

**MINUTES****Regular Meeting of the Planning and Zoning Commission****Tuesday, March 21, 2023, 6:00 pm**

Jerome Civic Center, 600 Clark Street, Jerome Arizona, 86331

**6:03 (0:01) Item 1: Call to order / Roll Call***Chair Jeanie Ready called the meeting to order at 6:03 p.m.**Present were Chair Jeanie Ready, Vice Chair Lance Schall, Commissioner Jera Peterson, and Commissioner Lori Riley.**Members of staff present included Zoning Administrator Will Blodgett and Deputy Clerk Kristen Muenz.***6:03 (0:39) Item 2: Petitions from the public****Possible Direction to Staff***Chair Ready said that there was a Petition to Speak submitted by Mr. Greg Worth, and her understanding was that Mr. Worth would like to reserve his speaking time for the end.**Mr. Blodgett confirmed that information.***6:04 (1:11) Item 3: Approval of Minutes – Regular meeting of January 17, 2023***Ms. Ready explained that she was absent from that meeting, so she could not make commentary on the minutes.**Vice Chair Lance Schall and Commissioner Lori Riley both commented that they had no complaints.**Commissioner Jera Peterson had no comments to add.**Ms. Ready abstained from voting due to not attending the meeting of January 17, 2023.****Motion to approve the minutes of the regular meeting of January 17, 2023***

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson		X	X			
Ready						X
Riley			X			
Schall	X		X			

**Old (continued) Business:** none**New Business:****6:04 (1:56) Item 4: Seeking final site plan approval for Garage Remodel**

Applicant/Owner: Kelly Foy

Zone: R1-5

Address: 121 Third Street

APN: 401-08-040

Applicant is seeking reapproval to remodel their Garage on 121 Third Street.

**Discussion/Possible Action**

*Zoning Administrator Will Blodgett said he would like to summarize several points. He said would like to make clear that deciding if we will treat it as a remodel or as new construction, when involving historic preservation issues, that decision is made by our Historic Preservation Board, which is DRB. When it comes to changes to historic structures, and issues with historic preservation, they are the deciding board. He explained that the Zoning Ordinance does not define what the threshold is for a remodel. Instead, the intention, due to uniqueness of Jerome, the Design Review Board, acting in their role as the Historic Preservation Commission, take the cases on a case-by-case basis. Mr. Blodgett said that in retrospect, he would have reversed the order of the meetings because accepting it as a remodel is the purview of DRB, but we will move on as best we can. Mr. Blodgett then said that the last time we discussed this, the preliminary approval required him to verify the historic nature of the rock wall. He said that he has been recognized by Arizona SHPO as the town archaeologist, and has 19 years of experience. He said he felt satisfied that the rock wall was historic concrete; it is true to the time period and fits the context of the historic buildings in that area. Mr. Blodgett said that he would provide DRB with a letter of authenticity to support that. He said that the other main issue had been the calculations of the slope. He briefly explained the Zoning Ordinance requirements for calculating the slope for the median grade from the original grade. He said that the applicant has done that, and brought down the intended height of building by modifying the design and negating the 2<sup>nd</sup> floor. The building will now sit 14 feet above the median grade, which is in compliance. He explained that he had looked at various surveys to verify that, and found no discrepancies. He said there were also questions about the new structure connecting to the back wall, which he said it will, but will let Ms. Foy answer those questions directly. Mr. Blodgett said that the packet was much larger previously, but the last half of it was old information and was confusing so, to simplify, he removed some of the old information.*

*Ms. Ready said that she had some new questions based on what Mr. Blodgett stated. As to the issue of the Design Review Board deciding remodel versus new as it relates to a historical property, she was confused by that because she can still see the role of the Planning & Zoning Commission related to the nonconforming status of the property. She said we have to look at it and determine whether there is a basis to continue the nonconforming status; that is our purview.*

*Mr. Blodgett explained that DRB is the Historic Preservation Commission as part of our certified local government program which is part of our federal landmark status. As such, when it comes to a determination of remodel vs new construction, that clearly lands in the purview of the Historic*

Preservation Commission.

Ms. Ready said, yet, they don't have the jurisdiction to grant a nonconforming status, which is relevant to us.

Mr. Blodgett replied, no, but one does inform the other.

