

CIVIC ASSOCIATION OF SHORT BEACH

**Box 2012
Short Beach, Conn. 06405**

ZONING BOARD OF APPEALS

June 7 2005 minutes

- 1. All members were present except Pat Neilson**
- 2. The application of R.J. Shore Automotive L.L.C. for a repairer license was Approved.**
- 3. A new form for application for appeal of Zoning Board or ZEO was reviewed And approved with a fee charge. A question was raised about public notice for ZEO appeals. this was researched by the chairman and notice is required. A new draft is being submitted for approval at the August meeting.**
- 4. Ms. Armstrong and Mr. Swanson declined to act as acting chairman for the August meeting. Mr. Martin Hallier Jr. agreed to act as acting chairman.**
- 5. The next meeting will be August 1 2005.**

Respectfully Submitted,

**Martin J. Hallier Sr.
Chairman ZBA**

MEMORANDUM

Meeting of the Zoning Board of Appeals of the Civic Association
of Short Beach held August 1, 2005

(The following is not an official record of proceedings, but an
attempt to clarify certain actions taken as I interpreted them.)

Question

Was the public able to have input to the August 1 meeting or was
it an executive session?

Outcome

Board rules state that meetings are public, except for executive
sessions related to an appeal. Therefore those present at the
regular meeting on August 1 were entitled to offer relevant infor-
mation contributing to the discussion.

Question

Does the Association's annual meeting vote determine categories
and names of regular and alternate members regardless of how the
board may have organized itself in previous years?

Outcome

Barry Beletsky, president of the Association and an attorney,
explained that by law, actions approved at an annual meeting
reflect intent of the membership present and take precedence
over procedures previously followed by a board of the Association
in resolving questions of authority. Therefore the result of
the June 3 vote stands as cited in Fran Clark's letter of June 21
to Martin Hallier Sr.

Question

Because of confusion arising from the election of 2004, what is
the status at this time of Suzanne Pierson and Martin Hallier Jr.
as to which is the regular member?

Outcome

The annual meeting vote of June 3 applies, i.e., Suzanne Pierson
is the regular member and Martin Hallier Jr. is the alternate.
Prior designations no longer apply.

Elections

After agreement was reached on the identity of regular members, they proceeded to elect a chairman as charged in board rules. Following discussion, nominee David Peterson was elected, with four yes votes and one abstention. Voting yes: Joan Armstrong, Suzanne Pierson, Patricia Neilson and Ron Swanson.

Election of a secretary was deferred to a subsequent meeting while members consider how they might share the duties of this office rather than assigning them to one person.

Joan Armstrong

CIVIC ASSOCIATION OF SHORT BEACH
ZONING BOARD OF APPEALS

The Zoning Board of Appeals of the Civic Association of Short Beach will hold a regular scheduled monthly meeting on Monday Oct.3, 2005 at 7:30 p.m. at the Union Church on Pentecost St., Short Beach, Ct.

ZBA Chairman

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held October 3, 2005 at the Union Church.

Present: Chairman David Peterson, Pat Neilson, Suzanne Pierson and Joan Armstrong, members; and Fran Clark, Association clerk.

Meeting called to order at 7:35 P.M.

OLD BUSINESS

Joan Armstrong agreed to serve as Recording Secretary. The chairman will perform the other duties of a secretary for the present, but subsequent action will need to be taken on designating a person for those duties (possibly a non-member who would be paid).

Verbal information has been received as to Ron Swanson's resignation from the board as a regular member. This matter will be referred to the Association for their action.

A memorandum prepared by Joan Armstrong summarizing certain actions taken at the August 1 meeting was distributed to members for informational purposes.

The chairman asked members to submit at the next meeting any minutes of previous meetings, correspondence, or other written records of the board's proceedings. We want to show that information that should have been on file cannot be located. Pat Neilson will draft a letter to the Association executive board requesting that they formally ask the former chairman, Martin Hallier Sr., to produce such material.

There was lengthy discussion on proposed new requirements for certain forms and procedures that were introduced at an earlier meeting. It was unanimously voted that the form "Manner for Filing Appeals" in Paragraph XII regarding property owners' notification provisions, should refer to "adjacent and across the street from any portion of subject property" as specified previously. However, it was agreed to delete a suggested addition to include property within a radius of 100 feet as being burdensome on the owner and difficult to interpret.

