Architect was present to represent the application.

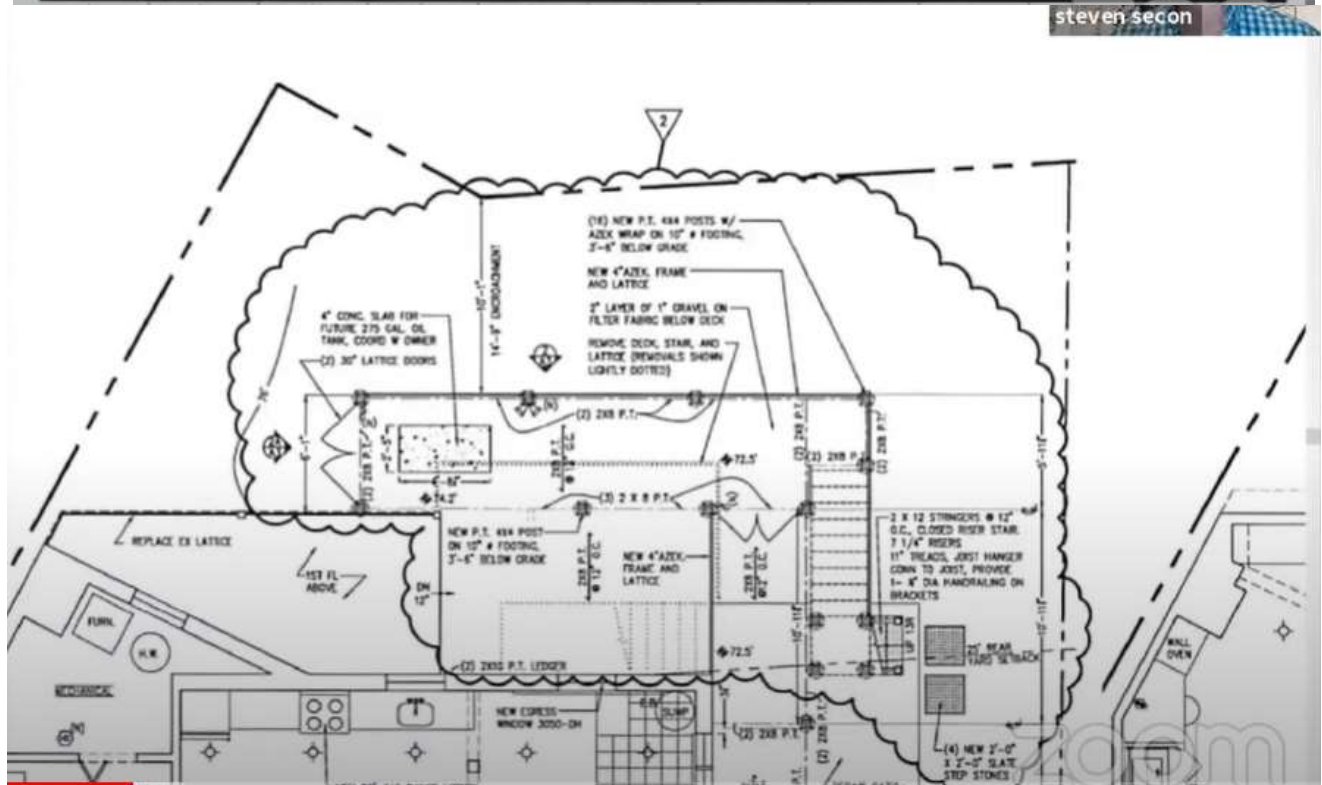
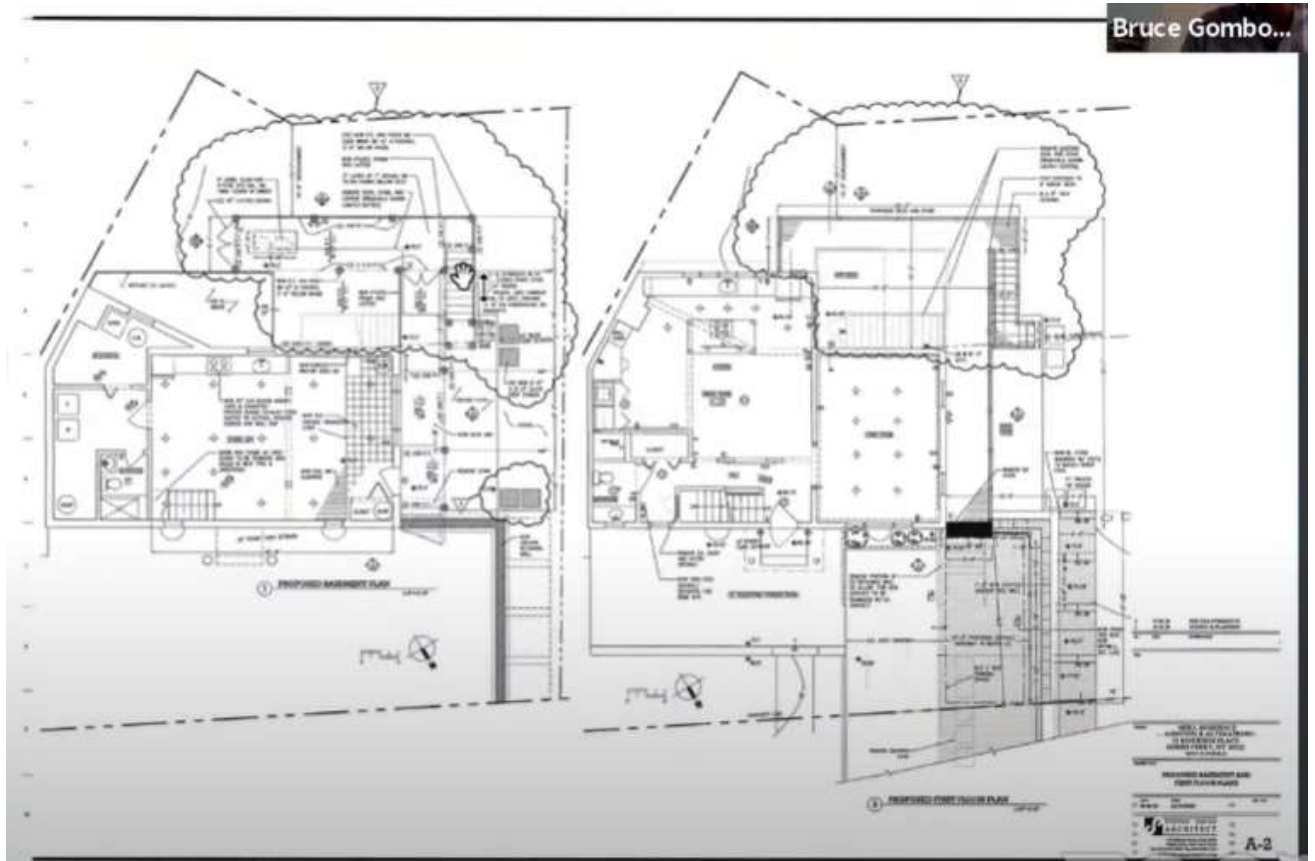
Chairman Hofmann said it would make sense for the Board to make a decision on this after they hear from the Planning Board and their decision.

Mr. Secon updated the Board on the proposed application.

A discussion was held and Mr. Secon addressed questions from the Board.

Mr. Secon displayed the following slides:

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Chairman Hofmann said re-noticing would be required and that it would make sense for Mr. Secon to go through his presentation so that we all feel comfortable with it and can voice opinions where we don't feel comfortable.

