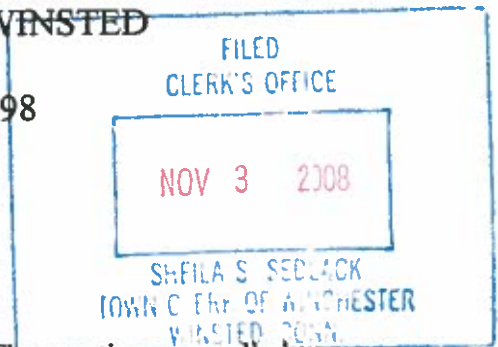




TOWN OF WINCHESTER – CITY OF WINSTED
Town Hall – 338 Main Street
WINSTED, CONNECTICUT 06098

*Minutes of Meeting
Zoning Board of Appeals
October 28, 2008*



The Zoning Board of Appeals met in the P. Francis Hicks Room. The meeting was called to order by Chairman Nalette at 7:08 p.m. The following members answered the roll call: Richard Nalette-Chairman, Ronald Dew, Michael DeClement, Ray Winn, John Massicotte, Susan Lange (7:12 p.m.) and Zoning Enforcement Officer Marc Melanson. Ernie Wolff and Alternate Michael Fox were not present.

Item 3. Explanation of Variance Procedure

Chairman Nalette explained the ZBA meeting procedure to the applicants and the audience members.

Item 4. 7:00 P.M. Public Hearings – Variance Applications & Decisions

Held over from last month:

#08-5057 Request for variance from section 4a.2 front yard set back, 4a.2 side yard and 4a.2 lot coverage at 162 East Wakefield Blvd for Harry R. Clark.

Harry Clark was present this evening with his Attorney, David Cusick.

Attorney Cusick said that this application was before the Commission last month and issues that were discussed at that time were the plans as submitted had a new stairway within the northerly sideline leading to a deck and that stairway would have been closer to the sideline than what is existing.

The second issue height of the roof on the building and whether it would obstruct view and whether it may create living space on the second floor.

Mr. Cusick submitted revised variance plans on October 16th showing the deck stairway in the sideyard had been deleted and been replaced with a circular stairway. They also submitted revised building plans by Todd McIntyre showing that the peak of the roof has been lowered by 5'8". He went over these with M. Melanson and he suggested that Mr. McIntyre do a cross section of the building which would show the slope of the roof and the height of the space above the first floor.

Based on what they have now submitted the proposed sideyard on the north is virtually identical to the existing and is wider than what they showed previously and the roof line as mentioned is lowered considerably and sufficiently so that there is no living space on the second floor. They hope that they have now met what the Commissions concerns were.

J. Massicotte asked if M. Melanson had the new numbers. M. Melanson said it is only in the side yard and it is in the motion. It is a variance of 19.4 feet now.

Chairman Nalette called for Public Comment.

M. Melanson gave the Commission two letters that he received regarding this application. The letters were from Kerstin Bruno and Marlene Constable and they were read into the record.

There was no further Public Comment.

Attorney Cusick wanted to respond to the letters. He said that last time he submitted the assessor's cards of the Constable and Bruno property and both are larger in terms of square feet than this proposed structure. He said that it is difficult when the house on one side is complaining that the house is too tall and therefore to make is shorter in height and the property owner is saying that the square footage should be spread over three floors. One side wants it taller and less square footage on a single floor and the other side wants just the opposite.

This plan is one floor of living space with one bedroom and is a little more than 1,000 square feet; they have taken away the possibility of living space on the third floor and have made the roof line much lower so that the Constable's concern has been addressed.

He further stated that this is the third plan that they have presented and he is not quite sure where they go if this very modest plan is not in keeping with the location and would create a situation where this property would stick out like a sore thumb. It is the opposite of that at this point because most of the neighborhood has been upgraded at this point.

Chairman Nalette closed the Public Hearing.

