



**Town of West Boylston**  
140 Worcester Street, West Boylston, Massachusetts 01583

## **[Zoning Board of Appeals] Meeting Minutes**

<b>Date / Time / Location of Meeting</b>	Thursday, August 20, 2020/7:00 p.m./ <u><b>NOTE: THIS MEETING WAS HELD REMOTELY (ZOOM), ACCORDING TO GOV. BAKER'S INSTRUCTIONS, DUE TO THE CORONAVIRUS AS TOWN HALL HAD REMAINED CLOSED. PUBLIC ACCESS TO THE MEETING WAS ALLOWED THROUGH ZOOM INSTRUCTIONS GIVEN ON THE POSTED MEETING AGENDA.</b></u>
<b>Members Present</b>	Chris Olson (Chair), Barur Rajeshkumar (Vice-Chair), David Femia (Clerk), John Benson, Nathaniel Orciani and Secretary Toby Goldstein
<b>Members NOT Present</b>	Andrew Feland, Mark Wyatt and Charles Witkus (all Associate Members)
<b>Invited Guests</b>	George Tignor, Building Inspector

**Welcome – Call to Order**      **Time: 7:08 p.m. (by Mr. Olson)**

**Approval of Previous Minutes**      **Minutes of July 16, 2020**

**Motion Originator**      **Mr. Femia (approved as written)**

**Motion Seconded**      **Mr. Rajeshkumar**

**Roll Call Vote was taken (5 “yes”, 0 “no”, 0 “abstained”)-minutes were approved as written**

**Treasurer – Financial Report**      **N/A**

**Motion to Accept**      **N/A**

**Seconded**      **N/A**

At 7:08 pm, Mr. Olson called the meeting to order. (Prior to this, residents who attended gave their names as they joined the meeting, in lieu of signing a sign-in sheet).

### **Minutes of July 16, 2020 Meeting:**

After review of the draft minutes prior to the meeting, Mr. Femia made a motion to approve the minutes as written. Mr. Rajeshkumar seconded. A roll call vote was taken:

Mr. Femia – “yes”

Mr. Benson – “yes”

Mr. Rajeshkumar – “yes”

Mr. Orciani – “yes”

Mr. Olson – “yes”

With a vote of 5 “yes”, 0 “no” and 0 “abstain”, the minutes were approved as written.

### **Other Business:**

As it was too early to open the 7:15 public hearing, Mr. Olson then explained to the public that was watching this Zoom meeting the meeting procedure (petitioners will make their case, the board members will ask their questions and make comments, the Building Inspector will present his information and opine, then the hearing will be opened to public comments and questions). Mr. Olson then read the statement on the agenda regarding remote meetings, and Mr. Rajeshkumar suggested that those who were not speaking mute their audio so that background noises would not disturb the meeting.

### **Public Hearing, Pinecroft Development, Inc., Petition for Administrative Appeal, 241 Woodland Street:**

(Atty. George Kiritsy represented). (Mr. Femia read aloud the public hearing notice). Mr. Kiritsy introduced himself, and explained that the applicant was not requesting a special permit or variance, but was appealing the denial of a building permit at the above address by the Building Inspector, George Tignor. Mr. Kiritsy asserted that use that was of right was denied. Mr. Kiritsy gave a history of the situation, explaining that on June 2, 2020, a building permit was denied for the building of four residential units at the above address. He described that he lot has a greater than 173-foot frontage on Woodland Street, and otherwise meets all dimensional requirements under the zoning bylaws. He explained that the lot was split between two different zoning districts, one part in the business district, and one part in the residential district, and that the bylaws stated that the use cannot extend more than 30 feet into the more restrictive lot (the residential district is the more restrictive), provided it has necessary frontage, which it does. He asserted that all the rights of the business district would be allowed in that 30-foot area but the Building Inspector, in his denial, asserted that the restrictions of the more restrictive lot can preclude the use. He opined that the problem is, if the regulations of the business district do not extend into the 30 feet, then what was the purpose of the bylaw? Mr. Kiritsy gave as an example 242 Woodland St., which is a medical building, of which part was built in the single residence district, and asserted that this situation exists in countless other towns, giving as an example CVS in Spencer, MA. He maintained that West Boylston provides for this use in the bylaws, and that rejecting this ignores the language in the bylaws and makes it superfluous; he asserted that this is what was done in denying the building permit. Mr. Kiritsy opined that this request is not atypical or surprising. In response to a question from Mr. Olson, Mr. Kiritsy explained that they fixed the title as of the date of the boundary line, and at that time parts of the land were held in common ownership. In response to Mr. Olson, Mr. Kiritsy then said that the Building Inspector agreed that Section 2.4 of the bylaws applies, but won't allow for the business use to take place in the 30 feet of residential zone.