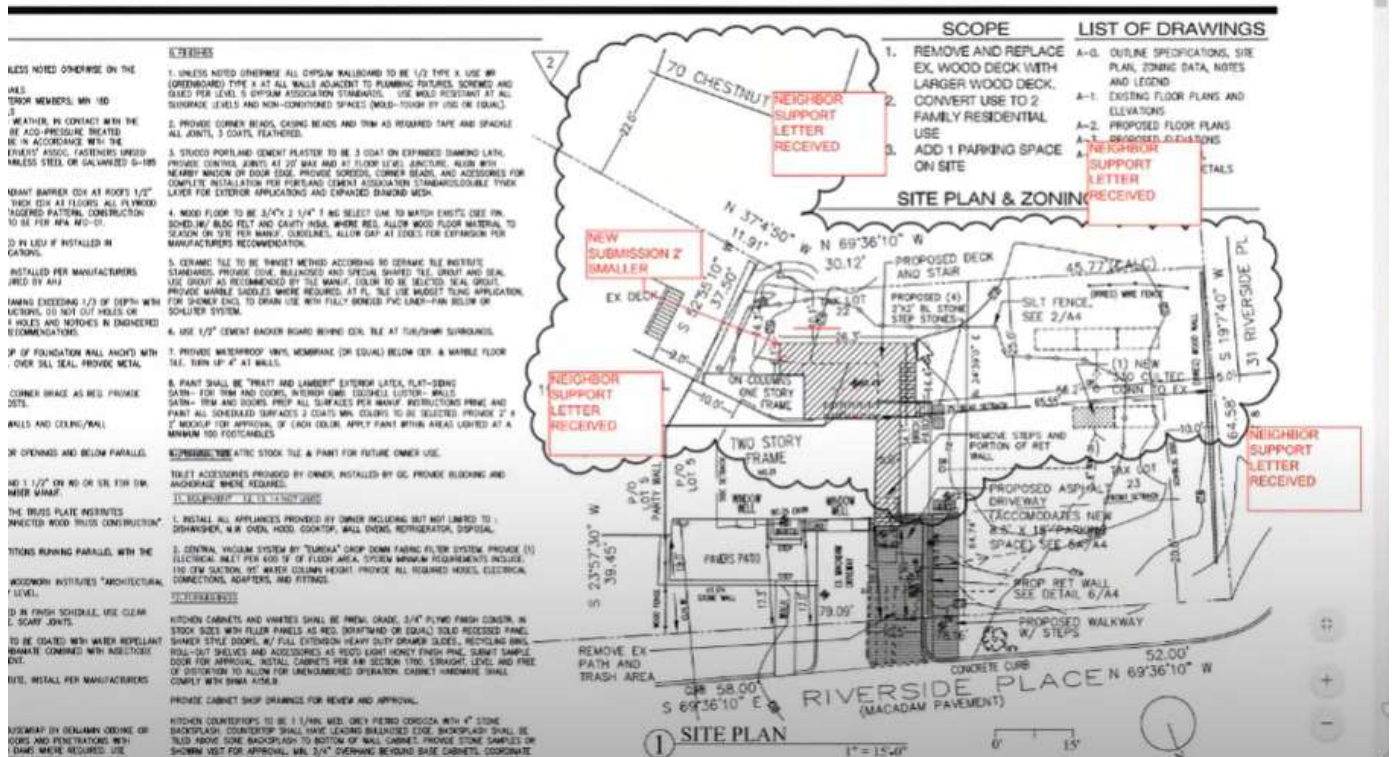
Mr. Monte said one of the neighbors is an old family of his and he thinks the appropriate thing for him to do would be to not involve himself in this and ask Mr. Capasso to vote on this rather than himself.

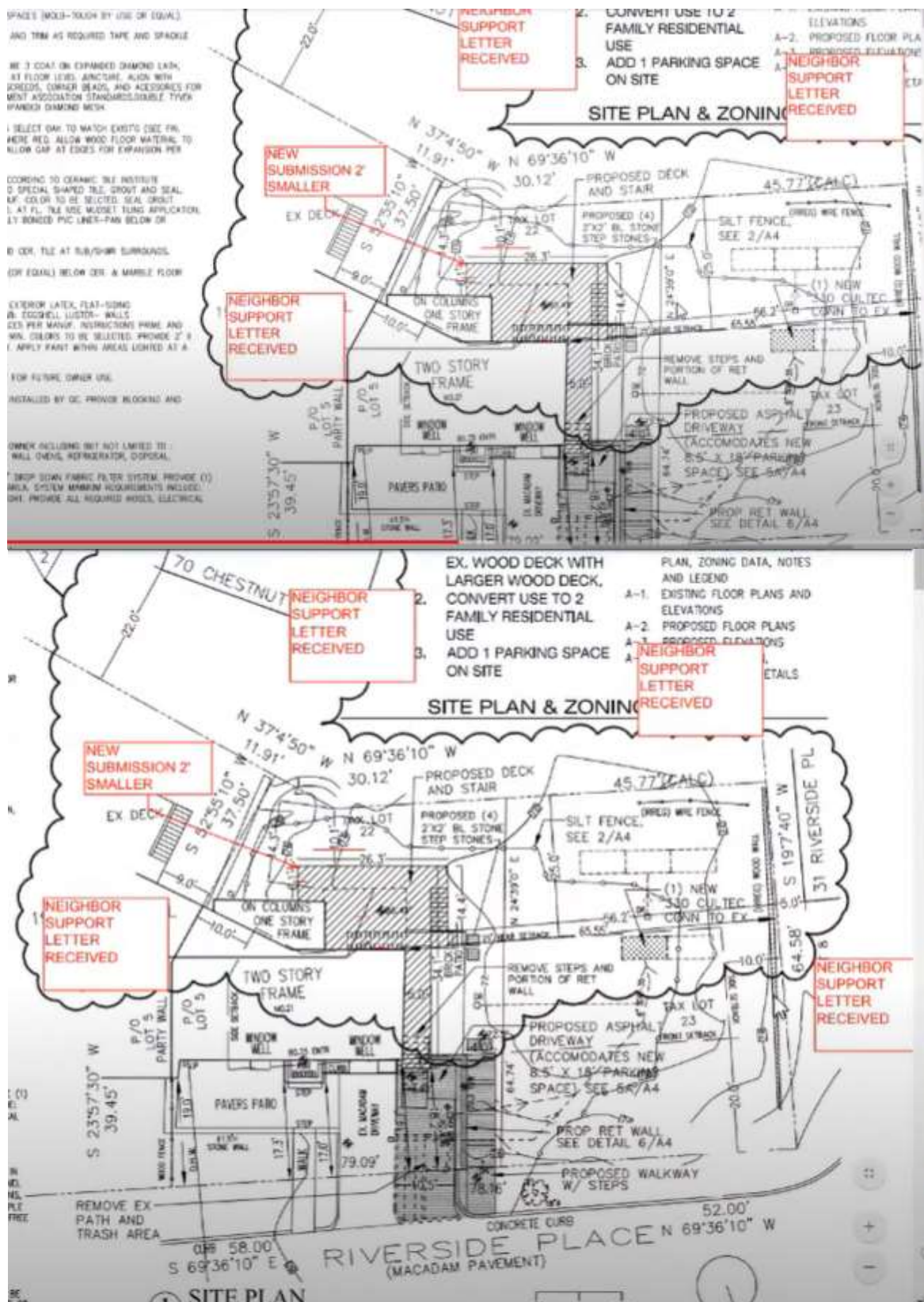
Chairman Hofmann said Mr. Gutman has the same issue and when it comes time to vote both gentleman can stay out of it.

