

**TOWN OF SUTTON**  
**Zoning Board of Adjustment**  
Pillsbury Memorial Hall  
Meeting Minutes  
September 18, 2013

**Present:** Zoning Board of Adjustment Members: Bill Hallahan, Chair, Derek Lick, Dane Headley, Doug Sweet, and Ed Canane; alternate, Sue Reel (alternate Carla Krajewski was absent); Laurie Hayward, Land Use Coordinator

**The meeting was called to order** at 7:05 PM, by Bill Hallahan. The LUC took a roll call.

**Administrative:**

**Minutes from the last meeting:** Minutes for the meeting of August 21, 2013. Hallahan moved to approve the minutes. Lick seconded and the motion was voted unanimously.

**Old Business:**

**Revisions to the Zoning Ordinance:**

The Chair asked the LUC to speak about possible revisions to the Ordinance. She explained that there is, at very least, one known correction to the setbacks shown for structures in the Rural-agricultural District. This is not a change in setbacks and does not require a vote. It is only a correction to the print version.

She noted that there were some suggestions for changes that came up in listening to cases over the past year and in some cases as recommendations from town counsel. For example, it was suggested that the language regarding travel/construction trailers be changed such that the ZBA did not have to take up the same case if, after one year, the travel trailer was still in use as the Ordinance currently requires. It might be better to state that after one year an extension could be sought from the Board of Selectmen.

The Board might also consider adding a clear definition of “accessory structure” as there has been discussion on this concept in some of the recent ZBA cases. The LUC asked that, if Board members have specific suggestions for changes, they email them to her and she will incorporate them into a document showing different suggestions in different colors.

**Schedule of Fees for Zoning Board of Adjustment appeals application:**

Canane spoke, stating that he generally supports the concept of “pay for use”. He mentioned that he understood from his reading of the last minutes that Lick supports straight fees. He

said that he likes to keep fees relatively low; but, he also believes in user fees – that is that high users cost more and should pay more.

Lick explained that he had given it more thought and concluded that he would divide cases into 4 categories: 1. Minor (accessory structures, temporary trailer) appeals would have a fee of \$50; 2. Major (new residence) appeals would have a fee of \$100; 3. Business/Industry (including sludge applications) would have a fee of \$150; and 4. Personal Wireless Towers and Wind Systems for commercial rather than private use would have a fee of \$500.

There was considerable discussion regarding the pros and cons various fee structures. It was generally agreed that there were some items that could be set at cost, for example postage and newspaper publication costs. The nice thing about going with “cost” on those items is that the fees would not require re-approval if the underlying cost rises. It was also generally agreed that the fees should be reflective of both complexity of the likely cases and the relative benefit – so that simple structures like sheds would be less costly than say a new business and a new small business less costly than a cell tower or wind system.

Canane suggested that it would be good to add a statement that the applicant will pay consultant fees. There was agreement that it would be a good idea to state that in the fee schedule.

It was agreed that the LUC would revise the recommendations and the chart and that the fee structure would be taken up at the next meeting.

There are no Public Hearings scheduled for October. The Board agreed to not meet in October.

**Next meeting is to be held Wednesday November 20th, 2013 at 7pm.**

**There being no further business, the meeting was adjourned at 8:10 PM.**

Respectfully submitted,

Laurie Hayward

Land Use Coordinator