(Mr. Olson then asked for any questions from the board). In response to Mr. Femia, Mr. Kiritsy replied that they are limited to extension within 30 feet into the residential zone and asserted that all building and activities will go no further than the 30 feet. In response to Mr. Benson, Mr. Kiritsy replied that, regarding active use past the 30 feet, that parking would be in the front, and all building within the 30 feet, and also added that there would be no other structures, improvements or parking behind the building. In response to Mr. Olson's

question regarding sidewalks or walkways, Mr. Kiritsy replied that all improvements would be within the building district or the 30-foot extension into the residential district, but mostly in the business district. In response to a question from Mr. Benson, Mr. Kiritsy replied that they may extend as close as 3 feet from the 30-foot line, explaining that the zoning line is at an odd angle.

In response to a question from Mr. Benson as to how “active use” would be defined, Mr. Kiritsy replied that there were several circumstances where active use was done in the 30-foot extension; he mentioned one case from about 60 years ago where there were split lots, but in two different towns, the court allowed dimensional requirements to be fulfilled but construction was limited to the allowed district and access was not allowed through the restricted district. Mr. Benson then asked, if the owners have backyard rights and if it goes over the 30-foot line, isn’t the duplex actively using the property? He gave as an example if a condo owner was to build a patio. Mr. Kiritsy replied that residents will not be allowed to build a patio and extend the use; the residence will be a condominium so there will be a common area, and asserted that there will not be active use there as it will not be private property; he added that, when the development becomes condominiums there will be plans but this does not have to do with the zoning issues and he said because of the zoning the residents cannot use the back land for active use and cannot extend active use beyond the 30 feet; only passive use would be allowed. Mr. Benson questioned if the residents would use the land as part of the residence structure, such as to put up swings, as there are no condo documents yet? Mr. Kiritsy referred Mr. Benson to the Dupont case (in the petition paperwork) and the case of Brookline, MA vs. Co-Ray Realty (also in the petition paperwork, and the case mentioned above). Mr. Olson discussed this case, where there was part of a lot in Boston and part in Brookline, with very different zoning regulations in each city, and the issue was, on the Brookline portion, if the owners could access the more active portion in Boston. He asserted that the issue was that the use that was allowed in Boston was not allowed in Brookline, where the access to that use was going to take place. Mr. Kiritsy explained, that a multi-family residence was built in Boston, but continued, that the access walkway and also a yard was in Brookline. The court ruled that the Brookline land could be used for dimensional requirements and passive use (yard, landscaping), but a walkway was prohibited, and people could not get to the back of the building using that walkway. In response to a question from Mr. Olson as to whether or not Brookline had a section in their bylaws such as West Boylston’s Section 2.4, Mr. Kiritsy replied that Brookline did not deal with property in Boston and vice-versa. He asserted that, if West Boylston did not address this in the bylaws, then the district boundary line would be fixed; one could build only in the business district, but the 30-foot extension allowance deals with this when the zoning line does not follow the property line.