Motion made by R. Dew and seconded by J. Massicotte to grant variance number 08-5057, from section 4a.2, for a frontyard setback variance of 36.5 feet, a north sideyard variance of 19.4 feet, a south sideyard variance of 29.7 feet, and a lot coverage variance of 6.4%, for the purpose of building a 26' x 45' one story house, with a walkout basement, a 12' x 26' deck with stairs in the back and a 14' x 22' garage, as per drawings submitted, for the property located at 162 East Wakefield Blvd.

Discussion:
None

*In Favor: R. Dew, J. Massicotte Opposed: R. Winn, R. Nalette, S. Lange.
Motion Fails.*

Reason: Too large, too many variances.

#08-5054 Request for Variance from section 4a.2 front yard set back, 4a.2 side yard set back, 4a.2 rear yard set back and 4a.2 lot coverage at 240 Perch Rock Trail for Sandy Drive Three LLC.

R. Dew recused himself on this application. Chairman Nalette seated M. DeClement for this application

Attorney Jones and Peter D'Addeo were present for the meeting. They submitted the Certification of Notice and Certified Letter records.

Attorney Jones said that property is located at 240 Perch Rock Trail. This is a waterfront lot. The applicant is proposing to remove the existing old and somewhat obsolete dwelling and replace it with a new dwelling and garage.

He stated that the plans submitted show the need for several variances. The plan was shown on a mapboard for the Commission. Attorney Jones reviewed the variances needed.

Attorney Jones said that the request that is being made is modest and in general is not out of line of other requests that the Commission has granted in the past.

In support of the proposed project, Attorney Jones submitted letters from property owners on Perch Rock Trail: Bob Moore, Deborah & Louis Tagliatela, Janet & Craig Closson, Robert & Lori Williams, Elvio & Ivana Fabi, Arlene Fazzino, Nick Fazzino, Allan & Catherine Hoffman, John & Joanne LeManquais and Paul & Rena Garrett.

Attorney Jones also submitted copies of other variances that the Commission has approved in the past and reviewed those with the Commission.

Among the paperwork submitted this evening they have some architect renderings attached showing the "finished" product. This lot on Perch Rock Trail is the least congested area of the entire street. To the east of the property is the Perch Rock Trail Association which is a right of way and adjacent to that another open strip owned by a property owner across the street. The distance between the proposed house and the next northerly house is over 100 feet. Wide open space that currently exists and will continue to exist. The new structure will not change that. It will not impede anyone's views of the Lake and will not impact negatively on other people's properties in that vicinity.

Attorney Jones said that one minor addition to the site plan elevation have been modified in a minimal way and they passed out copies of those. The whole house has been lowered 18 inches as a result of the revised plan.

R. Winn asked if there was any way they could remove the covered walkway and pull the garage closer so that it would be pulled further off the road.

Mr. D'Addeo said that he believes the covered walkway is 12 feet wide and the architectural reason is that it would block the windows in that kitchen, pantry and the laundry room area. Mr. Bowin said that it is basically a suspended roof between the garage and the house. Mr. D'Addeo said that he would try to accommodate that if it would get the approval. He would also consider a one car garage and then he can keep the covered walkway because he feels that this is an appealing feature.

R. Nalette asked if the architectural stone driveway is pervious or impervious. Mr. Baltramaitis said that it is a 1 to 2 inch stone that is pervious and is not in the calculations for coverage. R. Nalette asked if the brick walkway is existing and if it is the right of way for the Association. Mr. D'Addeo said that yes it is existing and is the right of way to the Association.

J. Massicotte asked about the garage. Why is it a 10/12 pitch? Mr. Bowin, architect said that it is just an architectural feature to balance the house. J. Massicotte also questioned why the drive is a different layout than the previous drawings. Mr. Baltramaitis said that in conversations with the Wetlands Commission it came to their attention how excessively wide their curb cut was and what the Town regulations were so this plan has that change. It is brought into Town standard on the driveway width.

