

Zoning Board of Appeals

Public Hearing

Public Hearing and Special Meeting Minutes Summary, September 19, 2023

The following Zoning Board of Appeals (ZBA) regular members were present: Ackerman (Chairperson), Harris, Judd, Kuhn. ZBA Counsel Sylvia Rutkowska was also in attendance. Alternate ZBA members were in attendance: Renee LaMark Muir and Edmund Southworth. Muir was appointed to hear and vote on this case, as she had at the previous August 29, 2023 hearing. ZBA alternate member Sybil Higgins was not in attendance.

Continuation on Deliberation of Application ZBA #23-01 for a variance to permit expansion of a non-conforming use: construction of a pavilion on an existing outdoor patio area. Map 58, Lot 71. Applicant: United Scandinavian Society, Inc.

At the start of this hearing, the ZBA chair read a memorandum dated September 11, 2023 from Zoning Enforcement officer John Guskowski. The memorandum articulated the ZEO's insight on the expansion aspects of the application and was placed as Exhibit 3 of the hearing.

The ZBA chair then asked if anyone present wanted to speak further on the application. Forrest Cobb stated that the applicant organization would submit further information. This submittal was accepted by the board as Exhibit 5 and included a portion of a site plan annotated with plantings and lighting, drawings and renderings of the proposed pavilion, renderings of proposed split rail fence and arborvitae, a photograph of the old cook shack, and a copy of a hall & pavilion rental agreement which articulates limitations on use thereof. Joyce Grassel, who resides in proximity to the application site at 362 Main Street, spoke in favor of the application. Robert Cameron commented on the proposed fence to reduce noise. Site neighbor Jane Vicira also spoke in favor, noting the humanitarian contributions the Society makes. Randy Myers, president of the Scandinavian Society, described how the project would decrease impact on the neighborhood. Decameron added that neighbors would not see any disturbance, based on the proposed fence and arbor vitae tree plantings planned at the site. ZBA Counsel inquired about accommodations regarding people with disabilities. Lee Balduci, who resided on nearby Route 154, spoke in favor of the application.

ZBA member Harris made a motion to close the public hearing, seconded by Muir. So moved. Harris then made a motion to approve the application, seconded by Judd. Ackerman, Judd, Harris, and Kuhn voted to accept the application, with Muir dissenting. The application was so passed on a vote of four to one. Reasons articulated for the granting of the application were:

1. That the variance in the application would result in a reduction of the existing impact on the neighborhood.
2. That accommodations will be made for people entering the site with disabilities.
3. That the variance increases site safety; and
4. The proposed conditions are consistent with the regulations.

Granting the application to proceed was specifically based on the following limitations or conditions.

1. Limited to improvements as shown on the Proposed Zoning Location Survey by Gesick & Associates, P.C. dated April 16, 2019;
2. That the fencing and tree buffers shown on the annotated survey in Exhibit 5 will be installed;
3. That lighting be limited as shown on the annotated survey in Exhibit 5, or as required by the local codes and regulations;
4. Use of the pavilion is subject to the limitations and restrictions in the listed in “The Hall & Pavilion Rental Agreement” in Exhibit 5 (including but not limited to: all events must be over, cleaned up and vacated by 11 pm on Fridays and Saturdays, and 9 pm Sundays through Thursdays; no outside entertainment).

On a motion by Harris, seconded by Muir, the ZBA meeting came to a close at approximately 7:45 p.m. There minutes submitted by Jerry Ackerman, ZBA Chair.