Mr. Olson responded that it seemed to make sense that Sec. 2.4 allowed the extension of business use up to 30-feet into the neighboring single residence district and that one must also look at regulations for the less-restrictive portion. But he opined that there was a question of this not being limited to just use-based regulations, but also general regulations, and he then asked Mr. Kiritsy if related dimensional requirements pertaining to area can also be extended into the single-residence area by not more than 30 feet? Mr. Kiritsy asserted that the setbacks also extend and that all the requirements extend. He asserted that the area of the lot can be used for dimensional purposes, to satisfy density, lot area, etc. He opined that the courts are liberal on counting land for dimensional requirements but not so much on use, and that’s why they look to the bylaws. He reiterated his opinion that West Boylston’s bylaw extends use into that 30-foot area. Mr. Olson responded that he agreed that the courts determined that the general rule is, so long as there is no active use in the more restrictive portion, that you can use the entire area to count towards the dimensional requirements, but commented that there was no relevant bylaw in the Brookline case as there is in West Boylston, and asked if the bylaw does not just say “use” extended to the 30-foot extension and if there was also limitation on use of area?

Mr. Kiritsy responded, opining that the bylaw has limitations regarding dimensional requirements for area, and that the lot has to have that area. He noted that the Building Inspector did not mention that as an issue, and opined that they can use the area in the other district for density and that the entire lot can be used for

dimensional purposes. With no further questions at that time from the board, Mr. Olson asked for Mr. Tignor's comments.

Mr. Tignor responded that, regarding the Brookline case, it was a different situation from this evening's public hearing, in that there were two different communities involved and one was going to go through the more restrictive area to go to the less restrictive such as if someone wanted to build a driveway that went through two different towns and districts. He explained that his concern (citing the case of Tofias vs. Butler) was active use; he described that, with the drawing and plot plan he received, there would be approximately 600 square feet of building in the single residence zone, and he considered that to be quite active; he described that there will be a deck in back, so he asserted that it would be impossible not to be active in the single residence zone. He added that other condos that are at 239 Woodland St. are entirely in the business district, and the 40,000 square -foot minimum area works out for that, but, for 241 Woodland, part of the building would be in the single residence zone. Mr. Tignor added that he did not believe that the 30-foot buffer zone should be automatically an extension of the business district or it would set a precedent. He opined that the single residence zone must be protected and reiterated that any active use in the 30-foot extended zone should not be allowed.

Mr. Femia commented that the applicant wants four units but needs to extend 30 feet into the single residence zone and asked how many units could be built within just the business zone? Mr. Kiritsy replied that the applicant could fit the entire building in that zone but it would mean being 10 feet from the road and there would be a driveway issue involved, and (reiterating the example of the CVS in Spencer) noted that Spencer's bylaws provide for a special permit to obtain up to a 100 feet extension. He brought up the aforementioned medical building in West Boylston that is partially in the business district which has been already constructed, and asserted that the bylaw provided for that and for the use automatically extended into the more restrictive district. Mr. Tignor continued, that in other towns, there are specific things that can be done in that area; in this case, they want to put in an active piece of property in the single residence zone, and he opined that this was not the intention of the bylaw. Mr. Kiritsy responded, that he thought it was the intention, especially in this case where there is an odd angle on the property, and he asserted that the bylaw states that all regulations extend in the 30-foot extension. In response to Mr. Tignor's mentioning of the Tofias case, Mr. Kiritsy responded that this was a post-created lot, developed after the lot line was created, but even in that case the court ruled that dimensions could be counted. Mr. Tignor responded that dimensional requirements are not involved here, but active use in the single residence district and the Tofias case did not allow that.

Mr. Olson then asked Mr. Tignor for his interpretation of Sec. 2.4 for the possible extension of the 30 feet, if it does not include a business structure? Mr. Tignor gave as an example Cumberland Farms on West Boylston Street; he asserted that the activities in the single residence district of the extension were to protect the integrity of the single residence district, and thought those types of activities were the intention of that allowed 30-foot extension. (Mr. Rajeshkumar then said that he would try to put up the plan of the project and property, as Mr. Tignor did not have it with him and some of the residents present at the meeting wanted to see it). (As there were no further questions from the board for Mr. Tignor, the board then continued their discussion with Mr. Kiritsy).