J. Massicotte asked what the overall height of the cupola is. It appears to be higher than the ridge of the house by about 5 or 6 feet. Mr. Bowin said that this is correct and showed the current roof plan with the cupola and the roof fan for ventilation. It is over the stairway and there will be a louvered opening to allow ventilation. J. Massicotte pointed out that there is a railing around it. Mr. Bowin said that is correct. Mr. D'Addeo said that they wanted to make the windows operable and the original plan had a different plan to access through a ladder to open & shut them but after speaking to M. Melanson they made changes. Mr. Bowin showed on the plans that there is a perimeter roof scuttle a walkway around the perimeter and the ventilator with the closed louvers.

J. Massicotte asked what the purpose of the height of the silo if it's for the master bedroom because it looks like it is about 12 feet higher than the master bedroom. Mr. Bowin said that it is simply an architectural device for aesthetic reasons that open volume to the master bedroom.

R. Nalette asked if it met the roof rule. M. Melanson said yes. Attorney Jones said that they met with the Planning & Zoning to understand what the regulations said in reference and they came to no conclusive opinion and they subsequently met with M. Melanson and modifications were made to be what he thought the problems were with the original plan which was a larger cupola. His understanding is that it is not part of the calculation of the building height.

J. Massicotte asked if the basement is full. Mr. D'Addeo said that it is a walk out only and not full and for storage only and showed this on the drawings.

Chairman Nalette called for Public Comments.

Jeff Bauer: 246 Perch Rock Trail: Family lives next door:

Mr. Bauer said that he questions the legitimacy of considering the application because the applicant's sign is posted 19 feet from the property line as he derived from the A2 site plan. The regulations say it must be 10 feet. Therefore he is in violation of ZBA Regulations for signs & notice.

Second reason is that based on information from the Town tax office records, Thomas Calo on Calo Way is not one of the applicants that was notified and the regulations state notification to property owners within 100 feet of the subject property. This is also in violation of signs & notices.

He said that these may be considered nit-picking but even though they are technicalities, technicalities do matter.

Mr. Bauer said that related matters to consider are that the applicant's dock extends just shy of 42 feet from the face of the seawall nearly 2 feet over the maximum allowed.

The applicant had a swim float in the lake earlier this summer and it was removed by order of Wetlands because he did not have a permit and applied for a permit after. It was also stated in the Wetland minutes that the Commission asked Agent Eisenlohr to check that it appears that Mr. D'Addeo has added a path through his other lot for which he was denied on an earlier application.

Mr. Bauer said that this proposed construction is a classic castle. There is a turret or tower and it is unashamedly called out as a tower on the plans. There are no other structures in all of the Highland Lake district with a tower.

The applicant says that it is within character of the neighborhood but they are asking for four variances to build this. The proposed garage alone is the same square footage as the original indoor living space of the Jesse cottage at 223 Perch Rock Trail.

It will not blend in with the existing neighborhood. It will stand out from and over existing residences.

The applicant is requesting variances from four zoning restrictions, three of which would extend pre-existing non-conformance. Yet the applicant has not provided legitimate hardship as reason for variance consideration.

Joseph Eddy: 248 Perch Rock Trail

Mr. Eddy said that he objects to the application based on the intensity of the variances. It doesn't fit into the whole nature of hardship. Parts are simply out of logic with what you would expect to see. A classic example is the issue of the cupola. The Planning & Zoning Commission was asked for comment on the concept of how the cupola is, does it come under the steeple clause. Does it have to be looked at as a variance or an exception for or definition of height as a steeple or such items are excluded. The Zoning Commission had a very difficult time with it. It is available on line in the minutes there was no objection to height from the neighbors at the time. However there were two previous meetings in ZBA and Wetlands at which the neighbors objected to the height. It is a clear element.