Ms. Ready said she would definitely want to hear from the applicant and get more information, but she still felt that if we are going to say DRB makes the determination on new vs remodel, we can't make a determination on nonconforming status until we know if it is remodel or new construction.

Mr. Blodgett recommended that we treat it as a remodel at this stage in the process and, if DRB chooses to treat it as a new construction, we will go back to the applicant to redesign and start a new application. He said that is unfortunate, but it is the process as straightforward and legally as he knows how to do it. He repeated that in future, projects like this should be sent to DRB for a determination first because that has created a lot of the confusion we are dealing with. He said that, because we are this far into the project, and in fairness to the applicant, he felt that we should treat it as a remodel for our purposes and work to effect any changes necessary.

Ms. Ready said that we did address this at the last meeting; verifying the historic nature of the wall and confirming it would be tied in was one of the conditions.

Mr. Blodgett said that it is tied in.

Ms. Ready said she also had a question about the calculation of the grade and height of the building. She said the ordinance is clear that median is calculated based on original grade beneath the structure.

Ms. Peterson said it is an accessory building, that is her issue, it says in 504.7 E, not to be constructed at a height greater than 14 feet.

Mr. Blodgett said that height is to be calculated from the median grade. There was some discussion as to where the ordinance states the calculation for accessory buildings and Mr. Blodgett explained that the original grade of a structure could have changed.

Ms. Ready said there is nothing in here that informs us, where we find the original grade of the structure. She said, we have to go by the ordinance and "under the structure" is specified.

Mr. Blodgett said that we should let Kelley Foy explain this.

(17:18) Ms. Foy said that she had served on Planning & Zoning, and the diagram was the same one that everything was decided on. She said that one of the conditions had been that she go back and calculate the grade for just the garage and not the whole property. She explained that with her original drawing, when she previously applied in 2018, she had been approved for 22 feet based on the median grade for the whole property. She said this board had preliminarily approved based on the median grade of just the garage, with the understanding that we revisit the wall. She pointed out the highest and lowest grade in the drawings, explained how the grade had been measured, and said she had reduced to 14 feet to meet the standards.

Mr. Schall asked, the back retaining wall is 4 feet deep in dirt? He said that would count.

Ms. Foy replied, yes, that is what it is based on. She said the diagram was the one we had used when she was in P&Z.

Mr. Schall said that it was the appendix of the ordinance.

For clarification, Ms. Ready said that her understanding was that the P&Z Board in 2018 did not approve; it was approved in an appeal.

Ms. Foy explained that, in 2018, it was a preliminary approval through appeal because of three out of four in the quorum. Regardless of that, she adjusted the height based on your new requirements. You decided in your interpreting the ordinance that it was based on the median grade of this building.

Ms. Ready replied that we made that determination based on the ordinance, and that is our job. With all due respect, let's not make it sound as if we just determined this, it is what the ordinance requires.

Ms. Foy said she understood that, and with all due respect, interpretation is what we called what we did, and that is not my saying you pulled it out of anywhere. She said she respects what you were saying, and that is why she adjusted her drawings for this meeting based on your interpretation.

Ms. Ready asked, based on your research and applying the diagram, the original grade under the structure is the same as the low grade of Center Street?

Ms. Foy said we are calculating from the original high point grade and low point of the building.

Ms. Riley said that if you look at Center, it goes lower.

Ms. Foy said it is calculated from the front, which is on Third Street.

Ms. Peterson said that it says enclosed portion, which is the definition she is holding to. The building is an accessory, separate from the other, and that enclosed portion is flat and there should be nothing taller than 14 feet; she said that is how she interprets it.

Ms. Foy asked for a citation.

Ms. Peterson said it was in section 201, Accessory Building, Height Of. She read the section.

Mr. Blodgett explained that it was saying the measurements must be taken within the building footprint.

Ms. Foy said that under the roofline includes the enclosed structure. She said it was well within that area.

Ms. Peterson repeated that withing the footprint of the building, it is flat, and she was interpreting that it should not be higher than 14 feet.

Mr. Blodgett explained that if the new structure was going to be built in front of the retaining wall, and not incorporate it, she would be correct. But it does incorporate the retaining wall, which is why it is a remodel.

Ms. Peterson asked, the retaining wall is higher?

Mr. Blodgett answered, it is.

Ms. Peterson asked, in good faith, how can we vote on something that we don't know will be included?