Mr. Femia then asked Mr. Olson about a possible filing on Crescent St. that the ZBA had at one time, where there was a similar issue of the two zones involved, and Mr. Olson thought that they did not end up building there. Mr. Femia then referred back to the case of Brookline and Boston, with two different towns, but reiterated that, in this situation this evening, there is one town with a bylaw involved, and opined that the two cases do not compare. He also verified with Mr. Tignor that the property behind the building on Woodland St. will belong to the condo association. Mr. Femia mentioned that, at his condominium project, the condo association has to unanimously agree for uses such as a swing set to be constructed. Mr. Kiritsy then responded to Mr. Femia that the 30-foot area would only be used for passive use, such as mowing the lawn, and no structures would be put there and no dumpsters, no driveways and no access. In response to Mr. Benson, Mr. Kiritsy replied that he had not seen a case to define the terms of passive and active use, but he opined that West Boylston has the language

to deal with this in the bylaws, and gave the aforementioned medical building as an example. (The board then discussed the possible action that was taken in the Town to grant permission for this to go forward; Mr. Benson thought it was by a special permit by ZBA and Mr. Kiritsy recalled it was a site plan review). Mr. Olson opined, that if a special permit was granted for that building, then the ZBA must not have had an issue with putting part of the building into the 30-foot zone, so that Mr. Kiritsy's point would be consistent with Sec. 2.4. Mr. Benson responded that he was not sure there was an active use issue there, and if active use is defined as construction or a structure, UMass only put parking into the 30-foot zone so he asked if that really was active use? Mr. Rajeshkumar responded that they cannot really answer that question as no one knows what was granted in that case. Mr. Olson thought that the board could not base their decision this evening upon that example, as the situations may be different.

Mr. Femia then referred to the Memorandum in the petition filing, and the map on the third page after page 7, where the proposed foundation is located, and asked Mr. Kiritsy how close to the 30-foot zone line on the right side they would be? Mr. Kiritsy replied that whole structures would be all within the 30-foot zone. Mr. Olson responded that he was concerned with what is proposed are four-unit multi-family homes, and explained that, in West Boylston, in order to build a multi-family home where there is a sewer system (this is discussed in another area of the bylaws), a minimum of 10,000 square feet per unit on the lot is required, so the 46,900 square feet of the total lot is sufficient for the four units; but, regarding Sec. 2.4, if it actually limits the amount of that area used for the density calculation, if they don't include the entire 30-foot area along with the area in the business district the area of the lot is cut in half, and asked if they can only use half of the area to justify the number of units does that mean that only two units can be built rather than four? (At that point, residents attending the meeting objected to not having the paperwork for referral, in particular the maps; board members took maps from the paperwork and held them up for the residents to see). Mr. Olson asked Mr. Kiritsy and Mr. Tignor, if four units would be allowed or only two, as the 30-foot zoning line goes through the middle of the lot, and he questioned, based on Sec. 2.4, does the 30-foot restriction also apply to the 10,000 square foot dimensional requirement per unit also? Mr. Tignor responded that it was his understanding that, if the entire building could be in the business district, then the total area includes the total lot, but if it cannot be fit into the business district, he think it nullifies, as they would be borrowing from the single residence district to make that calculation. Mr. Kiritsy responded that this was not cited in Mr. Tignor's building permit denial letter, and he asserted that the bylaws state that the entire lot is calculated for dimensional purposes and determines density and opined that there was no support for Mr. Tignor's statement in the bylaw and re-asserted that the dimensional requirements and density can be met with the 30-foot extension. Mr. Olson said that he did not disagree with that, but reiterated that West Boylston has a bylaw that deals with lots in two districts and asked if the Town provided a stricter rule? Mr. Kiritsy opined that the bylaw has to specify that. Mr. Olson responded that the board has "de novo" authority to review the Building Inspector's decision. Mr. Kiritsy opined that it was clear that the area of the lot, the entire lot, can be used for dimensional requirements, and thought that the building permit was denied for the reason of the question about active use extending into the 30-foot extension. He asserted that the courts were very clear on dimensional uses of the 30-foot extension.