Mr. Maass said the changes were that the back fence was at 8' 3" and was brought to 10' 3" and the stairs were reoriented.

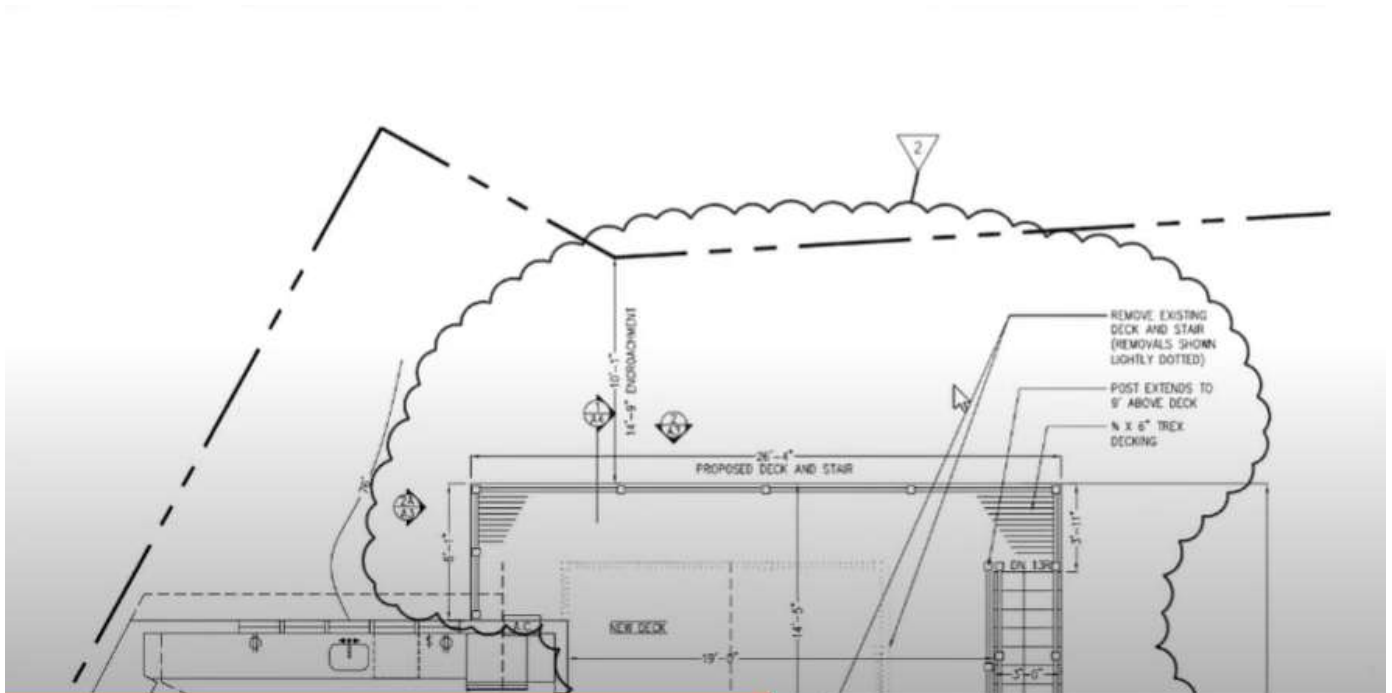
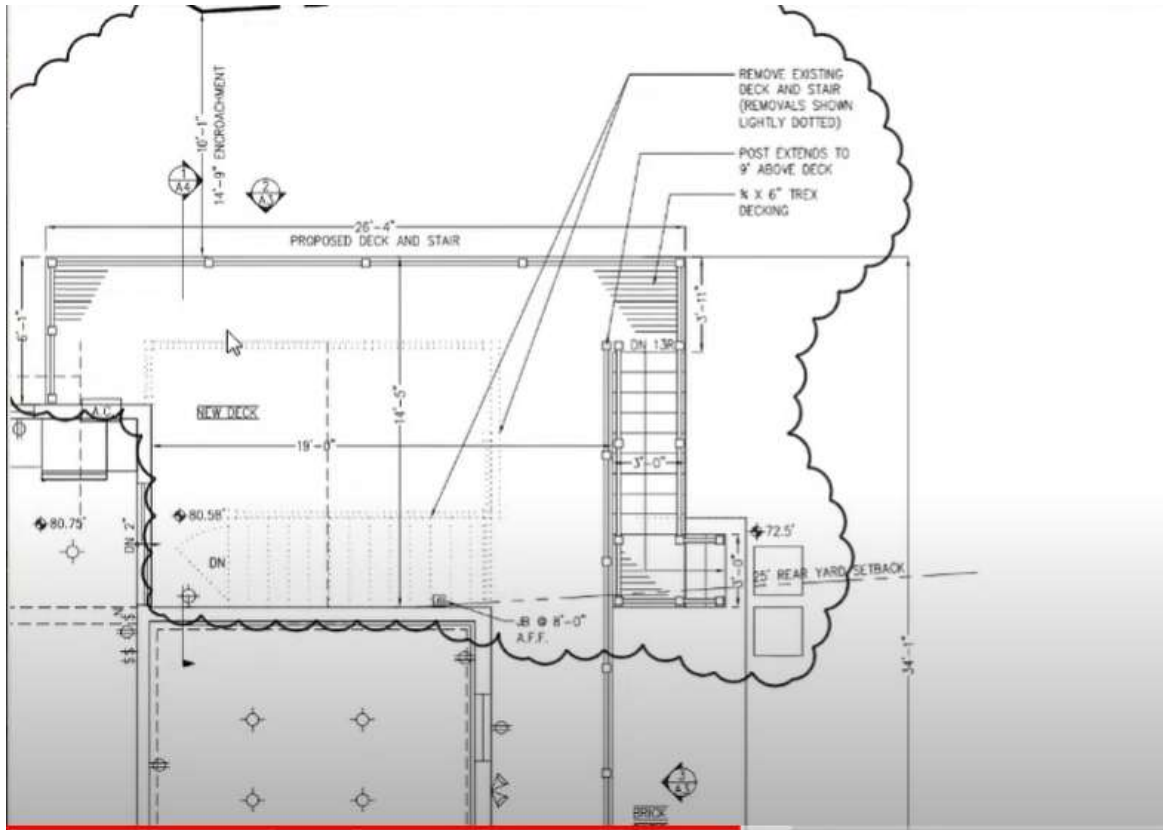
Chairman Hofmann noted there were five positive letters received from neighbors about the proposed application.