Mr. Blodgett replied he is asking for it to be treated as a remodel because that is how we treated it from the beginning. If DRB, as our Historic Preservation Commission, decides they don't like it, then we start over again.

Ms. Peterson said that it seemed clear when she read it that the low grade would start at the structure, the wall is not enclosed withing the

structure.

Mr. Schall replied that it is part of the structure.

Mr. Blodgett explained that it will be part of the new structure, that is the intention.

There was more discussion as to the location of the wall, how it will be incorporated and how the grade was determined.

Ms. Foy explained that what the diagram is saying is that the low point is Center Avenue, and the high point is the original grade. She said the other point of the building is on Third Street, and that is the pitch, that footprint is 4 feet above. The wall will be enclosed and clad because it is at the earth, so you have to build a shorter wall at the higher point.

Ms. Ready said that she was questioning the starting point. Why are we beginning with the low grade on Center?

Ms. Foy said we are talking about under the structure, under the structure, at the street, is the low grade. Under the structure, inside the building next to the house, it looks four stories higher than that because of the grade. We are only measuring the grade where the garage is, but it happens to go up the hill that my house is on. So, you start at Center Street and go up to the end of the garage and there is the original four-foot grade. There was more discussion of the location of the garage and the height measurements and Mr. Schall described to the other commissioners how the high grade was taken from the top of the retaining wall because it was holding up the soil from the original grade and Ms. Riley repeated that it had been determined to be historic.

Mr. Blodgett commented that he appreciated the attention to detail.

As a point of order, Ms. Ready asked those in attendance to move on. She said that Mr. Blodgett had mentioned the previous letter from Chief Rusty Blair and asked if he had looked at the changes and if he had any concerns.

Mr. Blodgett replied that he had no new concerns, it was the same as he expressed previously. His concerns are always about setbacks and access for emergency services. He said we do try to provide that when and where possible, however, living in a historic town, we do have to make concessions for historic remodels and properties in general.

Ms. Ready commented that improving the materials will help reduce the fire hazard.

Mr. Blodgett said it will reduce the flammability of the structure and he felt that is important, because the original garage that was destroyed in fire, so flammability is a concern. Again, Chief Blair's concerns are about setbacks, gaining access between buildings, and the way the setbacks are designed it is currently not viable. If DRB decides to treat it as a historic remodel, it gets to keep its nonconforming status.

Ms. Ready said it is important to point out that the existing structure is basically wood and is flammable, so there is some benefit to improving those materials. She said she also noticed the historic wall is sometimes referred to as the west wall and sometimes as the south.

Ms. Ready asked for clarification as to which wall was being referred to as the west wall.

Ms. Foy explained that currently there are two walls. The main wall that she is keeping is the west wall; the south wall is deteriorating concrete and will be removed. She said that there were items in the packet from the old design.

Mr. Blodgett said that he had wanted to show the changes to the original design to illustrate the changes the applicant had incorporated.

Ms. Foy said that she had provided a survey showing original footprint that will not change, and page 22 of the packet shows the architectural drawing. She said everything else in the packet is old. She said that survey is a legal document and could be trusted.

Ms. Ready thanked Ms. Foy for clarifying.

Ms. Peterson asked, because it is going to be raised up and go onto the deck next door, would anything be done to prevent runoff?

Ms. Foy replied that the runoff has been improved, but clarified that it has never run off the adjoining property. She said it slopes directly to the street, and now it will be sloped between her property and the street, and she would put a gutter on the line. Ms. Foy said it does not affect the adjoining property whatsoever.

Mr. Blodgett said that it might help clarify that the inside headroom is consistently 10 foot 11 inches.

Ms. Ready said it looks like dimensions are 24 by 32 feet. She asked about a frosted wall on page 11.

Ms. Foy repeated that that was an old document from 2018 that she did not want included in the packet. She said that she had provided new documents and to reference her survey and the page created by the architect on pages 21 and 22 to see the footprint, which was 25 by 30 feet.

Ms. Foy said there is a planter there that will be behind it, but everything else is in the simplified architect's drawing to show you. She said she is keeping the same footprint we agreed upon, she is keeping the wall, and making it a metal structure so it is more fireproof. She said she had asked for the packet to be simplified, but Mr. Blodgett had tried to make it more extensive.

Ms. Peterson asked, will it be just a single story now?