In response to Mr. Benson,, Mr. Olson replied that there was a question of insufficient space in the business district to construct four units, and that, under the bylaws, does it allow the property owner to use 20,000 square feet in the single residence zone, which does not allow multi-family use, to justify density. Mr. Benson opined that it was important, if the 30-foot extension was taken away that, if the development was one unit smaller, the entire building would be in the business district, but the single residence extension is still needed to meet the density requirement. Referring to the Brookline case, Mr. Kiritsy opined that the 30-foot extension can be used to satisfy dimensional requirements. But Mr. Benson asked if they can borrow land from an area where the use is not permitted? Mr. Kiritsy replied that Brookline prohibited multi-family use but used their land to calculate density in Boston, and opined that courts are liberal with dimensional requirements. (Mr. Kiritsy then

suggested, if the board questions whether or not the entire 46,000 square feet can be used for density purposes that they might get an opinion from Town Counsel). Mr. Olson responded that he did not have difficulty with Mr. Kiritsy's interpretation of the Brookline case, but he reiterated that the Brookline case is different as Brookline did not have a bylaw that addressed this so the court came up with a general rule, but West Boylston does have a Town bylaw that deals with split lots, and he explained that, on the one hand, this bylaw seems to give a little, but also takes a little; he questioned if West Boylston has come up with a more restrictive rule than what the more general rule is in the absence of any rule?. Mr. Kiritsy responded that the bylaw stated that one needs all business use area to be in the business district or the business district plus 30 feet, but specifies that uses or regulations extend there. Mr. Olson disagreed, asserting that the bylaw does not specifically say use regulations, just regulations generally, which to him means that it includes use and dimensions.

Mr. Kiritsy responded that it does not redefine the lot, and opined that the lot includes the entire area and that what applications apply there is in the bylaw. Mr. Olson responded, asking that, for a split lot, what are the legal uses and legal dimensional requirements that apply in this particular situation, and Sec. 2.4 seems to address that? Mr. Femia responded, reiterating that more than four units are not allowed in the single residence zone, so, if they are all in the business district it is alright to use all of the lot, but opined that, if there is a 30-foot extension into the single residence district, they can only use that part of the land and not the rest of the single residence district. Mr. Rajeshkumar commented that it would be considered active use in that extension as a physical structure, not a driveway or yard. Mr. Kiritsy asserted that active use can be done in that 30-foot extension. Mr. Rajeshkumar then commented that the aforementioned medical building (which was used as an example of active use in the 30-foot extension) was not before the board this evening and opined that it should have been mentioned earlier when before the Town boards. Mr. Femia continued, citing Sec. 3.2 which states that multi-family residences greater than 4 units are not allowed in single-residence district, and opined that even though Sec. 2.4 allows the 30-foot extension all units must fit in the business zone. Mr. Tignor responded in agreement with that, and added that, if it was all in the business district, the entire lot could be used for calculations.

Mr. Tignor then commented that the applicant could build with a setback 10-feet off the road and get a building permit, but Mr. Kiritsy responded that a 10-foot setback is allowed in the business district but there would be a problem getting to each of the units. He suggested that each unit could have a driveway going out to the road. Mr. Tignor responded that they cannot have as many driveways as they would want as DPW might have a problem with it. Mr. Kiritsy asserted that four driveways are permitted. Mr. Tignor responded that the bylaws define the driveways allowed.

Mr. Olson then said that he struggled with the point that, even if all building is only done in the business district, he was not convinced that all of the 46,000 square feet can be used. Mr. Femia opined that they cannot use the entire 46,000 square feet, and suggested that the line can be moved but not in this situation. Mr. Kiritsy said if the board suggested that they build without the 30-foot extension, they still would not qualify even if the bylaw does not say that, and requested again that the board should consult with Town Counsel about this. Mr. Olson disagreed, and explained that, in either case, whether or not they build in the 30-foot extension, Sec. 2.4 states that they can extend regulations into the single residence zone but not greater than 30 feet, and opined that it was not clear that they can use the 30 feet to extend area into the single residence towards the density of the units. He also asserted that this scenario was not before the board this evening, so they do not need to consult Town Counsel on something hypothetical, but at this point must focus on what was actually proposed which included building within the 30-foot buffer zone. Mr. Benson responded, opining that if the board does not deal with it then if they grant permission to build the buildings may not comply with the bylaw. Mr. Olson responded, that the board had the authority to review if the petitioner is justified to receive a building permit, and they can look at the Building Inspector's decision. He opined that he did not think the building permit was denied for the reasons other than number of units and if total area can be used. Mr. Olson questioned if the board could decide,