He further stated that the issue with the building department and their understanding of the regulation they are looking at it solely as an occupancy only issue. If he sees it was a non occupied space he will address it much like an attic. In this particular case there is a walkway around the perimeter and full sets of lights that are not going to communicate with the floor below.

Mr. Eddy said that in an area where it will continue to potentially block the neighbors is a clear indication how much effect this has on the neighborhood character. He showed an illustration of what he thinks this will look like and pointed out what he felt were discrepancies.

Mr. Eddy said that there is only a self-imposed hardship. M. Melanson requested that Mr. Eddy provide a copy of his information for the record because he presented it this evening.

Mr. Eddy said that he was unable to get access to a full set of plans in the building department when he went there. M. Melanson said that he was given everything that was in the file. Mr. Eddy said that he did not find that available. Chairman Nalette said that they will make everything that they have in the office available to him upon request.

Marjorie Booth: next to the project:

Ms. Booth said she doesn't care how many attorneys or architects that they have the house is too big for the lot. The letters he submitted aren't from any of the neighbors.

Linda Jessee: 223 and 226 Perch Rock Trail:

Ms. Jessee said that she previously engaged a lawyer to help them in the process and he came to other meetings. He is unable to come and she submitted a letter to the Commission. She feels that the most important thing to her is that her cottage has been in their family for 70 years. The character of the neighborhood is important to them and the neighbors as well. This is completely out of character with the neighborhood. All of the others are cottages. The rule is that you have to show hardship and there is no hardship demonstrated. Mr. D'Addeo is a builder and bought this property full well knowing the rules. Also, she very much objects to the fact that throughout this process Mr. D'Addeo has misrepresented several things and she cannot conceive because of that that other things will happen according to what he presents. Everyone feels very strongly that they do not want this project.

She further stated that she also objects strongly to the lawyer listing other variances granted in the past and she thinks it is intimidating. And finally the idea of saying that it is an area that is not very dense. That is the way the neighbors have kept it. That is why it is that way. She stated that doubling the size the footprint and the height is a huge imposition on everyone living close to this proposal.

Frank Pizzo: Linda Jesse's husband

Mr. Pizzo said that he's a contractor in New York City. There is a big movement afoot to restore what is in existing neighborhoods. He is very familiar with community boards. There is some character to an old existing building that one would think you could revisit or bring back to life and he feels it is interesting that this alternative has never been brought up in this process.

Jamie Johnson: 252 Perch Rock Trail:

Ms. Johnson said that the neighbors said things so well. Even based on all of the letters that Mr. D'Addeo presented that as a resident 4 cottages away from this proposal she is not in favor of this at all. It is not a necessary thing to happen.

Art Bauer: 246 Perch Rock Trail:

Mr. Bauer said that he had one question and that is can a previous non-conforming variances be extended. Chairman Nalette explained that they can modify them. If the applicant comes back to extend it then they can consider modifying it but it cannot be done without getting another variance.

Mr. Bauer said that the reason that they are so concerned is that the property at the Lake is so stressed with building that it has to come to a halt because they are trying to fit more and more in.

Terrence Woldorf: 254 Calo's Way:

Mr. Woldorf said that he is not right on the Lake and what he sees there actually adds quite a bit and while he would be in a position to have his view blocked, he doesn't think that he will be blocked. He is in favor of it.

Carol Bauer: 246 Perch Rock Trail

Ms. Bauer said that it is just a reminder when the Williams cottage was torn down and they built a larger one the neighbors no longer have a view. They are trying to push all the old cottages out and build big ones.

Cassandra D'Addeo: 240 Perch Rock Trail:

Ms. D'Addeo said that she is there and is representing along with her two brothers. Times are changing. There are new houses going up all the time. Their attorney presented variances that they have granted along the Lake and she feels the Commission should take those into consideration. She has also heard all of the names such as castle and trump towers that this proposal is being called but it is their home. She grew up there. She has spent her whole life in this community. She asks that they take that into consideration.