Ms. Foy answered that it will be a single story. Before, there was going to be a mezzanine for storage, but now it will be just the single-story garage 100%, used as her studio.

Mr. Ready asked if there were any other questions from the board, or if Ms. Foy would like to add anything.

Ms. Foy said she would like to thank them for taking the time to understand this and for asking specific questions. She said it really isn't complicated when you get down to it and she was trying to work with them and simplify it as much as possible. Ms. Foy said it has been done before; a garage was built next door to her house just like it, but the difference was they did not increase the height, but they did the same thing. She said that the extra information in the packet had made it confusing, but she tried to make it basic and straightforward.

Ms. Ready thanked Ms. Foy and invited Mr. Worth to speak.

Jerome resident Gregory Worth said that we [his family] are homeowners next to [Ms. Foy] and we did do remodel of garage next to the property. He said he is really confused when she says, "this page doesn't apply, that page doesn't apply. This should be deleted, that should be deleted." I do not understand it now because I don't remember which page she said to keep. Mr. Worth said he would like to see it simplified. He said, before anything is decided, he cannot understand it right now, for example, page 11 says she is going to use setbacks of 5 feet.

Mr. Riley clarified that was not what she had put in the packet.

Mr. Worth replied, but it is in the packet. He said he doesn't care who put it there, it is in the packet currently and if this is going to be a record of decision, you need to revise this record of decision and say, delete this package, and state where it was shown. He said he disagrees with pages



21 and 22 providing everything you need. Page 22 is not dimensioned. You should not have the committee getting out a scale and measuring this, it should be a properly dimensioned drawing that shows where the building is going on the site. He said it is very hard to read this engineering drawing and determine where it sits. Mr. Worth said he had a number of issues that he raised to the board.

Ms. Foy asked how long he had for his petition and Mr. Blodgett responded that he had three minutes.

Mr. Worth continued that he had a number of questions and the packet seemed very confusing. It has incorrect numbers as far as he can tell and a number of mistakes.

Ms. Foy said that Mr. Worth is making random statements.

For several seconds, several people spoke over one another, and Chair Ready called for a point of order. Mr. Blodgett explained that meant we needed to get back on task.

Ms. Ready said that she will give Ms. Foy a chance to reply once Mr. Worth has had his chance to speak. She said let's have no more interruptions, please.

Mr. Worth said he sent a list of things, and the confusion is mixing directions and descriptions. He said if you look at the packet and say, delete this delete that, yes, it will make it much clearer if deleted, so he would like to see the packet revised to see is being asked for. Mr. Worth said he is not opposed of this, but he wants it to be noted what we are building so everyone understands what is being built and we can go forward with that. He repeated that he would like to see it revised to show what is in the packet, not who did or didn't put it there. Submit a packet that has everything that is needed, and go forward. He said that is his request. Mr. Worth said we can have a sensible discussion, and most things addressed verbally, but it was not in the packet.

Mr. Blodgett said he would like to take a moment to respond and Ms. Ready asked him to please do. Mr. Blodgett said his response is that he used the information that was available from the applicant, and we had a lot of information. He said he was asked to remove a lot of it, but then other people were upset it was removed and he had to put some back. Now, at this point, there is some information that he is learning right now, but this packet has remained essentially unchanged for two months, so he would appreciate in the future that people will be proactive in talking to him about these issues, especially as we have been busier than we have in years. Mr. Blodgett said he is using available information to try to make the most sense of it. Granted, there are some things we to fix, so he does not disagree that we need to redo this in writing to have a solid packet for the record so that people in his position in the future have the opportunity to go into the record and understand what is going on. He said verbally, we are on the same page, but we need it on the record as well. Mr. Blodgett said he would appreciate the opportunity to go through, incorporate some of the new information, and diagrams that the applicant has that he didn't have.

Ms. Ready thanked Mr. Blodgett for his response.

Mr. Worth asked to make one more comment; he said there is no definition anywhere of how the wall is being incorporated in this building.

Ms. Ready replied that we had not gotten to that yet, she believed that was another question we wanted to ask. She thanked Mr. Worth for speaking, and asked if Ms. Foy would like to say anything.

