

MINUTES OF THE ZBA PUBLIC MEETING

TOWN OF CHARLEMONT

11-29-04

Members Present:

Eric Dean
Bill Coli
Mark Ledwell
Craig Leonard

The meeting was convened at 7:21 by Eric Dean. The Board began by reading a letter copied to the ZBA and Planning Boards, from the Building Inspector. The letter requested that copies of all decisions be submitted to the Inspector at the time they submitted to the Clerk. The Select Board responded to the letter, stating that it was the applicant's responsibility to create the copies needed, and not the individual Board's. The ZBA took no action on the letter.

Next, the Secretary notified the Board of the upcoming Special Permit and Variance workshop on Monday the 6th, and gave them the form to fill out should they decide to go. The ZBA opted not to attend the workshop.

The Board reviewed the minutes of October 12, 2004 and made changes. Mark moved that the Board accept the minutes of October 12, 2004, as amended. The motion was moved and seconded and passed unanimously. Mark moved that the Board approve the minutes of September 13, 2004, as written. The motion was moved and seconded and passed unanimously.

The next item of business was appointing a third permanent member to the ZBA. The ZBA was told by the Select Board that it was up to the ZBA to recommend a permanent member. The ZBA should be comprised of 5 members; 3 permanent and two associate members. Mark recommended Craig Leonard for the permanent position, as a new person would be nice and would bring no past knowledge or prejudices. Bill Coli disagreed with this thinking, stating that he brings the experience of being on the Planning Board, twice on the Select Board and now is on the finance committee. Bill spoke of his years of experience and his familiarity with running meetings, and suggested that he remain a permanent member. Bill further mentioned that he supports Craig being an associate member, but that Craig was not at all the Earl Bowen meetings recently.

Craig agreed that his schedule is not very flexible right now and he can not always make the meetings he'd need to. Craig expressed his interest in remaining an alternate, as his schedule gets very difficult after 5:00 p.m..

Eric Dean stated that the only reservation he had with Bill is that it is important for the ZBA to remain separate from the Planning Board, and he knows that Bill has been close to several members of the P.B. People looking from the outside could see Bill as having connections.

Bill stated that he can keep an open mind for the permanent member position and that he takes it very seriously. Bill assured the ZBA that he can and will be independent of the PB, but that if he was not seen as being suitable to serve as a permanent member, then he is not interested in being an Associate member.

Mark clarified with Craig that he preferred being an Associate member and Craig confirmed this.

Mark then made a motion to recommend Bill as the third permanent ZBA member, that "Lenny" [Craig] remain an Associate, and that they solicit a 5th member to the Board. Mark reiterated to Bill the importance of the ZBA remaining as remote as possible to the Planning Board.

Bill stated that he understood these concerns, but recommended that the ZBA members attend some PB meetings, to get another perspective, and more background on some issues. Bill reaffirmed that he would refrain from comment at these meetings, as a member of the ZBA.

Eric will recommend Bill Coli to the Select Board.

Mark welcomed Bill aboard.

Eric commented on some concerns he had; that if the Board if they felt they should look into an attorney for the upcoming Earl Bowen matter, and of the Town accepting a check from an abutter to help pay for the appeal of the Constructive Grant.

The matters were discussed. It was noted that the Lawyers said it would be ok for a Town to accept money to help pay court costs, after it has been accepted in a town meeting, and if it was put in a separate account. The Town has not yet accepted such a check. Eric commented that they have to vote in a public meeting to accept it or not and felt the Town should hand it back, as it doesn't look good.

A motion was made that the Chair speak to the Select Board regarding the use of Town Counsel on the Bowen matter. Motion was moved and seconded and passes unanimously.

Mark reminded Craig that as an Associate Member, he should come to meetings as much as possible and participate in decisions.

Craig stated that he was not aware he could.

Next, Eric proposed to increase the ZBA budget to \$800.00, due to previous and expected increase in activity.. A motion was made that the ZBA ask the Finance Committee for an increase in their budget, to \$800.00 for the next budget. The motion was moved and seconded and passed unanimously. The Secretary will compose the letter to the Select Board, requesting the increase, as the budget is due Friday the 3rd.

Business having been conducted, the meeting was adjourned at 8:22 p.m.

Respectfully Submitted,

Carlene Millett
Secretary to the Boards