Keith Fazzino: 221 Perch Rock Trail:

Mr. Fazzino stated that he just wants to say that he is in favor. He has been over there and done all the measurements and he lives pretty much next door. There is open space on both sides and he feels the lot supports the project.

Marjorie Booth:

Ms. Booth wants the Commission to take into consideration that Keith Fazzino is sometimes hired by Peter D'Addeo.

Chairman Nalette read the letter submitted by Marjorie Booth as submitted on September 23, 2008.

Linda Lee Jessee:

Ms. Jessee again questioned what the hardship is. He bought the property knowing what the limitations were. Chairman Nalette explained that she presented the question to the Commission and the applicant has the option to answer that or not but it is the Commission's job to determine that.

Attorney Jones wanted to address the question that Mr. Bauer raised about the notice to Calo. He has the letter that was sent to Mr. Calo and it came back rejected which he submitted for the record. He doesn't know what Mr. Bauer looked at to determine that Mr. Calo didn't receive notice.

He further stated that the certification sign clearly has been up for 3 months. Whether it is 10 feet off the highway line or not he cannot specifically argue but it is clear that it is up and that the notice requirement has been met.

Attorney Jones said that general gist of the arguments he heard were that the proposed use is too intense a use, too large, too small a lot, out of character. And also one person took offense that a variety of instances of variances granted and he could find many more. That's the law of this Commission and is relevant to this decision in that they have acted a certain way in the past and how they will view this application. For example the lot coverage is as much as 31% that he has sited tonight and thinks those are not out of character of what is

happening at the Lake. The character of the Lake may be changing but that is the reality of it.

Attorney Jones said that Mr. Eddy spoke with respect to views and what effect this proposal will have and the architect on this project showed the renderings that he made for the Commission. He showed and discussed these renderings with the Commission.

Mr. Bowin said that previously there had been concern that what he was showing was not an accurate scale and he went back to the render and altered the scale and each time they changed it a little bit the lines of perspective were so altered to leave them confident that these are indeed accurate as well as artistic.

J. Massicotte asked what the hardship is. Attorney Jones said that from their perspective they have will have denied them reasonable use of the property. They would be acting arbitrarily and contrary to law and there is sufficient precedent set with this Commission to grant this variance. It is not an unreasonable use of property at Highland Lake.

J. Massicotte asked if the covered walkway from the garage to the house part of the lot coverage. Mr. D'Addeo said Yes. Mr. Baltramaitis explained the calculations for the lot coverage and said that it is all inclusive.

J. Massicotte said that the overall height of the house is 28 feet but what is the height of the tower. Attorney Jones said that they are not seeking a variance on height because they are within the regulations for height. J. Massicotte said that he understands but would like to know for his information. It is 5 extra feet over the height of the house so it is 33 feet high.

J. Massicotte asked if they are would initial and sign off on making it a one-car garage and eliminating the footage that they spoke of earlier to move the garage farther from the road. Mr. D'Addeo and Attorney Jones said that they would agree to that.

J. Massicotte also asked why the extra 4 feet in the rear yard. Attorney Jones said for the set of stairs in the rear yard off the back porch that intrudes into the 35 foot setback. This was shown on the drawings and discussed that it was not needed because of a change in plan.

M. DeClement said that in the application it is to remove existing and replacing in substantially the same footprint. Yet when he looks at coverage the current is 11.29 and proposed is 24% for coverage. That is more than double. How do they propose to do that on substantially the same footprint. Attorney Jones said that it is a question of semantics. The west sideyard setback is 6 inches different than what now exists. For that reason he stated that it was substantially the same footprint.

M. DeClement said that as far as all previous variances, the panel changes as new people come on and others leave. He asked Attorney Jones if he is suggesting the Commission rubber stamp this based on the previous variances. Attorney Jones said that he is simply asking they compare this one to prior applications that were similar in nature.

