

**TOWN OF OSS�PEE**  
**ZONING BOARD OF ADJUSTMENT**  
Meeting Minutes  
**November 8, 2022**

Minutes have been recorded by and summarized by Laura Nash, Boards & Commissions Secretary and are deleted once the written minutes are board approved; any amendments to the minutes are noted in ***bold & italic*** type.

**Call to Order:** Roy Barron called the meeting to order at 7:00 p.m. and requested all cellphones to be silenced.

**Pledge of Allegiance:** was recited by all in attendance.

**Roll Call:** Roy Barron, Daniel Fischbein, Jim Rines, Dallas Emery and Daniel Karl,

**Absent:** Jonathan Smith, (Zoning Officer)

**Meeting Minutes:**

- Review to Approve Meeting Minutes of October 11, 2022

A **Motion** by Emery to approve the minutes of October 11, 2022, as submitted. Fischbein seconded. No discussion. Jim Rines abstained. All others voted in favor. **Motion passed.**

**Old Business:** N/A

**New Business:**

- **Case #22-08-V:** Nicholas Ranaldi of 110 Thurley Rd. Tax Map: 223 Lot: 036 Sub: 002 is requesting a Variance from Article 6.4.1 (a) front setback of the Zoning Ordinance to maintain an existing shed for storage of tools, yard equipment, pellets for heating and other miscellaneous item. (Case continued from October 11, 2022)

Chairman Barron asked the secretary if she had heard from Mr. Ranaldi or Cindy Camfferman, she had not but reminded the Board that both the applicants had requested the continuance and were to contact the secretary with any changes.

Chairman Barron noted technically since Mr. Ranaldi is not present, nor did he request another continuance; Barron asked how the Board wished to proceed. The secretary remind the Chairman and the Board of the new law which went into effect August 2022, which states in part... ***“Section 74: ZBA Timeline: If the ZBA determines that it lacks sufficient information to make a final decision on an application and the applicant does not consent to an extension, the board may deny the application without prejudice, allowing the applicant to reapply for the same relief.” This change goes into effect on August 23, 2022.*”**

Discussion ensued over how they believed after the prior meeting that Mr. Ranaldi was going to move the shed. If he moves the shed he needs to apply for the building permit all over again. Chairman Barron had hoped Mr. Ranaldi would speak with Jonathan Smith, ZEO and get a temporary permit to keep it there until he was able to move it because Mr. Ranaldi had suggested 90 days. The secretary informed the Board that Jonathan Smith, ZEO has been away and is unaware if Mr. Ranaldi spoke with Jonathan Smith, ZEO. Emery noted either way, Mr. Ranaldi should know that he had been continued.

Chairman Barron noted that Mr. Ranaldi has not called or come in and Jonathan Smith, ZEO has said anything. Rines asked if the application was accepted as complete. Emery stated the application was accepted

but then it was noted the plans were not to scale and it was suggested he get it surveyed. He was to get back in touch with the Board to either request a continuance, or drag it, or make a deal with Jonathan Smith, ZEO that he could move it in 90 days. So, because Mr. Ranaldi has not done anything, Barron made a motion to deny under state law.

**Motion** by Barron to Deny the application for **Case #22-08-V**: Nicholas Ranaldi of 110 Thurley Rd. Tax Map: 223 Lot: 036 Sub: 002 request for a Variance from Article 6.4.1 (a) front setback to maintain an existing shed. Fischbein seconded.

Rines requested to amend the motion to include “without prejudice.” Barron agreed and re-stated the motion as follows:

A **Motion** by Barron to Deny the application without prejudice for **Case #22-08-V**: Nicholas Ranaldi of 110 Thurley Rd. Tax Map: 223 Lot: 036 Sub: 002 request for a Variance from Article 6.4.1 (a) front setback to maintain an existing shed. Fischbein seconded.

Emery questioned if Mr. Ranaldi would be able to re-apply if he chose to. Barron stated yes, that’s why they add without prejudice.

No further discussion. A unanimous vote was taken. **Motion passed.**

**Old Business:**

- 2023 Proposed Zoning Ordinance Changes.

The secretary made a copy for the ZBA members for review. Discussion ensued over some of the proposed changes, but the Board was informed that the Planning Board will be reviewing and discussing the proposed changes in preparation for the public hearing to be held sometime in December.

**Any Other Business Which May Come Before This Meeting:** None heard.

**Next Meeting:** **December 13, 2022 @ 7:00 pm**

**Adjournment:**

A **Motion** by Rines to adjourn the meeting. Fischbein seconded. No discussion. A unanimous vote was taken. **Motion passed.** The meeting adjourned at 7:16 p.m.

**Minutes were approved by majority vote of the Board:**

_____	_____	Or	_____	_____
Roy Barron, Chairman	Date		Daniel Fischbein, Vice Chair	Date
			(In the absence of the Chairman)	