Mr. Secon discussed the proposed application and displayed the following slides:

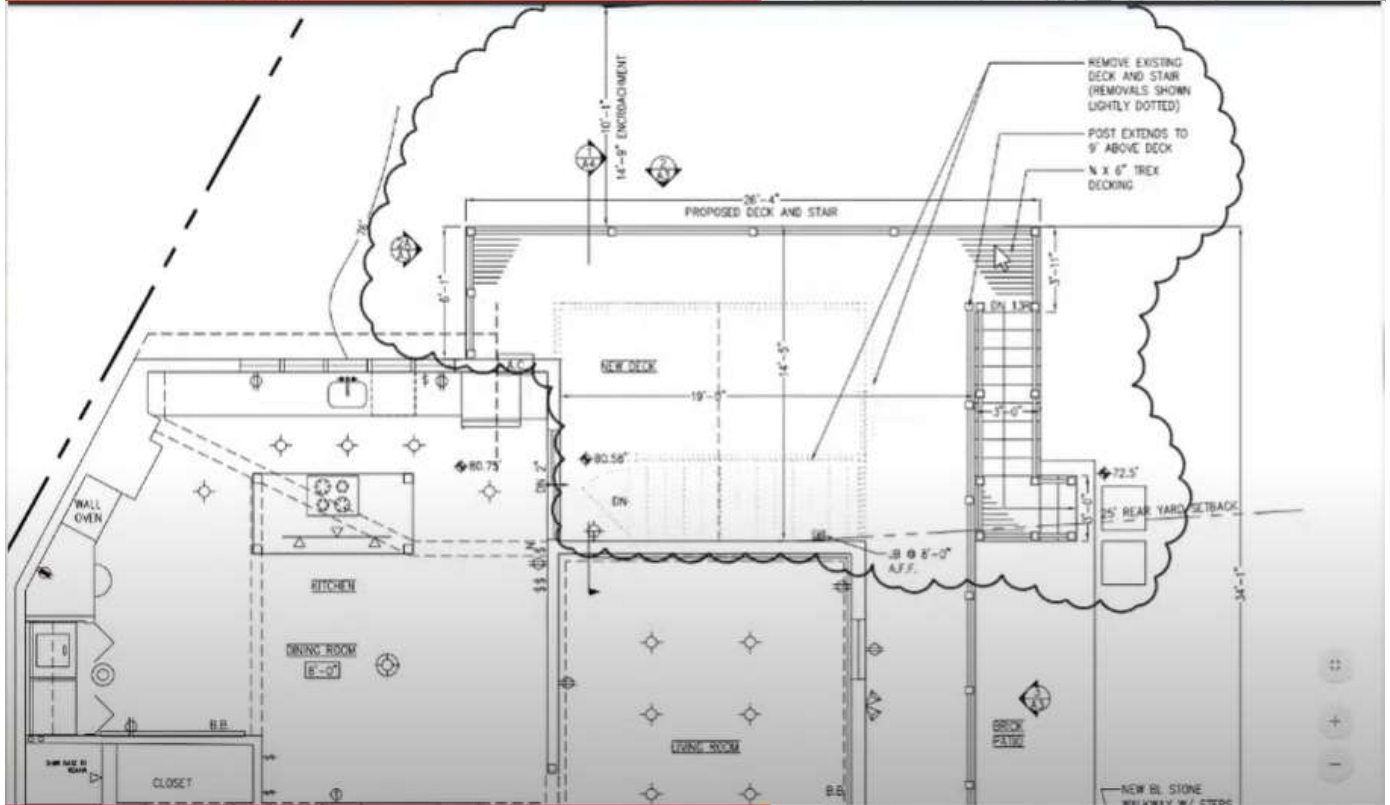
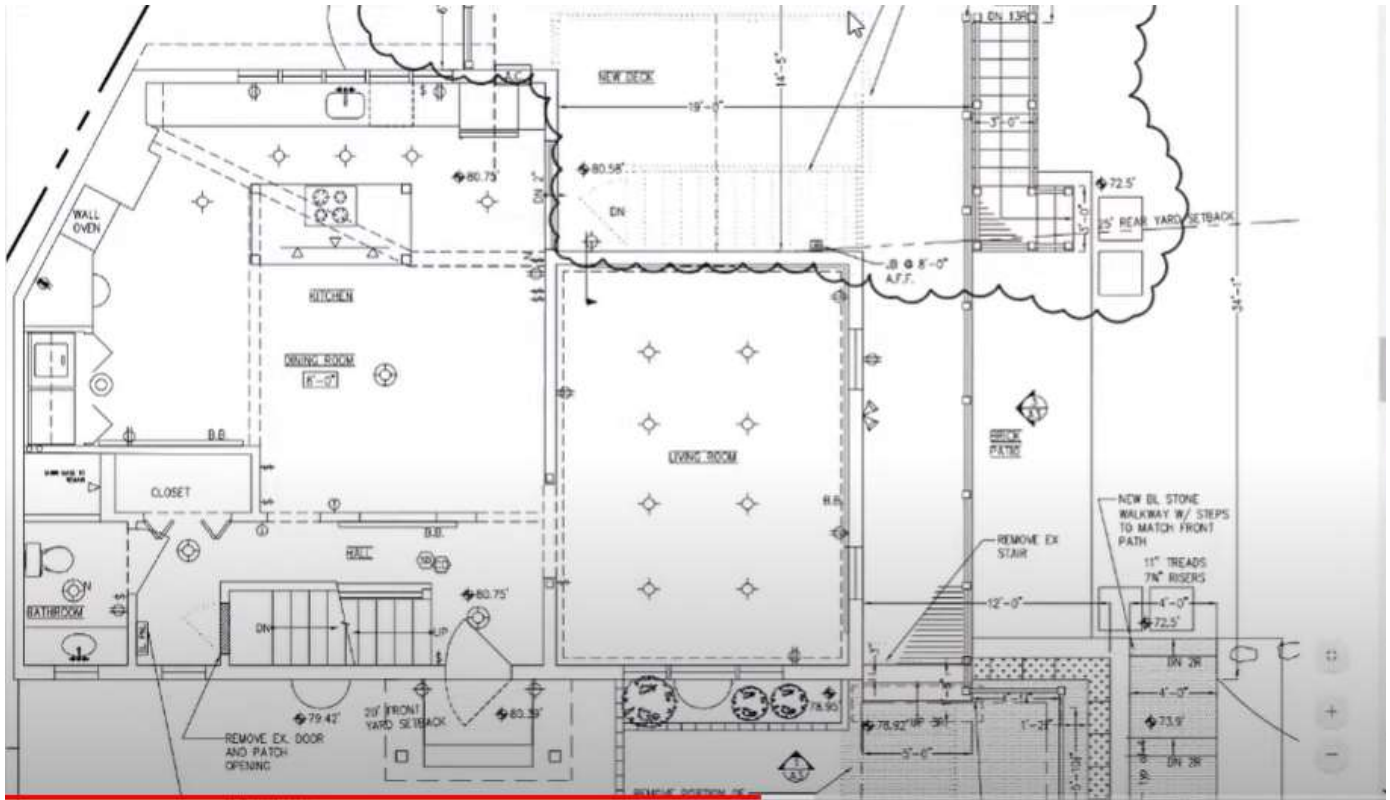