M. DeClement said that in one particular shot you cannot see the cupola through the trees. But these are deciduous trees and at the photo angle it cannot be seen but in a few months those leaves will be gone and you will see the cupola. M. DeClement said that when he looks at the pictures he compares the house that is basically the same stories and it just

doesn't look right. Mr. Bowin showed how he showed the Wetlands Commission the scale and how it works out in the renderings.

Mr. D'Addeo told the Commission that they tried to design a house that would fit into the Lake and the neighborhood and using their elevation and their lot. He tried to show different renderings from different angles. He also spoke to all of their neighbors before he presented any plans to any of the Commissions.

Chairman Nalette closed the Public Hearing.

Motion made by R. Nalette and seconded by J. Massicotte to grant variance number 08-5054, from section 4a.2 for a frontyard setback variance of 45 feet, a west sideyard setback variance of 21.5 feet, an east sideyard setback variance of 5 feet and a lot coverage variance of 9% for the purpose of building a 1,591 square foot house with two stories and a walkout basement a 12'6" x 44' screened porch, with stairs, a 24' x 24' two story garage and a 10' x 12' connector to the house as per drawings submitted for the property located at 240 Perch Rock Trail.

Opposed: R. Winn, R. Nalette, J. Massicotte, S. Lange, M. DeClement.

Motion Fails

Reason: much too much size wise, height wise, house, everything.

New Applications:

#08-5059 Request for Variance from section 4a.2 Lot Coverage at 544 West Wakefield Blvd. for James & Carol Genthe.

James & Carol Genthe were present for their application. They are looking for a variance of an additional 2.4% on their lot coverage. They gave their Certification of Notice to M. Melanson.

They explained that they were originally in front of the Commission because they had a shed dropped off on their property after their Wetlands approval thinking they had all of their approvals and the shed was placed to what was thought to be the property lines and they were not so they were denied. They are now going to move it and showed this on the map to the Commission.

Chairman Nalette asked M. Melanson if it comes under the rear yard shed rule. M. Melanson said yes. They only need lot coverage now because it's in the rear yard.

Chairman Nalette called for Public Comments:

Sherwood Dawson: West Wakefield Blvd.

Mr. Dawson said that he wishes they could leave it where it is because where they are going to move it is going to block his view but they are great neighbors and it will be better than looking at lawnmowers and wheelbarrows, etc. in the yard.

J. Massicotte asked which way the ramp is going to go. Mr. Genthe said it is going toward the Lake.

Chairman Nalette closed the Public Hearing

Motion made by R. Winn and seconded by S. Lange to grant variance number 08-5059 for a variance from section 4a.2 for a lot coverage variance of an additional 2.4% for the purpose of building a 10' x 16' shed as per drawings submitted for the property located at 544 West Wakefield Blvd.

In Favor: S. Lange, J. Massicotte, R. Dew, R. Winn, R. Nalette. Unanimous. Motion passes.

Reason: reasonable request

#08-5060 Request for Variance from section 4a.2 lot coverage, 4a.2 front yard set back and 4a.2 side yard set back at 47 East Lake Street, for Keith Meyer.

Keith Meyer was present for his application this evening. He submitted his Certification of Notice.

Mr. Meyer said that he wants to build a 24 x 24 attached garage. He was going to put it on the back of the house on the road side but that would impede on the neighbors deck.

R. Winn confirmed that the edge of garage is 3'2" from property line. Mr. Meyer said yes and that he did speak to the neighbor and the neighbor has no problem with that. The neighbor's house is farther back and closer to the Lake by about 30 feet or so.

Mr. Meyer said that a good part of his lot coverage is the paved driveway and the deck which goes on the whole left side and to the front. He has a fairly substantially lawn and they are set back a way from the Lake.

R. Dew asked how they are going to access waterfront with equipment and such if need be. Mr. Meyer said there is about 15 feet between his house and the house to the right of him. He showed these areas on the map.

