

**Town of Chester
Zoning Board of Adjustment
May 31, 2023
Town Hall
10:00 AM
Approved Minutes**

Members Present:

Chair Billie Maloney
Vice-Chair Kevin Scott
William Gregsak
Jason Walsh, Alternate

Members Absent:

Jack Cannon
Rick Snyder, Planning Board Ex-Officio Liaison
Selectman Dick Trask, Select Board Liaison

Guests:

Town Planner Andrew Hadik
Building Inspector Myrick Bunker

Agenda

- 1. Call to Order/Roll Call**
- 2. Other Business**
- 3. Adjournment**

27 **1. Call to Order**

28 Chair Maloney called the meeting to order at 10:00 AM.

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30 **2. Other Business**

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32 • Animal Ark – Raymond Road

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34 Mr. Hadik brought it to the Board's attention that Mrs. Debecker is in violation of her
35 conditions of approval by having a fourth mobile van when her conditions of approval allow
36 for three. He noted that it is likely the fourth van is an indicator that there are more
37 employees on site than were approved. She stated that she was told she could have as
38 many vans as she wanted and there were no conditions attached to her variance approvals.
39 Discussion followed.

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41 Mr. Bunker requested that at a minimum, the conditions of approval on the ZBA's decisions
42 need to state that the applicant needs to return to the building inspector for proper permits
43 and if site plan review is required, he can address it with the Planning Board and the
44 applicant.

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46 Mr. Bunker felt that at a minimum the Debeckers should go back before the Planning Board.

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48 The Board agreed that Mrs. Debeckers should work with the building inspector to resolve
49 the problem as they could not provide any assistance outside of an application and public
50 hearing.

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52 • Trudeau – Towle Road

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54 Chair Maloney noted that the reason for this meeting is that amicable communication is
55 important between the ZBA and the building inspector. The Board needs to understand why
56 we don't understand where you're coming from. Perhaps better communication on my part
57 would have helped in the beginning for not discussing with you the Trudeau saga. I was
58 confused and upset about how it had been handled. Residents are not getting enough
59 information and are confused and irritated about what to do. Mr. Bunker noted that many
60 don't tell him that they don't understand. Chair Maloney asked if we couldn't have a better
61 process of looking at structures before sending them to the Zoning Board and incurring
62 expenses before telling them it didn't meet code. Mr. Bunker stated he didn't do inspections
63 prior to their having a permit. Chair Maloney noted that after the ZBA decision that Mrs.
64 Trudeau didn't need a variance, Mrs. Trudeau was asked to file a new application and pay
65 the building permit fee, then was told the structure didn't meet code. Chair Maloney asked if
66 there was any reason why he couldn't have stopped and looked at the structure to see if it
67 met code before having her pay a building permit fee and then telling her it didn't meet code.
68 Mr. Bunker indicated he can't tell by site if it meets code. Mr. Bunker noted that the
69 applicants were asked to bring materials that show the structure meets code. All documents
70 show that it didn't meet code. The application for a permit states that construction plans
71 must be provided. These plans would set forth the manufacturer's specifications.

Chair Maloney asked if the code is the same for all towns and Mr. Bunker referenced the state building code and noted some interpretations may be different as the language is clear in some instances and sometimes not.

Vice-Chair Scott asked what defines a temporary structure. Mr. Bunker noted a structure that is going to be in place for more than 181 days, tents are a different animal because of state legislation, for instance a school or a wedding need a permit where those on private property are not a public structure. Vice-Chair Scott asked if the Scouts had to get a permit for their tent every year for the annual yard sale and Mr. Bunker indicated they did.

Vice-Chair Scott reviewed the chronology with Mrs. Trudeau's application and the site plan not being accurate. Mr. Bunker noted that the structure was built without a permit. Mr. Walsh agreed that applicants think they are done once they clear the ZBA and have this expectation that they no longer have any hurdles to meet.

Vice-Chair Scott asked why the applicant could not be informed up front. Mr. Bunker responded that all he received was an application and a site plan.

Ms. Hoijer asked about the applicant's confusion over the metal roof needing to meet snow loads when the snow slides right off. Mr. Bunker responded that the way it works is that the snow piles up, then melts and slides off.

Mr. Gregsak reviewed the history of how the Army Corp of Engineers addressed snow loads. A lot of buildings were collapsing. Requirements changed with increases in elevation.

Mr. Bunker noted that Mrs. Trudeau needs to provide a document to him, from the manufacturer, that shows the structure meets code, wind speeds of 120 mph, snow load of 65 lbs. and that how it is attached to the ground meets their specifications.

The Board thanked Mr. Bunker for coming and explaining the process to them. Vice-Chair Scott noted that he learned a lot more from this meeting than he expected to, Mr. Bunker was very informative.

3. Adjournment

The meeting adjourned unanimously at 11:00 AM.

Respectfully submitted,
Nancy J. Hoijer,
Recording Secretary