

Bridgewater Zoning Board of Appeals
Town of Bridgewater
Bridgewater, Ct. 06752
Minutes of Zoom Meeting, August 25, 2020

Meeting called to order: 7:00 p.m.

Roll call: Members and Alternates Present: Eric Gsell, Chairman, Marc Isolda, Jim Crosskey, Susan Patrick, Meg Khare, Susan Branagan,(alternate absent) Greg Artura, (alternate) Ed Muzala,(alternate).

Eric read the agenda for the beginning of the meeting. Eric also informed the board members of how the meeting was going to proceed, including names of members that will be voting in tonight's meeting. Meg Khare informed the board that she will be abstaining from voting tonight meeting due to a conflict of interest. Eric then moved up alternate, Greg Artura to voting status for the purpose of this meeting.

Residence: 29 Planz Lane

Eric read the documents that pertained to this case including the cease and desists order.

Eric then opened up the public hearing.

Robert Guendelsberger, attorney for Mr. Justin Planz and family stated he would like Justin to come forward and give this board a brief statement. Justin gave a brief rundown of he does for a living and how this is the first time in 20 something years that there has never been a complaint before and if neighbor in question had come and talked to him, he would have gladly worked out a reasonable compliance that all parties involved would have been happy with. Unfortunately, this did not happen.

Mr. Guendelsberger referred to different cases, and went over different laws similar to his client's case. Eric then asked if any of the neighbors would like to make a comment. Various neighbors made a statement. All of them saying the same thing, they have no issues with Mr. Planz, he's a good neighbor, they see no problem with his usage of the saw mill.

Eric then asked Mike Zizka, Esq., Halloran & Sage LLP, for his input on this case. Mike is an attorney, for different Land Use Agencies . Mike advises ZBA members of different rulings, and reads of the verbiage of the regulations.

Eric asked if anyone else would like to make a statement before the public hearing is closed. Ex-ficio, Curtis Read, said he would like to say a few words. Curtis is a neighbor also to Justin Planz, and explained that he went over to talk to Justin and to get his side of the situation. Curtis states that Justin was amicable to an agreement that will suit both parties.

Jim Crossley, asks if there were any other complaints regarding the noise? Curtis answers his question. Jim asked for clarification on the cease and desist letter. Eric answers his question.

Greg Artura, asks question regarding clarification. Justin Planz answers his question.

Make a motion to close the public hearing. Eric makes a motion to close the public hearing. Marc Isolda seconds the motion. All in favor.

Public hearing closed: 7:44 p.m.

Eric informs the members that they could either vote tonight or wait until next meeting. Each member wanted to vote tonight. Mike Zizka advises the members on how they be voting either for or against the cease and desist order. Against/Sustain the appeal = means you oppose the cease and desist order. Denying to overturn the appeal= meaning you uphold the cease and desist order.

Eric asks members if they're ready to vote? Eric asks each member for their vote:

Eric Gsell – sustain

Susan Patrick – sustain

Marc Isolda – sustain

Jim Crossley – sustain

Greg Artura – sustain

Vote is unanimous, ruling is against the Cease and Desist Order.

Residence: 45 Iron Ore Road.

Eric read the legal notice, then the Cease and Desist letter for the meeting.

Eric opened up the public hearing and asks Robert Shaver, attorney for Sunny Valley Meadow L.L.C. to start and give a brief explanation on behalf of his client.

Mr. Shaver states that neither he, or his client knew of any complaint. That no neighbors came to Mr. Shabet complaining of noise from any of his machinery.

Michael Wellman, Chairman from Planning and Zoning, speaks on what he has seen going on at Sunny Valley Meadow farm, and that a complaint was brought to his attention and that's why he went to go see for himself.

Mike Zizka gives a brief explanation of the complaint. Marc Isolda asks a question. Mike Z. reads from section 8.1.05 state law on agriculture and gives an explanation of it.

Eric asks Robert Shaver to go on, on behalf of his client. Robert reads regulation 110.03 for ZBA members. Steve Shabet, of SV Meadow Farm gives a brief explanation of what his farm is about and what he would like to see in the future for it. Mr. Shabet also states that he wishes who ever came

forward with this complaint had come to him first and is sure that they could've worked out their differences.

Robert Shaver then went over the different documents that was sent in to the board and explains each one.

Eric then asks if anyone would like to say anything before the public hearing is closed. He again instructs the board on the voting.

Neighbors – Bruce and Shirley Siana, 177 Curtis Road, made a statement. They express their concern on how the noise from Steve Shabet's farm would have an impact on their property on Curtis Road.

Eric explains to the Sianas' the purpose of this meeting so that they have a better understanding. Mike Zizka made some suggestions to the Sianas on what they could do.

Discussion followed.

Motion to close the public hearing. Marc Isolda makes the motion to close the public hearing, Jim Crossley seconds the motion. All in favor. Public Hearing closed: 8:34 p.m.

Again, Eric asks board members if they want to vote tonight or at next meeting. Members wanted to vote tonight. Eric again reminded members of the ruling: Against/Sustain the appeal = means that you oppose the Cease and Desist Order. Denying to overturn the appeal = meaning that you uphold the Cease and Desist Order.

Eric asks each member for their vote.

Susan Patrick – sustain

Eric Gsell - sustain

Jim Crossley – sustain

Marc Isolda – sustain

Greg Artura – sustain

Vote is unanimous, ruling is for against the Cease and Desist Order.

Motion to adjourn the meeting? Jim Crossley makes a motion to adjourn the meeting. Marc Isolda seconds the motion. All in favor.

Meeting adjourned: 8:37 p.m.

Respectfully submitted,



Angie Sturges

ZBA Clerk