

CIVIC ASSOCIATION OF SHORT BEACH
ZONING BOARD OF APPEALS
P.O. BOX 2012
SHORT BEACH, CT 06405

MINUTES FROM MARCH 7TH, 2016 REGULAR MEETING

MEETING AT ORCHARD HOUSE WAS CALLED TO ORDER BY ACTING CHAIRMAN DAVE STEINMAN AT 7:31 PM. PRESENT WAS ALTERNATE MEMBER MARTIN HALLIER SR., REGULAR MEMBERS JOHN ELGEE, NORMAN BENNUN, AND WALTER KAWECKI. MR. HALLIER SAT IN FOR TOM HERRIGAN (RESIGNED). ALSO IN ATTENDANCE WERE MEMBERS OF THE CASB EXECUTIVE BOARD INCLUDING DOUG HANLON, ZEO DAVE PERKINS, CLERK FRAN CLARK, ATTORNEY FOR CASB PETER COOPER AND MEMBERS OF THE GENERAL PUBLIC INCLUDING CHRIS COLLINS.

DISCUSSION WAS HELD REGARDING 51 BECKETT LAWSUIT. ATTORNEY COOPER SAID HE WAS WAITING ON PAPERWORK BEFORE HE COULD BEGIN TO HANDLE THE CASE.

DISCUSSION WAS HELD REGARDING ZBA HIRING LEGAL. ATTORNEY COOPER ADVISED TO ALL PRESENT THAT THE CASB EXECUTIVE BOARD ALLOCATE AN ANNUAL BUDGET THAT THE ZBA BE ALLOTTED FOR INDEPENDENT LEGAL CONSULTATION. IT WAS AGREED THAT THIS WAS A REASONABLE UNDERTAKING AND THE ZBA WOULD PROPOSE A BUDGET. THERE WAS FURTHER DISCUSSION REGARDING THE NEED FOR THE ZBA TO SEEK CASB EXECUTIVE BOARD APPROVAL IF THE ZBA WERE TO GO OVER THE LEGAL BUDGET.

DISCUSSION WAS HELD ABOUT FEMA AND HOW IT MIGHT AFFECT OUR DISTRICT. ATTORNEY COOPER SAID HE NEEDED TO FURTHER LOOK INTO THE TOPIC.

DISCUSSION WAS HELD REGARDING THE NUMBER OF ZBA BOARD MEMBERS. ATTORNEY COOPER ADVISED TO LOOK AT OUR CHARTER FOR THAT DEFINITION.

DISCUSSION WAS HELD REGARDING THE TIMELY POSTING OF MINUTES BY BOTH BOARDS REQUIRED BY LAW OF UNDER 14 DAYS.

DISCUSSION WAS HELD REGARDING PREEXISTING NONCONFORMING PARCELS. ATTORNEY COOPER AFFIRMED THAT "GENERALLY A PREEXISTING NON-CONFORMITY AUTOMATICALLY GO TO THE ZBA PER THE REGULATIONS." HE FURTHER EXPLAINED THAT IF A PREEXISTING NON CONFORMING APPLICATION DIDN'T GO TO ZBA, AND WERE ACTED ON BY THE ZONING BOARD, THAT IT WOULD CREATE SOME "COMPLICATED QUESTIONS" GOING FORWARD.

DISCUSSION WAS HELD REGARDING HOW AN APPLICATION WORKFLOW IS HANDLED BY ZONING BOARD. MR. PERKINS EXPLAINED THAT HE LOOKS AT IT FIRST FOR COMPLETENESS, BEFORE IT GOES TO ZONING BOARD.

DISCUSSION WAS HELD REVIEWING SCENARIOS OF CONFORMITY AND NON-CONFORMITY. A QUESTION WAS RAISED IF CASB REGULATIONS CLEARLY DO STATE THAT A 'CONFORMING ADDITION' CAN PUT ADDED TO A PREEXISTING NON-CONFORMING LOT.

FURTHER DISCUSSION WAS HELD REGARDING THE TIMELY POSTING OF MINUTES AND THE RIGHT FOR NEIGHBOR APPEAL WITHIN 60 DAYS. MR. PERKINS POINTED OUT THAT THAT COULD BE FROM TIME CONSTRUCTION ACTUALLY BEGINS.

DISCUSSION WAS HELD REGARDING REGULATION HEIGHT RESTRICTION SPECIFICALLY PERTAINING TO HOMES IN THE VELOCITY (VE) FLOOD ZONE DESIGNATION. STEINMAN RECOMMENDED TO EXECUTIVE BOARD ATTENDEES TO REVISIT THE THIRTY FOOT MAXIMUM FOR VE ZONE HOMEOWNERS. KAWECKI RECOMMENDED ZONING BOARD TAKE PROACTIVE MEASURES, IN WRITING, STUDYING VE ZONE ISSUES AND QUESTIONS.

DISCUSSION WAS HELD REGARDING EXAMPLES OF PREVIOUS VE ZONE APPLICATIONS.

DISCUSSION WAS HELD ABOUT THE LIFTING (RAISING UP) OF STRUCTURES, THE NEED FOR SPECIFICITY IN VARIANCE WRITING, HISTORY OF VARIANCES GRANTED AND FILED WITH TOWN HALL, AND THE NEED TO READ VERILLO. ALSO MCKENZIE CASE FOR REVIEW AS WELL.

DISCUSSION WAS HELD REGARDING PERFORMING A COST ANALYSIS FOR A ZBA APPLICATION. IT WAS AGREED THAT THE ISSUE BE REVIEWED.

DISCUSSION WAS HELD REGARDING BOARD VACANCIES AND MEMBER'S TERMS.

A MOTION TO VOTE ON DRAFT MINUTES FROM THE FEBRUARY 2016 ZBA REGULAR MEETING WAS MADE BY MR. HALLIER AND SECONDED BY MS. BENNUN. BOARD VOTED UNANIMOUS TO ACCEPT WITHOUT FURTHER CHANGE.

A MOTION TO ADJOURN WAS MADE BY MS. BENNUN AND SECONDED BY MR. ELGEE. MEETING ENDED AT 8:56 PM.

DAVE STEINMAN
TEMP CHAIRMAN