Ms. Foy said she would. She said it has been very clear that for months, [Mr. Worth] has been trying to drag out this process by claiming all these little details; posted signs aren't posted in the right places or in time, or the packet is incorrect, whatever he can find. She said she did not appreciate him making comments that there is something that she had, Ms. Foy said she had no control over whether Mr. Blodgett took items out of the packet that she wanted him to. She said that when she served on P&Z, what they were interested in was information. It didn't have to be perfect, it had to be accessible, and questions have to be answered to make those decisions. She said they don't need to go on and on for perfection of mistakes that someone in administration or the application makes. The point is to help residents build projects and do it properly and when you have the information and when that discussion is clear, those decisions can be made. Ms. Foy said we have building inspectors for that purpose, to make sure that everything is built properly, the structure is secure, the new structure is attached to the old wall appropriately. She said she was confused why there was so much scrutiny over building because her neighbor, Greg Worth, was able to build an entirely new garage under the guise that it was a remodel to maintain the setbacks that he had. She said that he tore the garage down and kept the exact footprint, tearing down every wall, and the Planning & Zoning Administration had no issue with it. She said that she did not question it, or the contractors, or complain, or come to meetings because she trusted the board and the town to follow through and make sure things were done properly. Ms. Foy said she is not sure why he feels that it is his job to attack her when he has had carte blanche to do whatever he wants. She said she has followed this to the letter and hates coming back and keep hiring a draftsman, an architect, and an attorney to review all these things. She said she is not sure what the issue is: she is building a garage; it is 14 feet tall. She said it is ridiculous at this point and she feels like she is being harassed, not by you, but by my neighbor. So, all she asks is for you just to be reasonable. Have the questions you asked me been answered? And if you have any more, please ask them because she would like to move forward. She said that the inspector will make sure it is built properly and we don't need to do this meeting 6 times.

Ms. Ready responded that is a good point because she wanted to also make a point that this board is an advisory board, and we have a limited purview of things that we look at, and then goes to next step. When it comes to things like electrical details, plumbing and all of those details, that comes later in the building and inspection process, and we can't get bogged down with those types of details. She said, yes, we are going to be thorough in looking at how each project complies with the existing ordinances. And for clarification, Ms. Ready said that not all of us were on the P&Z board for the other project Ms. Foy referenced. She said she appreciated that we spend the time on this board to ask the questions but at the same time, you are right, we are here to guide the process, not to obstruct the process. Again, within the purview of the Zoning Ordinances; aside from that, other details are someone else's problem.

Mr. Schall asked if Administrator Blodgett could correct his recollection, but when we did the preliminary review, it also hinged on whether it was a historic remodel. We were going to allow the original setbacks because the applicant was going to be using the original footprint. So, we made that determination and it not only applied to grade, the back wall, and also the front and back setback. And while the side does not meet the setback, that was also part of the purview of a historic footprint remodel. So, if this commission makes the determination that we are happy with it, we would disregard the setback, right? We would assume the setback as it exists now would be allowed, and for the purposes of the grade, assume the back



wall of the garage is historic and that defines the grade. We would make those two assumptions; that was what we did when we granted the preliminary approval.

Mr. Blodgett replied, correct.

Mr. Schall continued that what he was saying, if it comes to pass that the town attorney and DRB decide it is not a remodel, it is a new build, both of those stipulations would be questioned. If it is not historic and it is going to be demolished or rebuilt, then legal setbacks and the grade could be up for discussion.

Mr. Blodgett said that what could potentially happen if they decided to treat it as a new construction is the applicant could then apply for a variance to the Zoning Ordinance so that she could enjoy the same privileges enjoyed by her neighbors. By that definition alone, if the variance were granted, there would be no problem with this either.

Mr. Schall said he wanted to know the guidelines if this commission is supposed to make a decision tonight.

Mr. Blodgett responded that an approval tonight would still have to go before DRB, and go through the regular design items of aesthetics, color, but then they would have the added burden to decide whether to treat it as a remodel vs new construction. However, the same argument for a remodel that you have heard would apply to that. Speaking as the Town HPO and Town Archaeologist, it is an authentic historic wall. If DRB chooses to accept that as the linchpin of the remodel, then that would be the end of it for the applicant.

Ms. Peterson asked, isn't it up to the applicant to prove that it is historic?

