

1 ANTRIM ZONING BOARD OF ADJUSTMENT

2 Meeting

3 Tuesday, July 14th, 2026

4 MINUTES

5 **Members & Planning Staff Present:**

6 Janet McEwen (Chair), David Clater (Vice Chair), Tom Davis (Member), Doug Crafts (Alternate), David
7 Healy (Member), Darby Wilson (Land Use Boards Assistant)

8 **Present over ZOOM:** Carol Ogilvie (Planning Consultant)

9 **Members/Staff Absent:** Michael Ott (Member), Doris (Shelley) Nelkens (Alternate),

10 **Others present:** Rebecca Hull (Town Resident, Interested Party of 376 Stoddard Rd Motion of
11 Rehearing), John Anderson (Planning Board Vice Chair/Resident)

12
13 **Call To Order:** Chair McEwan called the meeting to order at 6:00 PM.

14
15 Alternate Doug Crafts was appointed by the Board as a voting member, in the absence of Mr. Ott.

16
17 **I. Public Meeting – Re-Review of a Motion for Rehearing for the Approved Variance Application at**
18 **376 Stoddard Road**

19 The Board opened discussion on whether to reconsider a previously denied Motion for Rehearing
20 regarding the variance approved for the property located at 376 Stoddard Road.

21 The original variance application requested relief from Article XIV, Section F.2. of the Zoning
22 Ordinance, which limits fence height to six (6) feet. The application concerned an approximately 60-foot
23 section of existing fence that included a two (2) foot metal flashing extension, causing that portion of the
24 fence to exceed the maximum permitted height.

25 The Zoning Board approved the variance application on April 28, 2026. An abutting property owner, Ms.
26 Hull, subsequently filed a Motion for Rehearing. On May 26, 2026, the Board denied that request after
27 determining that the submitted materials did not present new or substantive evidence and did not
28 demonstrate that the Board had erred in its original decision. The Board concluded that there were
29 insufficient grounds to grant a rehearing.

30 Following that denial, Ms. Hull appeared before the Selectboard to express concerns regarding the Zoning
31 Board's decision. Chair McEwen stated that, based on her attendance at the Selectboard meeting, Ms. Hull
32 explained she had been hospitalized and was therefore unable to submit documentation she believed was
33 relevant to her Motion for Rehearing.

34 The Selectboard subsequently recommended that the Zoning Board reconsider its denial of the Motion for
35 Rehearing in light of those circumstances.

36 ***Motion:*** Doug Crafts moved to reconsider the previously denied Motion for Rehearing for the approved
37 variance application at 376 Stoddard Road. Seconded by David Clater.

38 (**No roll call vote was taken at this time.)

39 During discussion, the Board noted that it had followed all applicable state statutes and local requirements
40 when reviewing the original Motion for Rehearing.

The Board reviewed the criteria considered when evaluating a motion for rehearing, including:

- **Standing:** Whether the requesting party is directly affected by the decision.
- **Grounds for Appeal:** Whether the request identifies a specific error in the application of zoning laws, regulations, or local ordinances.
- **New Evidence or Changed Circumstances:** Whether new evidence or a significant change in circumstances has been presented that was not previously considered.
- **Statutory and Ordinance Compliance:** Whether the Board followed all applicable state laws and local ordinances in reaching its decision.

The Board noted that correspondence received from Ms. Hull stated that she had a medical condition that she believed was relevant to the variance approval and constituted a change in circumstances.

The Board further discussed that the original Notice of Decision included a condition requiring the applicants to remove the two-foot metal flashing extension and replace it with wood within four months of the approval date. The compliance deadline is August 28, 2026. The Board noted that Ms. Hull had previously stated that the time allowed for the replacement had negatively affected her due to her medical condition.

The Board also acknowledged correspondence received from the variance applicants on July 13, 2026, stating that they had begun replacing the metal flashing with wood and anticipated completing the work within approximately two weeks.

Board members commented that, if the replacement is completed before the August 28 deadline, the issue that prompted the request for rehearing may be resolved, making further action on the Motion for Rehearing unnecessary.

The Board also discussed the procedural timeline. Under applicable statutory requirements, if a rehearing were granted, the Board would have up to 30 days to act on the request. If the matter required continuation, the decision could take longer. As a result, any action on a rehearing would likely occur after the August 28 compliance deadline established in the original Notice of Decision.

The Board also considered whether reconsidering the previously denied Motion for Rehearing after the standard appeal period had expired could create procedural concerns.

Ms. Ogilvie stated that decisions made by the Board do not establish precedent and that each application is considered on its own merits.

Ms. Ogilvie further stated that the Board had not erred in its original review of the Motion for Rehearing and had considered each of the required criteria before denying the request.

The Board noted that enforcement of the conditions contained in the Notice of Decision, including concerns regarding the timing of the required fence modification, falls under the authority of the Selectboard as the Town's enforcement body.

Following discussion, Board members suggested postponing further consideration of the matter until after the applicants' anticipated completion of the fence modification.

Motion: *Doug Crafts moved to withdraw the pending motion to reconsider the Motion for Rehearing for the approved variance application at 376 Stoddard Road. Seconded by David Healy.*

Roll Call Vote:

- Janet McEwen – Yes
- David Clater – Yes
- Tom Davis – Yes

83 • *Doug Crafts – Yes*

84 • *David Healy – Yes*

85 **Motion carried.**

86 ***Motion:*** *Doug Crafts moved to continue discussion regarding the possible reopening of the Motion for*
87 *Rehearing for the approved variance application at 376 Stoddard Road to August 4, 2026, at 6:00 p.m. at*
88 *Town Hall. Seconded by David Healy.*

89 ***Roll Call Vote:***

90 • *Janet McEwen – Yes*

91 • *David Clater – Yes*

92 • *Tom Davis – Yes*

93 • *Doug Crafts – Yes*

94 • *David Healy – Yes*

95 ***Motion carried.***

96 The Board noted that the requesting party may withdraw the request before the continued meeting if they
97 choose.

98

99 **II. Review and Approval of Draft Minutes**

100 The Board reviewed the draft meeting minutes of May 26, 2026.

101 A minor typographical correction was made.

102 ***Motion:*** *David Clater moved to approve the May 26, 2026, meeting minutes as amended. Seconded by*
103 *Tom Davis.*

104 *No further discussion.*

105

106 **III. Other Business**

107 The Board discussed the possibility of reviewing the Rules of Procedure, specifically the section
108 addressing appeals, to clarify the process for future proceedings.

109

110 **IV. Adjournment**

111 *At 6:40 p.m., Tom Davis moved to adjourn. The motion was seconded by David Healy.*

112 *The Board voted unanimously in favor of adjournment.*

113

114 Respectfully submitted,

115 Darby Wilson

116 Land Use Assistant

117 **Approved 08/04 ,2026**