

Town of Fair Haven
Zoning Board of Adjustment
Fair Haven Municipal Building
5 North Park Place
September 15, 2025 7:00pm
Special Meeting

Present: RoseAnn VanLew - chair, Patrick Frazier - vice chair, Deb Laiacona- clerk (via phone), Paul Jardine, James Lynch (alternate)

Absent: Jake Helm (alternate), John Lulek

Others Present: Phil Adams - Zoning Administrator, Jennifer Jackson - minute taker

Agenda

1. Call to Order and Conflict of Interest:

The meeting was called to order at 7:00 pm by RoseVanLew.

2. Roll:

Ms. VanLew called the roll of the Board Members present and absent. **Present:** RoseAnn VanLew - chair, Patrick Frazier - vice chair, Deb Laiacona- clerk (via phone), Paul Jardine, James Lynch (alternate). **Absent:** Jake Helm (alternate), John Lulek. **Others Present:** Phil Adams - Zoning Administrator, Jennifer Jackson - minute taker

Ms. VanLew stated she as going to amend the agenda to complete the review of the past meeting minutes first.

3. Review of Minutes of Previous Organizational Meeting

a. August 11, 2025 - Special Organizational Meeting

Mr. Jardine stated that the minutes had a section that wasn't clear; the second page, third paragraph from the bottom, "PC" needed to be changed to "ZBA". Mr. Frazier **motioned to accept the minutes from the August 11th meeting with the noted corrections.** The motion was seconded by Mr. Jardine. All were in favor and the motion passed.

4. New Business

a. Election of Zoning Board Clerk.

Mrs. VanLew let the ZBA know that Deb Laiacona asked to step down from the clerk role in the ZBA. and that a new clerk needed to be nominated and elected. At 7:05 PM Mrs. VanLew called Mrs. Laiacona. Mrs. Laiacona stated her reasoning for stepping down from the clerk role, because of life circumstances, she didn't feel she could commit extra time other than regular ZBA meetings. She **nominated Paul Jardine as Clerk of the Fair Haven Zoning Board of Adjustment.** Mr. Frazier seconded the motion. Mr. Jardine accepted the nomination. There were no other nominations. All were in favor of the nomination with Mr. Jardine abstaining from the vote, and the nomination passed. Deb thanked the ZBA and signed off.

b. Scheduling new application hearing dates.

Mrs. VanLew stated they had one applicant with two applications. She asked ZA Adams to have a copy of each application for every ZBA member. ZA Adams stated he would happily oblige. He did state that he has given each ZBA member a copy of the State's response to Mr. Ellis's application.

Mrs. VanLew explained the warning process to the ZBA to help them settle on an as early as possible date for the hearings. The warnings needed to be published for 15 days in a newspaper of record before the hearing could happen. By her calculations Monday October 20th at 7:00 PM seemed to be the earliest the first hearing could happen. This date seemed fine to the ZBA in general. Mr. Jardine clarified that the goal for the clerk is to have the warning in the paper by October 1. ZA Adams stated that Mr. Ellis and his representative had stated there were concerns about scheduling a date for the hearing within a 60 day timeframe. ZA Adams stated he spoke with the VLCT and they stated that the ZBA has 120 days from the receipt of an application to schedule the hearing; this law was passed this past year. The application from Mr. Ellis was received August 8th and at the last meeting of the ZBA the ZBA decided to wait until after the State gave their response to schedule the hearing.

Mr. Frazier asked about a conflict with the application about a bank? ZA Adams stated that there is a bank piece with a different application; that applicant would like to replace a mobile home and their loan approval is only good for a certain amount of time and they found out that their lot dimensions were different than what they had believed, now their new trailer will not fit within the allowed setbacks. ZA Adams stated he would advocate for the applicant at the scheduling hearing. Mr. Frazier asked when the applicant's loan approval expires. ZA Adams stated he would call the applicant and ask for certain. Mrs. VanLew stated with the reorganization of the ZBA it was hard to schedule applications quickly. Mr. Jardine asked about the possibility of doing several hearings at once. Mrs. VanLew stated that she would not recommend that as each hearing takes about 1.5 to 2 hours on average. She then explained the general outline of a hearing.

Mrs. VanLew asked the nature of the Doran application and its urgency to be heard.

ZA Adams reported back that October 20th is the deadline for the applicant's bank application. Mrs. VanLew stated there was no way to fit them in before that date. Mr. Jardine asked when the application was received. Mr. Adams stated it wasn't officially received yet, as the mistake was caught when they turned in their zoning application. Mr. Frazier asked if the applicant could ask for an extension on the loan. ZA Adams stated hopefully they can, but he didn't know for certain.

Mrs. VanLew suggested the following dates for the known applications:

- Ellis - October 20 (flood hazard)
- Jones - October 27 (trailer and set backs)
- Doran - November 3 (shed)

ZA Adams reminded the ZBA that a decision needs to be written within 45 days after a hearing.

Mrs. VanLew asked the ZBA if the dates were too close together, and asked the ZBA's preference on moving the Doran hearing out to November 10th. Mr. Jardine asked when the application was received from the Doran's. ZA Adams stated the application was received August 22, but that ZA Adams stated the asked the family to wait on turning the application in as

he knew the restraints on the ZBA. Mr. Jardine stated he wouldn't be available on the 10th of November.

Mrs. VanLew asked if there was a 4th application coming? ZA Adams stated he has another gentleman with a house only several feet from a property line who would like to put a deck with a roof and side porches to better access the home. The house is too close to the property line on all sides.

Mrs. VanLew asked for a brief description of the Doran application, stating she was seeing if doubling up on hearings would actually work for the ZBA. ZA Adams stated the Dorans put in a shed with a sturdy fence before they realised they needed a permit for the shed. The shed is too close to the property line and the cost to move it is prohibitive. He also stated that in advocating for the applicants, building season is coming to a close for the season. Mr. Jardine suggested doubling up on the Jones and Doran application for the 3rd of November. Mrs. VanLew suggested moving the Doran application out even further as delaying a hearing only helps their cause, she suggested November 17th for their hearing. Hearing were set as Follows:

- Ellis - October 20 (flood hazard)
- Jones - November 3 (trailer and set backs)
- Doran - November 17 (shed)

3. **Other Business”**

- a. **Public Comment:** Mr. Frazier reported on his research as to whether the town's insurance could cover the ZBA if an applicant sued them personally. He stated that Town Manager Gunter stated the town would cover them from information during a meeting, but not if they were discussing the application outside of a meeting. But, Mr. Frazier reported that he spoke with the VLCT and they explained that a towns insurance should always cover a town official. ZA Adams stated that the town manager gave good advice, that a meetings and discussion of the applications should only take place on the posted dates and times. Mrs. VanLew stated that it is a good thing for new members to hear; don't make judgements on an application until the hearing! You may have all the numbers from the application, but you don't have all the information until everyone sits down together to talk.

4. **Adjournment:**

Mr. Jardine **motioned to adjourn the meeting at 8:07 pm.** The motion was seconded by Mr. Lynch. **All were in favor and the motion passed.**

Respectfully Submitted,
Jennifer Jackson, Minute-taker