

Town of Stafford
Zoning Board of Appeals
Regular Meeting
June 3, 2010
7:00 p.m. – Veterans Meeting Room

Members Present: Dennis Kaba
Scott Gallison
Ronald Houle
Tom Heffron
Henry DaDalt

Alternates Present: Tom Carter
ZEO Present: Richard Shuck

PUBLIC HEARINGS

Application of David & Judith Mordasky requesting variance of Section 3.11 and 3.02 for side property line requirements and watercourse requirements to construct 6' x 6' x 8' storage shed. Location: 21 Lake Shore Boulevard, Assessor's Map #18, Lot #110, AA Zone.

Agenda:

1. Review minutes of February 4, 2010, April 1, 2010, and May 6, 2010 regular meetings.
2. Discussion- Mordasky application.
3. Continuation-Discussion of Hansen application.
4. Adjournment.

A public hearing was held prior to the regular meeting, re David & Judith Mordasky requesting variance of Section 3.11 and 3.02, tape recorded and filed in the office of Town Clerk.

Upon completion of the public hearing, Chairman Kaba called the regular meeting to order a 7:05 p.m.

3. Continuation – Discussion of Hansen application.

Richard Shuck handed out a letter from Paradiso & Muska, LLC dated June 1, 2010 and a letter from Halloran & Sage LLP dated June 3, 2010. In addressing, Dennis Kaba stated that the letter from Ms. Hansen's attorney (Halloran & Sage LLP) noted that the matter will be reappearing before the court on June 15, 2010 and they wish to allow another 65 days to render a decision on the variance. Richard stated that State Statue allows you 65 days to render a decision and that next month's meeting would be within this 65 days and that the letter asks for the decision to be tabled to the next meeting. Mr. Winstanley asked to address this letter and stated that this is the 11th hour for he and his attorney to receive this letter which allowed no time for preparation and he is not even sure his attorney has received this letter at this time. He stated that he has received no notice from the court concerning the motion that has been filed for June 15th and that the letter mischaracterizes why he is here, he believes this is a ZBA decision. Richard noted, as a staff comment, as to the rational of Attorney Slater's (Halloran & Sage LLP) request and stated that the variance may not be

needed if there is an outcome in court that favors Ms. Hansen, however the Board may have to make a decision due to statutory time frames.

Tom Heffron made a motion to table the decision to the next meeting, July 1, 2010, seconded by Henry DaDalt. Motion passed. Voting Yea; Scott Gallison, Ronald Houle, Dennis Kaba, Tom Heffron, and Henry DaDalt.

Tom Heffron added that this motion is due to the fact that things could change in this matter and waiting is the best option. Ms. Hansen also requested to be heard and noted that dependant on the court outcome on June 15th, the resolution of this issue may take longer than anticipated.

2. Discussion – Mordasky application.

There was no further discussion on this agenda item.

Henry DaDalt made a motion to accept the application of David & Judith Mordasky, 21 Buckley Highway, to construct a shed on 21 Shore Boulevard, Map #18, Lot #110, AA Zone. Shed construction to be no more than 6' x 6' x 8', no closer than 2' from property line and 18' from watercourse, seconded by Tom Heffron. Motion passed. Voting Yea; Scott Gallison, Ronald Houle, Dennis Kaba, Tom Heffron, and Henry DaDalt.

1. Review minutes of February 4, 2010, April 1, 2010, and May 6, 2010 regular meetings.

Scott Gallison made a motion to approve the minutes from the February 4, 2010 regular meeting as printed, seconded by Henry DaDalt. Motion passed. Voting Yea; Scott Gallison, Ronald Houle, Dennis Kaba, Tom Heffron, and Henry DaDalt.

Scott Gallison made a motion to accept the minutes from the May 6, 2010 regular meeting as printed, seconded by Ronald Houle. Motion passed. Voting Yea; Scott Gallison, Ronald Houle, Dennis Kaba, Tom Heffron, and Henry DaDalt.

Ronald Houle made a motion to seat Tom Carter for Tom Heffron for the purpose to vote on April 1, 2010 regular meeting, seconded by Henry DaDalt. Motion passed. Voting Yea; Scott Gallison, Ronald Houle, Dennis Kaba, and Henry DaDalt.

Henry DaDalt made a motion to accept the minutes of April 1, 2010 regular meeting, seconded by Tom Carter. Motion passed with Scott Gallison and Tom Heffron abstaining. Voting Yea; Ronald Houle, Dennis Kaba, and Henry DaDalt.

4. Adjournment.

Henry DaDalt made a motion to adjourn, seconded by Tom Heffron. All in favor. The regular meeting of the Zoning Board of Appeals adjourned at 7:35 p.m.

Respectfully submitted,

Ann Cison Monahan
Recording Secretary