

April 15, 2004

MEMBERS PRESENT: Mr. White, Mr. Sedito, Mr. Snook, Mrs. Roberts

MEMBER ABSENT: Mrs. Leab

ALTERNATES PRESENT: Mr. Averill, Mr. Catlin, Mrs. Middlebrook

STAFF PRESENT: Mrs. Hill

ALSO PRESENT: Mr. Swanson, Mr. Manson, Mrs. Friedman

Mr. White read the legal notice for both public hearings, which was published in **Voices** on April 4 and April 11, 2004.

PUBLIC HEARINGS

Vanderlip/28-30 Shearer Road/#ZBA-0403/Variance Request: 12.14.1 -Location for Installation of a Generator

Mr. White called the hearing to order at 7:33 p.m. and seated Members White, Sedito, Snook, and Roberts and Alternate Catlin for Mrs. Leab.

Mr. White noted for the record that all property owners within 200 feet of the Vanderlip property had not been notified by certified mail of the public hearing. It was the consensus to continue the hearing to provide the applicant the opportunity to fulfill the notice requirement.

MOTION: To continue the public hearing to consider application #ZBA-0403 submitted by Mrs. Vanderlip, 28-30 Shearer Road, for a variance from Zoning Regulation 12.14.1: location for installation of a generator, to May 13, 2004 at 7:30 p.m. in the Land Use Meeting Room, Bryan Memorial Town Hall. By Mrs. Roberts, seconded by Mr. Snook, and passed 5-0.

At 7:36 p.m. Mr. White continued the public hearing to May 13, 2004.

Swanson/18 Cook Street/#ZBA-0404/Variance Request: 11.6.1.c - Side Yard Setback, 12.1.1 - Setback from a Watercourse, and 17.4.1 - Increasing the Nonconformity of a Nonconforming Building/To Construct a Deck

Mr. White called the public hearing to order at 7:37 p.m. and seated Members White, Sedito, Snook, and Roberts and Alternate Averill for Mrs. Leab.

Mr. White noted for the record that all property owners within 200 feet of the Swanson property had not been notified by certified mail of the public hearing. It was the consensus to continue the hearing to provide the applicant with the opportunity to fulfill the notice requirement.

Mrs. Middlebrook arrived at this point.

MOTION: To continue the public hearing to consider application # ZBA-0404 submitted by Mr. and Mrs. Swanson, 18 Cook Street, for variances from Zoning Regulations 11.6.1.c- side yard setback, 12.1.1-setback from a watercourse, and 17.4.a-increasing the nonconformity of a nonconforming building to construct a deck to May 13, 2004 immediately following the hearing for #ZBA-0403 in the Land Use Meeting Room, Bryan Memorial Town Hall. By Mrs. Roberts, seconded by Mr. Sedito, and passed 5-0.

At 7:38 p.m. Mr. White continued the hearing to May 13, 2004.

These public hearings were recorded on tape. The tape is on file in the Land Use Office, Bryan Memorial Town Hall, Washington Depot, Ct.

REGULAR MEETING

Mr. White called the Meeting to order at 7:39 p.m.

Consideration of the Minutes

Mrs. Roberts pointed out in the 3/18/04 Minutes under Gatto/#ZBA-0402 that she had recused herself as an adjoining property owner and said this should be noted for the record.

MOTION: To accept the March 18, 2004 Minutes as corrected. By Mr. Snook, seconded by Mrs. Roberts, and passed 5-0.

Mr. White reported that briefs were being prepared for both pending lawsuits. Court procedure was briefly discussed.

Mr. White noted a second land use seminar would be held on April 29. He said he had asked Atty. Zizka to attend a future meeting to discuss hardships. In the meantime, he said he would circulate copies of cases so the Members could review how other boards have dealt with the issue of hardship.

Mr. Sedito noted the two current applications did not include A-2 surveys as is now required by the Board. He questioned whether this requirement was too strict as the cost of the survey in the case of Mr. Swanson, for example, would most likely be more than the proposed deck. Mrs. Roberts said the instructions on the application form say the A-2 survey is required, but Mr. Snook pointed out the Regulations state it may be required. Mr. White and Mrs. Roberts noted the Board had agreed A-2s were needed due to the poor quality sketch plans and information often submitted with variance applications. It was suggested that criteria could be established for determining under what circumstances an A-2 would be required, thus, taking the burden off applicants proposing insignificant projects. Mrs. Roberts thought this could work if it was clear the ZBA has the authority to require one when needed. Mr. White asked the Board to consider this problem and to come prepared to discuss it at the next meeting.

Mrs. Friedman informed the Board the Zoning Commission has begun work to implement the 2003 Plan of Conservation and Development. Several matters including, The Green District, protection of scenic vistas, and age restricted housing are currently being discussed. Mr. White asked that he be sent copies of future Zoning agendas.

MOTION: To adjourn the meeting. By Mr. Sedito.

Mr. White adjourned the meeting at 8:54 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill, Land Use Coordinator