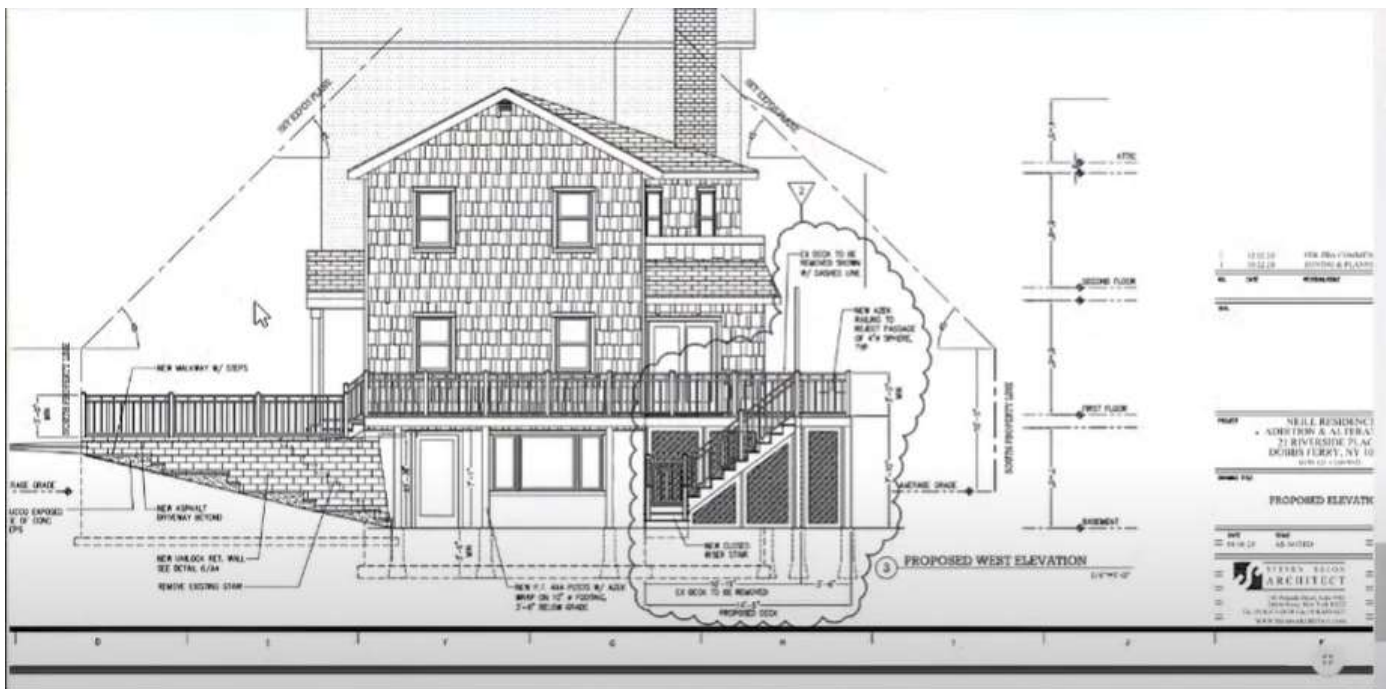
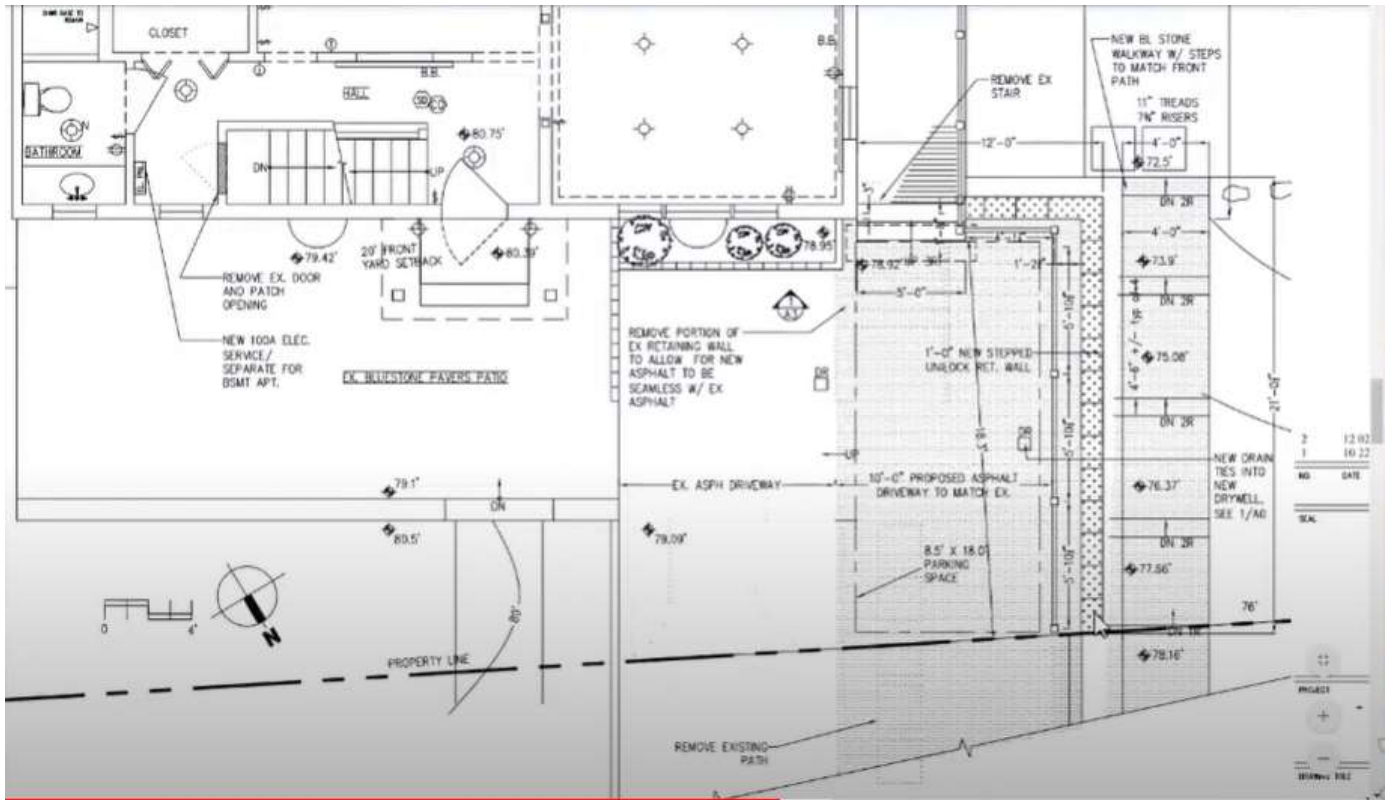
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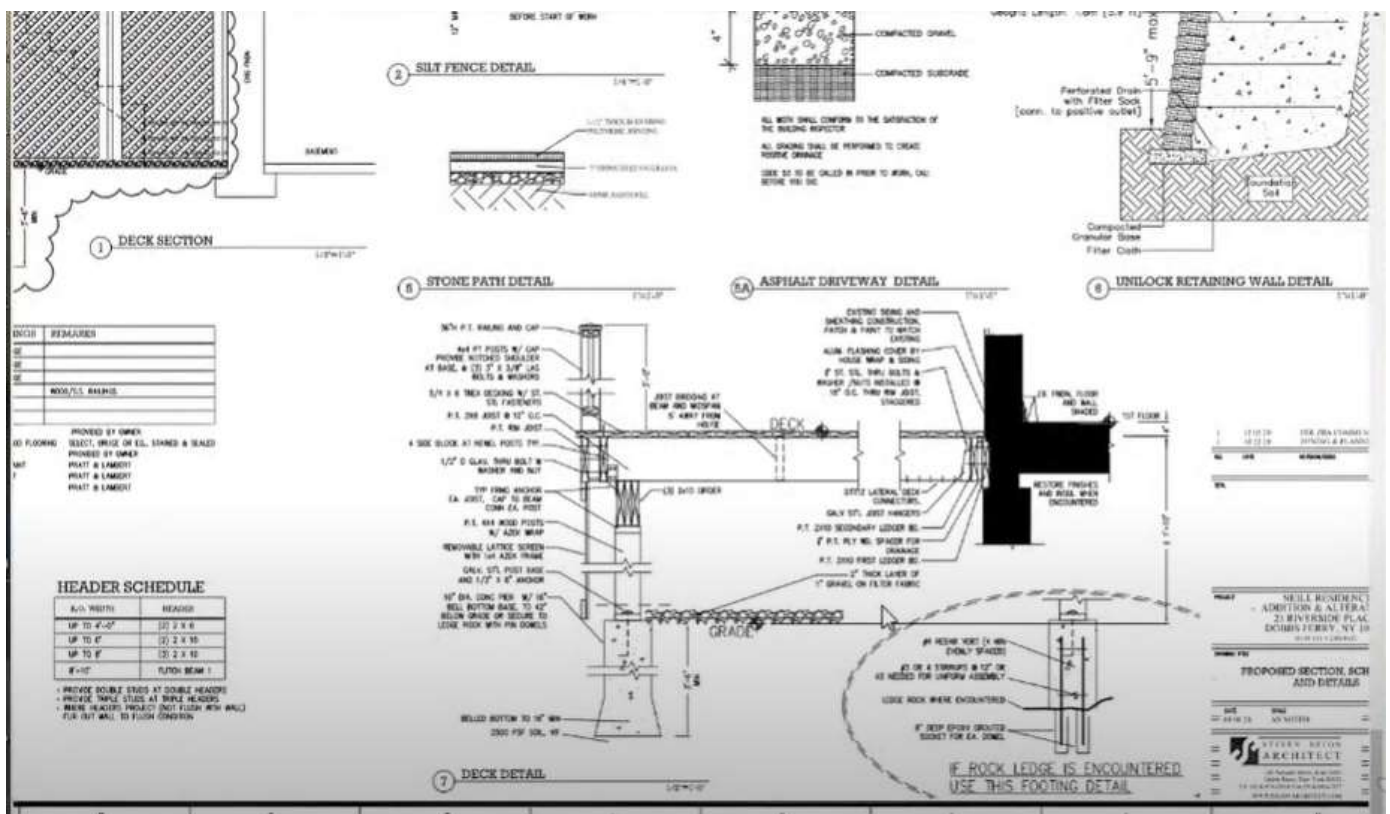
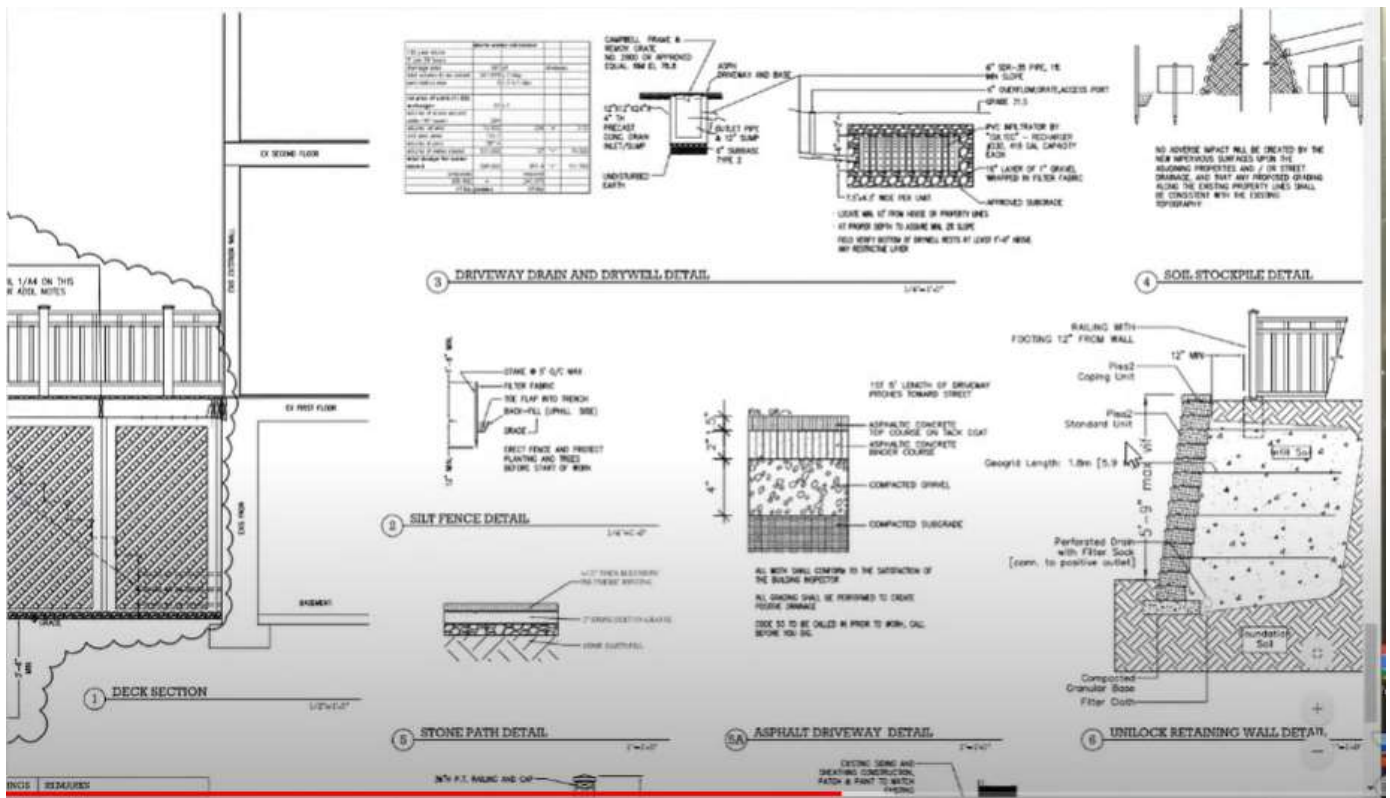
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Chairman Hofmann said because of the retaining wall issues Mr. Secon will have to work with Mr. Manley and Mr. Roemer to see how to word the application for a variance on the wall because that should be listed in the new filing, so that everyone is properly noticed. Chairman Hofmann said note the deck reduction size, so that it is less of a variance, but add in the wall and keep the front yard setback, so that the filing is complete for the record so we can vote on the entire project.

