**Town of Chester**

**Zoning Board of Adjustment**

**February 20, 2024**

**Town Hall**

**7:00 PM**

**Approved Minutes**

**Members Present:**

Vice-Chair Kevin Scott

Jack Cannon

William Gregsak

Jason Walsh

**Members Absent:**

Chair Billie Maloney

Rick Snyder, Alternate and Planning Board Liaison

Selectman Dick Trask, Select Board Liaison

**Other Persons Present:**

Michelle Sharp

Beaman Cole

Jane Mallinson

and other persons unknown to the minute taker

**Agenda**

1. **Call to Order/Roll Call**
2. **Approval of Meeting Minutes: January 9, 2024**
3. **Public Hearings**
4. **Correspondence**
5. **Updates**
6. **Financials**
7. **2024 Proposed Zoning Amendments**
8. **Records Retention**
9. **Rules of Procedure – Jason**
10. **BOS Hiring Policy**

**6. Adjournment**

**1. Call to Order**

Vice-Chair Scott called the meeting to order at 7:00 PM. By Roll Call, voting members were present: Vice-Chair Scott, Jack Cannon, Bill Gregsak and Jason Walsh.

**2. Approval of Meeting Minutes**

**January 9, 2024**

***Mr. Cannon motioned to approve the January 9, 2024 meeting minutes. Vice-Chair Scott seconded the motion. A vote was taken, all were in favor, the motion passed 4-0-0.***

**3. Public Hearings**

1. The application of Jason Sharp and Michelle Sharp

For a Special Exception to permit a 951 SF Accessory Dwelling Unit, pursuant to Articles 9.4 and 11.4 of the zoning ordinance

On the premises to be known as and numbered 138 Ledge Road, Map 008, Lot 7-2, in the R-1 Residential zoning district

Vice-Chair Scott read out loud the Public Hearing Notice and advised the applicant that a majority vote of at least three members was needed to take action and offered that she could continue to next month and hope for five members to be present. The applicant indicated she wished to proceed.

Mrs. Sharp presented a full-sized plan of her backup septic plan, noted there was adequate parking and the ADU would be one bedroom. She noted no other changed to the exterior other than raising the roof line.

Mr. Walsh read out loud the criteria of ordinance sections 9.4 and 11.4.1 and Mrs. Sharp answered affirmatively.

Vice-Chair Scott read out loud the purposes of 9.4 and asked Mrs. Sharp if the ADU satisfied at least one of those purposes and she indicated two of the four.

Mr. Walsh opened the hearing to the public for questions and comments at 7:15 PM.

Beaman Cole approached the table and viewed the plans. He noted their driveway had been constructed when the home was built, partially on his property, and some trees were also buried on his property by the builder. He noted if the property were sold he would like the driveway corrected. Mr. Cole asked if the property could be rented and Vice-Chair Scott explained what an Accessory Dwelling Unit was and that it could be rented.

Mr. Walsh closed the hearing to the public for deliberations at 7:20 PM.

Vic-Chair Scott noted that the applicant answered affirmatively to all of section 9.4 and 11.4.1 and saw no reason not to approve the ADU. Mr. Gregsak agreed.

***Mr. Gregsak motioned to approve the special exception permit for an accessory dwelling unit pursuant to Section 9.4 and 11.4.1 of the ordinance. Mr. Cannon seconded the motion. A vote was taken, all were in favor, the motion passed 4-0-0.***

Vice-Chair Scott read out loud the 30-Day Notice of Appeal.

**4. Updates**

1. **Financials**

Updated Financial Statements were provided to the Board.

1. **2024 Proposed Zoning Amendments**

Proposed Zoning Amendments were provided to the Board and copy of Planning Board’s February 28, 2024 Public Hearing Agenda. Vice-Chair Scott discussed the proposed change to the ZBA not hearing special exception applications for Accessory Dwelling Units and the amendment to Article 8 concerning percentage of impervious surface allowance for the internal lots of an open space subdivision.

1. **Records Retention**

A copy of the records retention policy applicable to the ZBA was provided to the Board and the members were asked to think on what documents they would like to have retained beyond the 30-day appeal period. Ms. Hoijer noted she reached out to four surrounding communities to see what their policy was and will forward the responses when received.

1. **Rules of Procedure – Jason**

Mr. Walsh provided notes on the proposed updates to the Rules of Procedure.

1. **BOS Hiring Policy**

The Selectmen’s recently approved Hiring Policy was provided to the Board.

**Adjournment**

Vice-Chair Scott reminded the Board that the next meeting is on March 19, 2024.

***Mr. Gregsak motioned to adjourn the meeting at 7:37 PM. Vice-Chair seconded the motion. A vote was taken, all were in favor, the motion passed 4-0-0.***

Respectfully submitted,

Nancy J. Hoijer,

Recording Secretary