Mr. Blodgett explained that we asked her, we said we wanted to verify that as one of the conditions of the preliminary approval. So, he arranged with the applicant to go down and look at it. He said he did that, and took some pictures, and based on his expertise, it is unquestionably a historic wall which fits in with the time period, and has the right inclusions for the concrete using the aggregate from the smelters. It also has the expected weathering and degradation and, lastly, it fits into the context of the historic structures that would have been there.

Ms. Peterson asked, wouldn't there be a historic record for when the wall was put in?

Mr. Blodgett replied that 1900 was in the documentation from the 2007 historic property survey.

There was some discussion of the nonconforming status and the height, and Mr. Blodgett said that the height would not be affected.

Mr. Schall said that the setbacks could be up for debate, and the solution for that would be to move the structure over three feet. He said that Mr. Worth had a good point in that, however we decide, it should be clear what we are voting on. He said we can make a condition that what we are approving are the elevation and diagrams on pages 21 and 22 of the packet, none of the others.

There was discussion as to whether there should be a follow-up meeting to submit a revised packet, and how best to avoid unnecessary delays to the project.

(1:05:26) Ms. Ready said her feeling is that it is unfair to the applicant for us to delay this further based on the administrator's confusing packet.

Mr. Blodgett said that he agreed.

Ms. Ready further said that if a decision is made tonight, it needs to be clear what that decision is based on, and it needs to be clearly referenced in the record.

Ms. Peterson said there is going to have to be an amendment to the findings of DRB.

Ms. Ready said that if new information shows up that we didn't have tonight, that is going to be a problem.

Mr. Blodgett said the information is not new, but it needed to be updated because he either missed it, or didn't have it.

Ms. Ready said, let me ask Ms. Foy, it is your position that the survey on page 21 and the plan of elevation on page 22...

Ms. Foy responded that is accurate information and what your determination should be based on.

Ms. Ready asked, and everything else in this packet is not relevant, is that correct?

Ms. Foy replied that you may find it relevant, but as far as details, no. Your decision should be based on pages 21 and 22, and we could use those for DRB with the addition of samples. They are not going to get a different footprint, and they are not going to get a different height or drawing explanation than on pages 21 and 22. Please, make a decision based on those.

Ms. Ready said that is what this board is concerned with tonight; to look at the footprint and height. One more thing, we did not get into how the historical wall is tied into the structure.

Ms. Foy said it will be tied into the structure and clad by the metal, it will have a plate on it, and attached to a post that will be inside that metal wall. It will not just be attached; it will be part of the interior of the building.

Ms. Ready said so, it is going to be incorporated into the structure.

Ms. Foy said it will be completely incorporated; only if you are invited into the garage will you ever see the wall.

Ms. Riley asked if the engineering of that will support the wall to keep it from crumbling in the future.

Ms. Foy responded yes, and because we reduced it to 14 feet, she has overengineered it. She said it behooves her to make sure it lasts because it is connected to everything, so it has been engineered and properly done.

Ms. Ready recognized Greg Worth.

Mr. Worth said he was still confused.

There was some discourse between Mr. Worth and Ms. Foy and Chair Ready asked that they refrain from talking amongst themselves during the meeting.

(1:10:15) Mr. Worth said he still had a question on the wall being incorporated into the building. He asked, is the building sitting on it, is the building around it, in front of it? He said there is no definition in any of the drawings, including the one on pages 21 and 22 on how it will be done. Mr. Worth said it is key to this whole proposal, how it will be incorporated, and there needs to be a diagram somewhere.

In response, Ms. Ready said that as we stated, we are looking at the footprint and the height of the building. The reason we were concerned with the wall is as it relates to continuing the nonconforming status. Ms. Foy described her plan and she said she is certain, as the project progresses there will be more details, and more specifications. But she believes Ms. Foy has answered the questions as it relates to our review.

Mr. Blodgett added that the questions that were raised as conditions of the preliminary, Ms. Foy has answered, even if the packet does not reflect



that, he will make sure to fix that.

Ms. Ready asked, is it necessary that we have a new packet?

Mr. Blodgett answered that he does not feel it is necessary, but he does feel it is necessary to update it for the permanent record. He said that if we have things going concurrently, he can have it ready for the next meeting so that you can look at it and make sure that it reflects the conditions, the things we talked about tonight, and show you the changes that were made.

Mr. Schall said he would be happy to entertain a conditional motion to approve what is on pages 21 and 22 and look at the Improved packet at the next meeting as a matter of information. He said he did not think he needed to wait to make his decision, I'm good with you saying this is the elevation you are using.