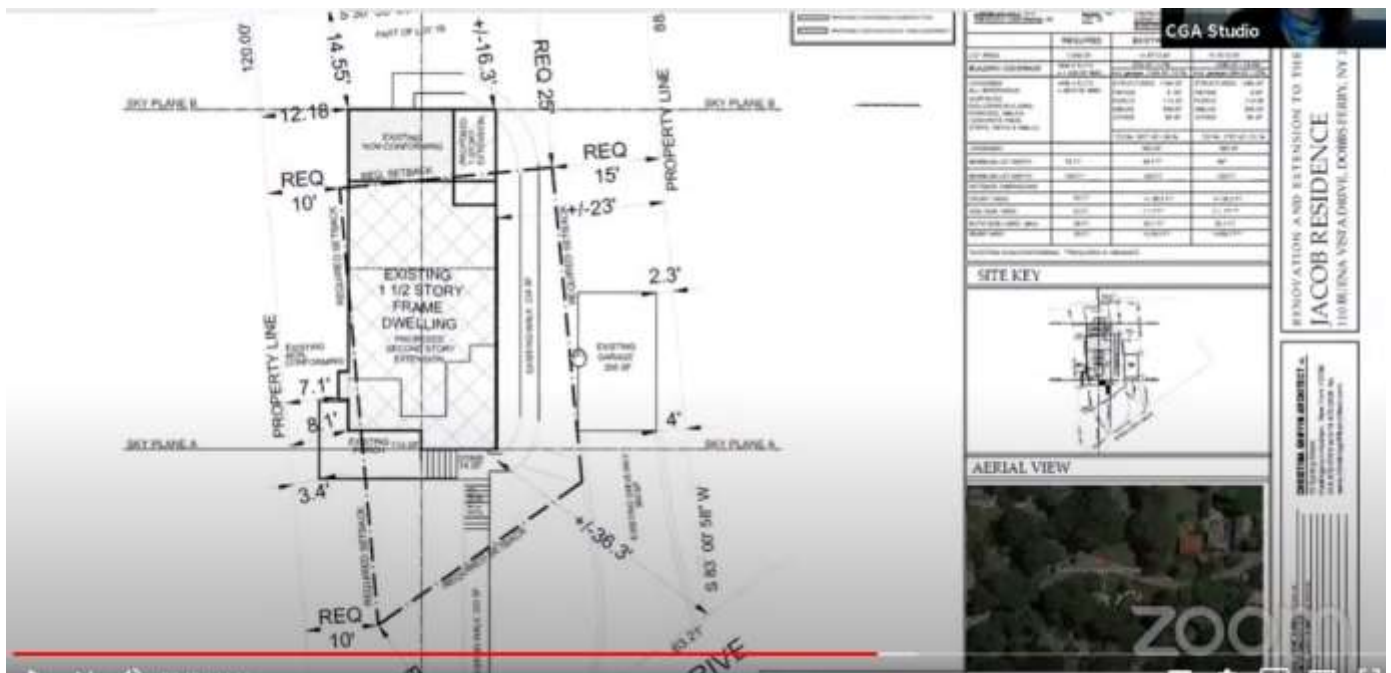
Chairman Hofmann said we will adjourn this to the next meeting.

