

Zoning Board Meeting Newcomb Community Center

June 26, 2023 at 7pm

MINUTES

1. **Call to Order:** Chairperson Jesse James Garetson called the meeting to order at 7:00pm. Zoning Board members Rodger Lull, Ed Herman, and Ed Pianalto were present. Zoning Board member Gayla Gibb attended via telephone until approximately 7:28pm.

NEW BUSINESS:

- Discuss and vote on a chairperson for the Zoning Board of Adjustment

Zoning Board member Ed Herman recommended Ed Pianalto. Mr. Pianalto stated that he had some reservation, being newly appointed. Zoning Board member Ed Pianalto recommended Jesse James Garetson.

Motion to appoint Jesse James Garetson as chairperson made by Zoning Board member Ed Pianalto. Seconded by Zoning Board member Rodger Lull. Motion carried 4-1. Zoning Board member Gayla Gibb cast a nay vote.

- Discuss and vote on a vice chairperson for the Zoning Board of Adjustment

Motion to appoint Ed Pianalto as vice chairperson made by Zoning Board member Gayla Gibb. Seconded by Zoning Board member Ed Herman. Motion carried 4-0. Zoning Board member Ed Pianalto abstained.

- Discuss and vote on approving the minutes from the 5-15-2023 Zoning Board Meeting

Motion to approve the minutes as amended made by Zoning Board member Rodger Lull. Seconded by Ed Pianalto. Motion carried 5-0.

Chairperson Jesse Garetson requested it be added that “junkyards” are not discussed within the Zoning Code except in the definition section.

- Discuss and vote on approving a request for temporary placement of a storage container on the grounds of the Pitkin Hotel

Clerk Sara Gibb stated that she received an email from Zoning Board member Gayla Gibb pointing out that this should be a Board of Trustees issue.

Section 8, paragraph A on page 8 dictates that this should be brought before the Board of Trustees for approval.

Item tabled.

- Discuss and vote on a variance request for a container to be placed 3 feet from the property line at 100 2nd Street (Stumbling Moose Lodge)

The Town received an email from one neighbor (Graham) stating no objection. Neighbor Dan Hoffelder sent a text to Board of Trustee Lucinda Lull. Mr. Hoffelder's main concern was parking. With the expansion plan, parking will get worse. Mr. Hoffelder looked for a diagram but learned that that the container was already placed. How many other projects were done without permission?

Mr. Schellenberg stated that he thought he didn't need a permit for the container. He stated that Mr. Hoffelder has a container on his property that looks closer to the property line than his is.

Zoning Board member Ed Pianalto stated he was concerned that a container was placed without a permit. He went around Town and looked for other containers. There are several in Town and he doesn't know if they are permitted. Mr. Pianalto looked at the container, which appears to be 3 feet from the property line. He believes it would be a fire/safety hazard if it were closer to the building. It can't scoot back because of the OWTS and leach field. The purpose of the container is to store items for the Stumbling Moose Lodge.

Zoning Board member Gayla Gibb stated that it was inappropriate to bring up other containers without first checking to see if they were permitted.

Uniqueness of property is the location of Main Street, which runs on an angle and cuts off part of the property.

Special circumstances – septic tank and leach field location and Chairperson Jesse James Garetson stated that Armstrong creek adds more distance from the boundary.

Chairperson Jesse James Garetson stated that the container does not affect the neighborhood and is placed as strategically as possible.

Motion to approve the variance as requested (at a 3-foot setback) made by Zoning Board member Ed Pianalto. Seconded by Zoning Board member Ed Herman. Motion carried 4-0. Zoning Board members voted as follows: Ed Pianalto – yes; Ed Herman – yes; Rodger Lull – yes; Jesse James Gareson – yes.

Zoning Board member Ed Pianalto asked to make some statements. He would like to help the Building Inspector by setting up a building permit schedule so the ZB members can see when a permit has been requested, paid for, approved, permit provided to contractor/homeowner/business owner, etc. He would like all permit for the past 2 years so the Zoning Board can see the permits that are still open. Chairperson Jesse Garetson would also like this available to the Trustees. Zoning Board member Rodger Lull says this is a good idea. The Town needs to know what is going on. Zoning Board member Ed Pianalto stated that building permits are to keep people safe and to make sure things are done right. He is concerned for the Town if inspections and the Zoning Code are not followed. Clerk Sara Gibb suggested that a spreadsheet include only information managed by the Zoning Board. Chairperson Jesse Garetson and Zoning Board member Ed Pianalto stated that they would like to see progress for the 2-year time frame and all open permits.

There was discussion about the use of Google docs for an updating spreadsheet. Clerk Sara Gibb will verify with Attorney Mochulsky what would be an acceptable use of Google Docs.

Public comments: Ramon Reed, Chad Varnell

OLD BUSINESS: None

ADJOURN: Zoning Board member Ed Pianalto moved to adjourn; Zoning Board member Rodger Lull seconded. Motion carried 4-0. Meeting adjourned at 7:50pm.