



# TOWN OF MIDDLEBURY

## *Zoning Board of Appeals*

### MINUTES

### ZONING BOARD OF APPEALS SPECIAL MEETING

### Tuesday, June 3, 2020 – 7:30 p.m.

Via Zoom Meeting #861 3971 4591

**Present:** Ken Long, Chairman  
Joe Mancini, Alternate  
Candice Graziano  
Brian Proulx  
Linda Herrmann, Alternate

**Also Present:** Curt Bosco, ZEO  
Rachel Primus, Recording Clerk

#### **Excused**

**Absent:** Ray Caruso  
D.J. Mahaney, Alternate  
Tom Ford, Alternate

#### **Call to Order**

The meeting was called to order by Ken Long at 7:36 P.M.

#### **Seating with Regular Members**

The regular members present were seated and Ken Long appointed Linda Herrmann as a regular voting member.

#### **Approval of January 7, 2020 Special Zoning Board of Appeals Meeting Minutes**

**VOTED:** Unanimously on a motion by Brian Proulx and seconded by Linda Herrmann to **APPROVE** the January 7, 2020 special meeting minutes as presented.

#### **Set Public Hearing**

**Application # 3187** – John J Starr, 2 Sandy Beach Road – Appealing the Decision of the Zoning Enforcement Authority concerning buildings and use at 3 Sandy Beach Road.

Ken Long read Appeal #3187 into the record. He noted that all members had received a copy of the decision. The public hearing would need to be set for July 1, 2020 at 7:30 PM at a location to be determined due to the Covid -19.

**VOTED:** Unanimously on a motion by Linda Herrmann and seconded by Brian Proulx to **SET** the public hearing on July 1, 2020 at 7:30 PM with a location to be determined.

Ken said that the location will be handled administratively before the public hearing is advertised. Candice said she wasn't sure of the procedure, and she did receive the application, but was looking for additional information, the initial application or the complaint made to the Zoning Commission. Ken Long said this will basically be like a trial, and all the information will be brought up at the hearing at the appropriate time. Curt Bosco told the board that the next step may be superior court, so he has requested the board be assigned special council. He will provide the board with information on this procedure. He said it will be a very formal setting,

very trial like. Curt said it will need to commence in a certain amount of days.

**New Business**

None

**Other Business**

Ken Long said he had received an email from Brian Proulx regarding the January meeting. He noted that Joe Mancini was not appointed as a regular member and still voted. Ken said it was an oversight and they still had 4 votes, and so it was still a legal vote.

**Correspondence**

None

**Adjournment**

**VOTED:** Unanimously on a motion by Candice Graziano and seconded by Linda Herrmann to **ADJOURN** the meeting at 7:47 P.M.

These minutes are submitted subject to approval.

Respectfully submitted,

Rachel Primus

Recording Clerk

ZBA Members

CC: Town Clerk, Barbara Whitaker, Z.E.O.