3. 110 Buena Vista Drive – Public hearing for plans to construct a new addition on property

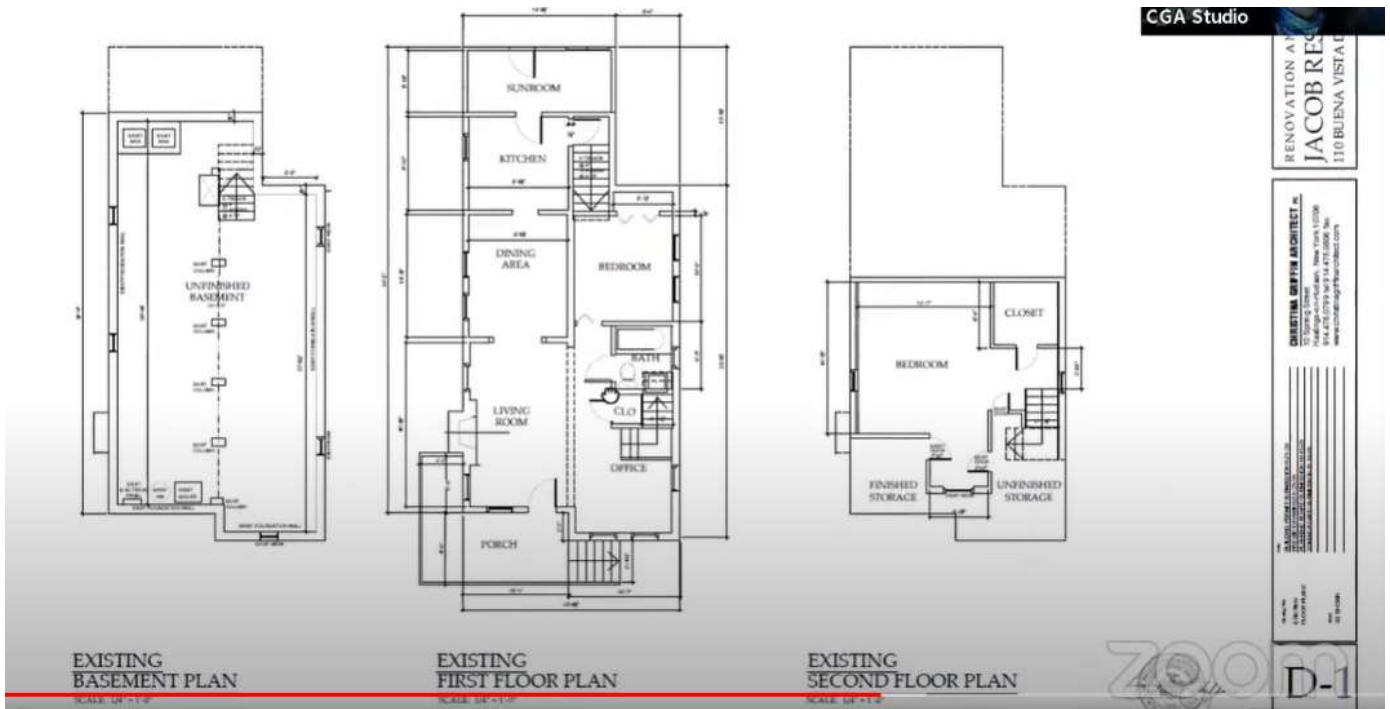
Ms. Christina Griffin/Architect was present to represent the application.

Chairman Hofmann read the legal notice for the proposed application.

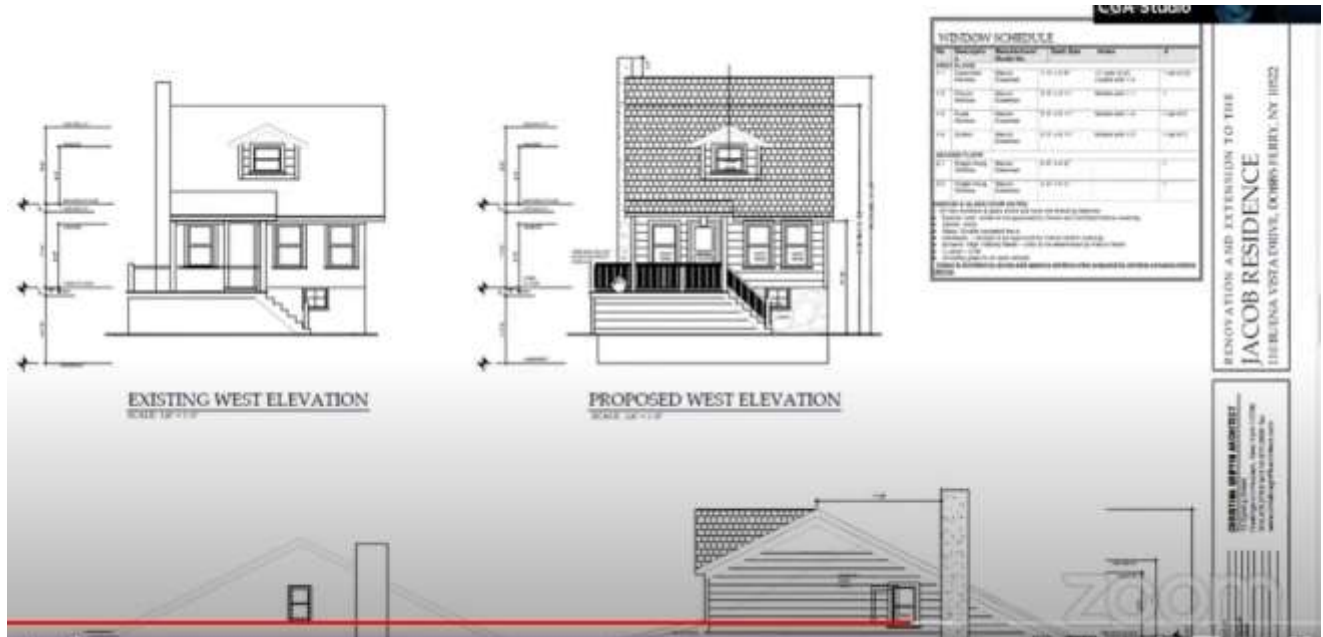
Ms. Griffin discussed the proposed application and displayed the following slides:



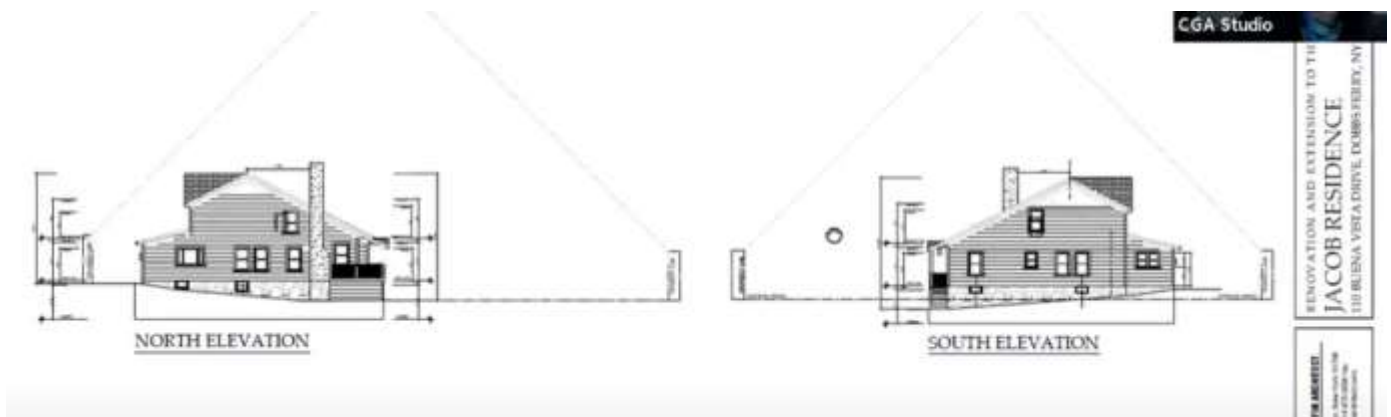
DRAFT MINUTES – NOT TO BE USED AS AN OFFICIAL DOCUMENT



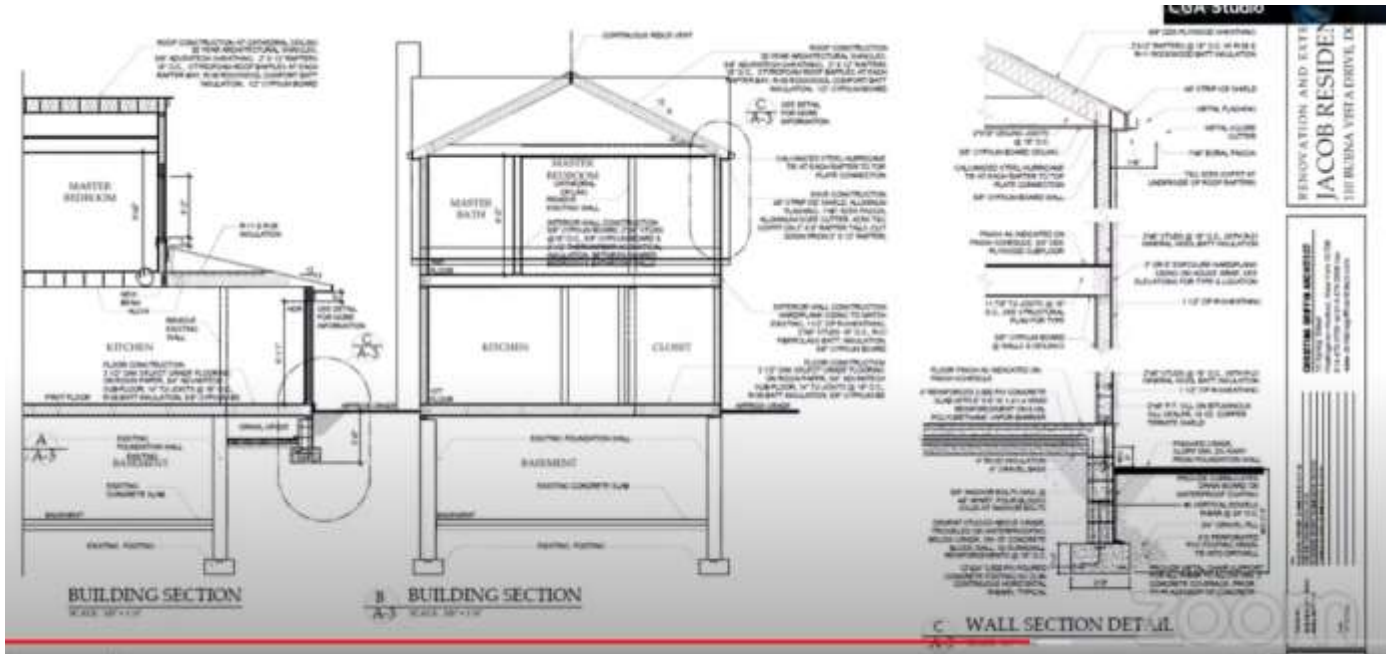
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There was no one from the public who addressed the Board regarding the proposed application.

Motion by Chairman Hofmann, seconded by Mr. Gombos to close the public hearing for the application of 110 Buena Vista Drive for plans to construct a new addition on property.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

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Motion by Chairman Hofmann, seconded by Mr. Gombos to approve the application of 110 Buena Vista Drive for plans to construct a new addition on property, in accordance with the plans submitted.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

4. 2 Storm Street – Public hearing for plans to construct a new fence on property

No one was present to represent the application.

Mr. Maass asked what prompted the violation. Mr. Roemer said they received a complaint, so a violation was issued.

A discussion was held and Mr. Roemer addressed questions from the Board.

Mr. Roemer said he just tried emailing the applicant and did not get a response.

Mr. Monte said he not in favor of awarding this. Mr. Gombos and Chairman Hofmann said they agree with Mr. Monte.

Mr. Maass asked if there is a system of violations or fines for these types of things.

Mr. Roemer said no, but if they did not remove it we would give a court summons and the judge would set the fine.

Mr. Gutman said he is completely opposed to this application but thinks we should see if there is an excuse for not being here and treat it as a default. Mr. Gutman said he would like to see the structure taken down as soon as possible.

Mr. Monte said he understands Mr. Gutman's point, but he wonders if this is going to be an ongoing problem.

Mr. Roemer said we can continue this for another month, until the applicant is here.

Chairman Hofmann said he thinks we should continue the application. Chairman Hofmann asked Mr. Roemer to contact the applicant and tell them they need to be at the next meeting because the Board is going to make a decision.

Mr. Roemer said he does not know why the applicant is not here.

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Chairman Hofmann asked is there is any issue with the Board making a decision solely based on written materials and not on any presentation, even though a presentation time has been offered to the applicant.

Mr. Gutman said technically all that is required is for there to be an opportunity to be heard, but he believes we should continue the application one time.

Motion by Chairman Hunter, seconded by Mr. Maass to continue the public hearing for 2 Storm Street for plans to construct a new fence on property to January 13, 2021; and to close the meeting.

CHAIRMAN HOFMANN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
BRUCE GOMBOS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JEREMY GUTMAN	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JON MAASS	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
PAUL MONTE	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
JOSEPH CAPASSO, 1ST ALTERNATE	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> RECUSE	<input type="checkbox"/> ABSENT/EXCUSED
VOTE TOTALS	5 AYE	0 NAY	0 ABSTAIN	0 RECUSE	0 ABSENT/EXCUSED
RESULT:	MOTION: PASSES				

The meeting adjourned at 8:45 p.m.