based on Sec. 2.4, if the applicant builds within the 30-foot extension, if that allows area in the single residence to apply for multi-family use? Mr. Benson asked if the board should consider that density requirement issue? Mr. Olson replied that they should, but noted that Mr. Kiritsy's hypothetical about changing their plans so building is closer to the street and nothing is in the 30-foot extension, and the question of could the entire area (including the 30-foot single residence area) be used to justify four units, are not before the board this evening. Mr. Benson suggested that they do not vote this evening and give Mr. Kiritsy and the public the opportunity, and maybe Planning Board, to look into this new issue. Mr. Femia asserted that, if the applicant does not use the 30-foot extension, according to dimensional requirements in the bylaws he needs one acre of property in the business zone. Mr. Olson agreed that if the board is acknowledging that there is a new issue which may not have been considered before, he was open to continue the public hearing so that all would have the opportunity to consider the issue. (Before deciding to continue, Mr. Kiritsy and Mr. Tignor said that they had no further comments at this time). Mr. Femia then verified with Mr. Olson, that the board needed to decide if the applicant can use the 30-foot extension to define the entire lot, or if the applicant would need to build fewer units.

Next, the board called any residents who attended the meeting to speak if they wished. (Mr. Rajeshkumar instructed them to contact Ms. Goldstein or the Town Clerk if they wanted to obtain the plans of the proposed work). First to speak was Madeline Stamas of 243 Woodland Street (her husband Chris was also present). She noted that they were fairly new residents to their neighborhood. She had a question for Mr. Kiritsy regarding 242 Woodland St., the aforementioned medical building; she noted that it is on the corner of the street, and the house next to it has a privacy fence, with the rest of the space being parking. She opined that "active use" as it relates to 243 Woodland is similar, because the proposed building will be very close to the property line. She believed that the applicant is allowed to be 10-feet off her property line, and the plan is for 30 feet. She opined that, if the applicant has seen other units, there are two units then a space, and asked if the picture includes that? She continued, that she did not know if the space is in the plans, and opined that it will extend into the 30-foot extension. Mrs. Stamas opined that she would have to live with the units right in front of her. She noted that Mr. Benson brought up "active use", and with the condos, decks and stairs close to her house, she wondered who would monitor active use? Mrs. Stamas explained that when they bought the house, Mr. Evangelista guaranteed that the condos would not be where they are, and that they looked at the bylaws and thought that they would protect them and their investment. She said that they paid for privacy, but asserted that people in all of those proposed units could see their activities. She opined that the applicant cannot build in the business district and single residence district. Mr. Stamas added that he discussed this with Mr. Evangelista and claimed that he showed them what the condos would be like, and Mr. Stamas said it did not seem as though Mr. Evangelista had room so they thought they did not have to worry about it. He also commented on how tall the units would appear to be.

Mr. Olson acknowledged the Stamas' feelings and concerns, and explained that it is a challenge with the bylaws to try to balance what the buyer of the property expects and what their neighbors do, but they also try to give value to every owner being entitled to do what he wants to do within the bylaws on their property. Mr. Stamas opined that, when they look at the lot, it almost makes sense that the applicant cannot do what he wants. Mr. Olson continued, that the bylaws regulate certain things but suggested that, regarding physical structures, maybe building code is more involved. Mrs. Stamas responded that there are zoning laws.

Mr. Stamas also noted the elevation of the property and wanted to know where the fill was going to go? He opined that controls were needed, and Mrs. Stamas noted that he worked in construction. She opined that perhaps the Town did not pay attention to what the applicant had done with previous developments, which she thought were not flattering in appearance. Mr. Olson opined that those were valid concerns, and noted that there are avenues, such as the Planning Board and Building Inspector, to review issues. Mrs. Stamas then mentioned possible effects on property value, the fact that homeowners rely on the bylaws to protect them, and she opined that the Town residents should look at this information and do measurements as there seems to be more than

what was shown on the plan, and asserted that the residents do not know their rights. She added that they will stay very active in this matter, as it will affect them directly.