R. Winn asked if the garage is connecting all the way across so that it is all solid house. Mr. Meyer said that he would like to connect it but the roofline would be attached but it is like a breezeway to walk from the house to the garage. Another reason for that attachment is that near the dormer that sticks out they have an issue with rain getting in that window and to attach the peak would be running it away.

J. Massicotte asked if they would have any problem with cutting down the stairs to move the garage closer to the house because the 3'2" doesn't really give him much room on that property line. Mr. Meyer said he could do that but there's a 1,000 gallon concrete tank for sewer located right under those stairs. He said could make the garage a little narrower. He could go 22 feet instead of 24 feet. There was various discussion on the tank.

The Commission discussed that he has other options of where the garage can be placed on the property.

Chairman Nalette called for Public Comment:

There was none.

ZBA

Mr. Meyer said he thinks although there is room in the front yard he doesn't think aesthetically it would look good from the Lake.

Chairman Nalette closed the Public Hearing.

Discussion:

Chairman Nalette feels he has a big enough lot so that he could place the garage somewhere else. R. Winn feels that it is too close to the side yard. R. Dew agrees.

Motion made by J. Massicotte and seconded by S. Lange to grant variance number 08-5060 from section 4a.2 for a frontyard setback variance of 18.2 feet a south sideyard setback variance of 30 feet and a lot coverage variance of 4.4% for the purpose of building a 22' x 24' garage with storage above and a 9' breezeway as per drawings submitted for the property located at 47 East lake Street.

*In Favor: S. Lange, J. Massicotte
Opposed: R. Nalette, R. Winn, R. Dew*

Motion fails

Reason: Too close to the boundary line.

#08-5061 Request for Variance from section 4a.2 front yard set back and 4a.2 side yard set back at 355 West Lake Street for Sarah Munley.

John Munley was present for the application this evening. He presented his Certification of Notice.

Mr. Munley said that last year they received variance to demolish existing home and build new one. That included an existing a shed on the property. The initial desire was to reuse the shed but someone did not communicate it to the demolition people and it was taken down. It was replaced with what they thought to be a shed of the same size. It turns out that the pre-existing shed was 8 x 10 but what they replaced it with was 10 x 12 believing that's what was there.

There was discussion on the original placement of the shed and the placement of it now to the property line. After further discussion of an additional A-2 Survey and an as-built, Mr. Munley was in possession of the original plans that included the measurements of where the shed was for the Commission to see. It verified what the Commission was looking for.

Chairman Nalette called for Public Comment.

There was none.

Chairman Nalette closed the public hearing.

Motion made by R Dew and seconded by R. Winn to grant variance number 08-5061 from section 4a.2 for a frontyard setback variance of 24 feet a south sideyard setback variance of 32 feet for the purpose of building a 10' x 12' shed as per drawings submitted for the property located at 355 West Lake Street.

In Favor: R. Nalette, R. Winn, J. Masicotte, S. Lange, R. Dew

Motion passes.

Reason: It's there. Reasonable Request.

Item 5. Approval of Minutes of September 23rd, 2008

Motion made by J. Masicotte and seconded by R. Winn to accept the minutes of September 23, 2008 as presented.

All in Favor. Unanimous. Motion passes.

Item 6. Old Business - Application Rates

It was briefly discussed the Commission needs to change their By-Laws in order to change the rates as voted on at the last meeting. It will need to be legal noticed and then voted on.

Item 7. New Business

None

Item 8. Bills Presented

Motion made by R. Winn and seconded by S. Lange to pay the clerk 4.5 hours.

All in Favor. Unanimous. Motion Passes.

Item 9. Correspondence

None

Item 10 Discussion w/ZEO, if any

None

Item 11 Adjournment

Motion made by R. Winn and seconded by S Lange to adjourn at 10:00 p.m.

All in Favor. Unanimous. Motion passes.

Respectfully Submitted,


Anna Lukasavage