Ms. Peterson asked the chairman, can there be an amendment to the fact that, from DRB, it's nonconditional? That is how she is voting because it is like we are voting for something ahead, like the horse before the cart.

Ms. Ready responded that her understanding is, if DRB determines that it is something different, then it negates everything that we did.

Ms. Riley said it would come back.

Mr. Blodgett explained that was not necessarily the case. If DRB has a problem with it being a remodel, then we treat it as a new construction and what Ms. Foy would have to do is seek a variance for the setbacks. The definition of a variance is to allow a use in the way the neighbors are allowed use. Mr. Blodgett said that, especially on Center, what she is asking for is not out of realm of what exists there, so if she needs a variance at that point, then we seek it. Either way, he would not delay the process.

Ms. Peterson asked, so it would go to the Board of Adjustment?

Mr. Blodgett clarified that if DRB said no, it would go to BOA.

Ms. Peterson said then it would come back to us as a new build.

Mr. Blodgett replied that if it comes back to you, it will be new.

Ms. Ready asked if there were any more comments.

Mr. Schall moved to approve the applicant's new garage, specifically the elevations and floorplans on pages 21 and 22 of the packet.

**Motion to approve the Garage Remodel on 121 Third Street, specifically approving the elevations and floorplans on pages 21 and 22.**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson			X			
Ready			X			
Riley		X	X			
Schall	X		X			

**Meeting Updates:**

**7:18 (1:16:46) Item 5: Updates of recent and upcoming meetings**

- **February 21st P&Z Regular Meeting**– Meeting Cancelled
- **February 28th DRB Regular Meeting**- Meeting Cancelled
- **March 14<sup>th</sup> Regular Council Meeting**- To be updated

**7:20 (1:18:36) Item 6: Potential items for April Planning & Zoning meeting, Tuesday April, 25 – Multiple items nearing readiness for review.**

Mr. Blodgett said there would be a number of items pending for upcoming meetings and we will be busy.

Ms. Peterson requested that packets be available a week ahead of a meeting.

Mr. Blodgett said that normally that is what we try to do; this case has been more challenging, but we will be working on it.

Ms. Ready commented that we are putting short time constraints on town staff. From the time someone files an application, what it is, two weeks? It has to be at the next meeting.

Mr. Blodgett said we are allowed 15 days for review, but if we try to get it out a week early, that oftentimes leaves me only 1 week to do it.

Ms. Muenz apologized because short staffing has also placed more of the burden on Mr. Blodgett for this meeting.

Ms. Ready responded that we ask a lot of our town staff and generally everyone does double duty. So, she said she would like to say she appreciates you and thinks you do a wonderful job with what you've got and the time you do it in. She agreed that it would be nice, especially with more complex projects and we need time to digest.

Mr. Blodgett said that our Town Manager spoke to him this morning about this, and he will be trained on the new agenda management system which will radically increase his efficiency. He said he is looking forward to that, and trying to improve. He said he knows there have been problems, and a learning curve, and while he wishes he could have done some things differently, he did not want to stop the process for the sake of the applicant.

Mr. Schall said we appreciate that, and we all have a different skill set.

Ms. Peterson said that she would like to see the property, and do proper diligence because that is what we are supposed to do.

Ms. Ready said that the agendas are generally posted on the website, we just might not always have the packets yet.

Mr. Blodgett said that we do try to get them out as soon as possible. He briefly explained that state law and town code required posting agendas at least 24 in advance, however, that does not address packets. We are not going to change that, and we want packets to be available as soon as possible because we want you to be educated and know if there is a problem.

Ms. Peterson said she feels like she needs to check out the site because she is not as familiar with everything as some people.

Mr. Blodgett said he recognizes there is room for improvement, and we are working toward it.



Item 7: Adjourn

**Motion to adjourn at 7:25 P.M.**

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson		X	X			
Ready	X		X			
Riley			X			
Schall			X			

Approved: \_\_\_\_\_

  
~~Chair Ready~~, Planning & Zoning Commission Chair  
Co-Chair Schall

Date: \_\_\_\_\_

4/18/2023

Attest: \_\_\_\_\_

  
Kristen Muenz, Deputy Town Clerk

Date: \_\_\_\_\_

4-18-23