

Eastport Municipal Zoning Board of Appeals (ZBA)

Minutes of the Meeting

January 5, 2022

**Call to Order:**

Chairperson Ron DeFilippo called the meeting to order at 6:02 pm.

Members present: Ron DeFilippo, Leo Kowel, Don Dudics, Jose Arroyo, Robert Peacock, and John Venskus

Excused: Greg Noyes, and Rachel Cox

Chairperson R DeFilippo provided a brief review of the process and order in which he wants to conduct the meeting. He noted that none of the applicants was present.

**PUBLIC HEARING**

Chairperson DeFilippo opened the Public Hearing and asked Carolina Castello, the Code Enforcement Officer (CEO) to outline the request from John Esworth and Carisa Landeis that the CEO's decision to limit the height of their fence/dog pen was a misapplication of the Zoning Ordinances.

The CEO noted that she had just recently become the CEO and that there is no record of the applicants requesting approval of their plan for the fence. The CEO noted that Section 6.12 of the ordinances requires that front boundaries be limited to 4 feet and that the applicant's fence was 6 feet tall. Chairman DeFilippo again noted the absence of the applicants, however a neighbor voiced support for the applicants and read a letter into the record.

There followed a lengthy discussion and Mr. Arroyo reminded members that question before the ZBA was whether the CEO had misapplied the ordinances.

Mr. Arroyo moved that that ZBA determined that the CEO had not misapplied the ordinances. Mr. Dudics seconded the motion. By a roll call vote, the board unanimously agreed that the ordinances had not been misapplied.

Following the vote, the CEO told the ZBA she would work with the applicants to find a compromise that would meet the ordinances and the applicants need to provide a safe place for their dog.

The public meeting on this appeal was closed.

Chairperson DeFilippo opened the meeting to discuss the appeal from Dana Turner to grant an exception to the frontage requirements for lots at 7 Staniels Rd. Following discussion, Mr. Dudics moved to grant the exception, Mr. Arroyo seconded the motion. The motion passed with 5 yes votes and one abstention.

The public meeting on the appeal was closed.

Chairperson DeFilippo raised the issue on the meeting night and asked the members to consider changing it so that Ms. Cox could attend. (She has work commitments that keep her from attending the

meetings on Wednesdays.) All present agreed to change the meeting day to the fourth Thursday of the month at 6:00 PM. Chairperson DeFilippo asked the CEO to schedule the meetings on the new day.

Meeting adjourned at 6:47 PM.

Respectfully Submitted by John Venskus, Secretary