Next to speak was Liz Rettig, 30 Osgood Avenue. She commented that she will be involved also. (Due to residents speaking at the same time, it was hard to hear if she said anything further).

Mr. Olson responded, that he agreed that the bylaws should and do matter. With no further public comments, Mr. Olson asked the board if they wanted to consider the suggestion to continue the public hearing, to look into the new issue? All board members were agreeable to a continuance. In response to a question from Mr. Olson, Mr. Femia replied that he would like to see Town Counsel at the next meeting, but Mr. Benson and Mr. Rajeshkumar opined that it would probably be sufficient to do this through email. Mr. Olson responded that he would ask the Town Administrator what she thought about a visit by town Counsel, or at least communication by email, with the questions of if they only can build in the business district or if they can build in both (and after being brought up by Mr. Benson), and if the 30-foot zone can count towards the density? Mr. Benson clarified his question as, when they need the single residence portion of the lot to comply with density, are they limited to the 30 feet or the entire single residence lot?

With no further comments by the board, Mr. Femia made a motion to continue the public hearing, and authorize the Chair to reach out to the Town Administrator to reach out to Town Counsel. Mr. Benson seconded. A roll call vote was taken:

Mr. Femia – “yes”

Mr. Benson – “yes”

Mr. Rajeshkumar – “yes”

Mr. Orciani – “yes”

Mr. Olson – “yes”

The vote was 5 “yes”, 0 “no” and 0 “abstain”; therefore, the hearing will be continued to September 17 at 7:05 p.m. Mr. Rajeshkumar noted for those present that no notice will be sent out to the residents for the next meeting, and told them that they can go to the Town website or ask Ms. Goldstein or the Town Clerk for information; he added that Zoom information will be included on the meeting agenda. Mr. Olson added that this information will be on the Town website by Tuesday evening, September 15 at the latest. Mr. Femia added that he hoped the board would have Town Counsel’s comments in advance to send to Mr. Kiritsy and the other boards. In response to Ms. Goldstein, the board members replied that opinion letters obtained from the residents can be read into the record at the September meeting.

#### **Other Business Continued:**

#### **Signatures Required by Accounting Dept.**

(This list is required by the Accounting Dept. each year, for authorization of signatures for invoices and Ms. Goldstein’s timesheets). The board discussed this, and decided to authorize any of the five full members to sign these documents, but only one signature is needed at a time. Mr. Femia made a motion to authorize all full members to sign invoices and timesheets. Mr. Orciani seconded. A roll call vote was taken:

Mr. Femia – “yes”

Mr. Benson – “yes”

Mr. Rajeshkumar – “yes”

Mr. Orciani – “yes”

Mr. Olson – “yes”

The vote was 5 “yes”, 0 “no” and 0 “abstain”; therefore each full member had the authorization.

#### **New Code for Town Hall Door Entry:**

Mr. Olson informed the board that the full members would be given codes to enter the building, if they had not already received them.



**Treasurer's/Financial Report:**

This was not discussed this evening.

**Next Scheduled ZBA Meeting – THURSDAY, SEPTEMBER 17, 2020**

**Miscellaneous Mail and Paperwork Needing Signatures/Future Agenda Items/ZBA Reports:**

This was not discussed this evening.

With no further discussion taking place, Mr. Femia made a motion to adjourn the meeting at 9:41 p.m. Mr. Benson seconded. Roll call was taken:

Mr. Rajeshkumar – “yes”

Mr. Femia – “yes”

Mr. Benson – “yes”

Mr. Orciani – “yes”

Mr. Olson – “yes”

The vote was 5 “yes”, 0 “no” and 0 “abstain”. Meeting was adjourned.

Submitted by: \_\_\_\_\_

Date submitted: \_\_\_\_\_

Approved by: \_\_\_\_\_