Also in question was the source for obtaining applications for "Appeal of ZBA or ZEO Decision or Action." So that these forms would be readily available, it was agreed Fran Clark will include one with the notice of denial. Other possible sources might be the ZEO or Town Hall zoning.

ZBA meeting of October 3, 2005 - P. 2

OLD BUSINESS (continued)

There was discussion on when and where to file these applications with the ZBA. It was voted unanimously to require that they be presented at regular ZBA meetings. Special arrangements, if needed, are to be made through the chairman. Upon submission at such meeting the 65-day period allowed for a hearing will begin.

Other possible changes to the above will be reviewed at the next meeting.

NEW BUSINESS

To improve communications between members, it was agreed to use e-mail, where possible, for this purpose.

There being no further business, meeting adjourned at 9 P.M.

Respectfully submitted,



Joan Armstrong
Recording Secretary

CIVIC ASSOCIATION OF SHORT BEACH
ZONING BOARD OF APPEALS

Oct. 30, 2005

The Zoning Board of Appeals of the Civic Association of Short Beach will hold a regular scheduled monthly meeting on Monday Nov. 7, 2005 at 7:30 p.m. at the Union Church on Pentecost St., Short Beach, Ct.

Agenda:

~~Old Business~~

1. Elect ZBA secretary for current term.
2. Continue effort to obtain missing documents and minutes of meetings from the former ZBA President / Secretary Martin Hallier Sr. ~~and / or the Executive Board of the Civic Association of Short Beach.~~

New Business

1. Review and update, if appropriate, ZBA rules and forms.

ZBA Chairman
David Peterson

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held November 7, 2005 at the Union Church.

Present: Chairman David Peterson; Suzanne Pierson and Joan Armstrong, members; Mark Winik, alternate; and Fran Clark, CASB clerk.

Meeting called to order at 7:35 P.M.

Minutes of the October 3, 2005 meeting were accepted as amended, to include: The filing fee for variances remains \$175, while all other fees are \$100, as agreed to previously.

OLD BUSINESS

Regarding secretarial duties of the ZBA: In addition to recording actions taken at meetings (position filled) there is still a vacancy for a corresponding secretary to be responsible for written business matters such as official communications, publication of hearing notices, legal papers, etc. Also open is a need for a clerk to maintain ZBA files. Possibly whoever fills the current vacancy on the board would be interested in some part of these duties. The work also can be done by a non-member.

The question of missing documents related to earlier proceedings of the board is still to be acted upon. If our request to the former chairman does not produce this information we will require a written response attesting to non-availability so that the present board is not held accountable for the material.

NEW BUSINESS

The chairman, citing problems he has with the "Application for a Variance" form approved in February, presented a new draft incorporating several ideas from various sources. Following extended discussion (detailed in attached addendum), it was voted unanimously to revise the form accordingly. Additional changes, if needed, will be considered at our next meeting.

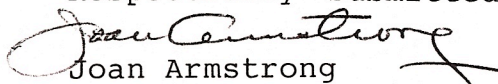
Also up for discussion was a further review of the "Manner of Filing Appeals" procedure adopted 2/7/05. Changes are likewise detailed on the attached addendum. This revised version, as it stands to date, was approved unanimously. Fran Clark will print out copies of both the above documents, incorporating revisions, for the next meeting.

APPLICATIONS RECEIVED

An application for a variance, with supporting documentation, was accepted from Mark Winik. A January hearing date is likely.

There being no further business, the meeting adjourned at 10 P.M.

Respectfully submitted


Joan Armstrong
Recording Secretary

Addendum to ZBA minutes - Nov. 7, 2005

Application for a Variance

Revisions to items as follows:

3. Revised to read present use and zone
5. Specifies use and area to be considered
- 7-9. Items separated numerically instead of by letters; reinstates wording used previously
10. Uses three percentages of lot coverage for simplicity, but keeps pertinent information that could affect the application and how vote is reached
11. Changes bounds to abuts; eliminates provision for adjacent 100 ft. property notification

Other:

Line added for owner's signature

Line added for reasons for action

Line for conditions retained

Form number will appear at the bottom of the page

Manner of Filing Appeals for a Variance

Revisions to items as follows:

1. Delete granting in the last sentence
2. This item added re decision of 10/3 meeting
4. Delete requirement for survey to be made within one year; change wording to "... and an A-2 survey dated after 8/13/96 conforming to Sect. 20-300 b of regulations of Connecticut state agencies"
6. First sentence to read: "Plot plans accompanying applications for commercial use for gas stations, etc."
7. New wording after "... hardship, a topographical map must be provided." Photographs also can be submitted.
9. To read: "The board in its discretion may deny an appeal (without prejudice) for failure to comply with any of the foregoing rules."
11. Delete entirely

Manner of Filing Appeals for a Variance (continued)

New #11 - To read: The filing fee shall be \$175, payable by check to the Civic Association of Short Beach

New #12 - To read: "... property owners who abut any portion of subject property." Delete remainder of sentence. Eliminate asterisk and make its contents the final sentence of the paragraph, viz: Notifications by certified mail, return receipt requested. Receipts must be brought to the meeting.

13. Add: Applicant shall provide a copy of the deed to property as filed in Branford land records

**CIVIC ASSOCIATION OF SHORT BEACH
ZONING BOARD OF APPEALS**

November 30, 2005

The Zoning Board of Appeals of the Civic Association of Short Beach will hold a regular scheduled monthly meeting on Monday, December 5, 2005 at the Short Beach Union Church at 11 Pentecost Street, Short Beach, Connecticut.

AGENDA:

Old Business

1. Status update on missing documents and minutes

New Business

1. Review changes made to ZBA Form 30 at Nov. meeting
2. Review and update, if appropriate, ZBA Form 31
3. Review and update, if appropriate, ZBA rules.

ZBA Chairman
David Peterson

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held December 5, 2005, at the Union Church.

Present: Chairman David Peterson, Pat Neilsen^{ie,}, new member Dave Burdett (replacing Ron Swanson), and Joan Armstrong, all regular members; Mark Winik, alternate; and Fran Clark, CASB clerk.

Meeting called to order at 7:35 P.M.

Minutes of the November 7, 2005 meeting were accepted without formal review, a standard practice under which approval is agreed to unless questioned within seven days.

OLD BUSINESS

The Chairman distributed a list of monthly meeting dates for the calendar year 2006, indicating none scheduled for January, July and September. Changes, if necessary, may be accommodated.

The question of missing documents related to earlier proceedings of the ZBA is now in the process of review by the Executive Board of the CASB.

Forms 30 (Application for a Variance) and 31 (now titled Application for a Review of Action) were presented as revised previously. The only additional changes: Where language refers to "this property" substitute "subject property" for clarification purposes. Essentially, both forms are now approved for use, although further revisions may be considered if desired.

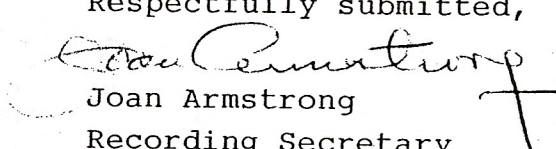
At the next meeting ^{board members} ~~the Chairman~~ will offer new written procedures for both forms, incorporating helpful examples of how to complete them (as does Branford's ZBA). Such information will be useful to the applicant in avoiding mistakes in paper work.

NEW BUSINESS

The question was raised as to whether the ZBA requires action by Inland Wetland and/or Coastal Area Management bodies before considering an application for a variance. We will need to study the issue to determine if our board is subject to such regulations.

There being no further business, meeting adjourned at 8:40 P.M.

Respectfully submitted,


Joan Armstrong
Recording Secretary

ZONING BOARD OF APPEALS OF THE CIVIC ASSOCIATION OF SHORT BEACH

**APPEAL FOR A REVIEW OF ACTION
APPLICATION**

Zoning Board # _____ Date of Action _____

Reason For Action: _____

1. I (We) hereby appeal to the Zoning Board of Appeals for a Review of a Zoning Board or of a Zoning Enforcement Officer (ZEO) action or decision.

2. Applicant	Owner
Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone: _____	Telephone: _____
Subject Property Address: _____	

3. Present use of subject property: _____ Zone: _____

4. Previous Appeals or Special Exceptions that have been made with respect to subject property:
Application Numbers and Dates: _____

5. This Appeal relates to: USE _____ and / or AREA (setbacks, frontage, height, etc.) _____
Describe Briefly: _____

6. All Owners (and addresses) whose property abuts on any portion of subject property: _____

7 Applicant Signature _____ Date: _____
Owner Signature _____ Date: _____

ZBA # _____ Date Received _____
Zoning Board of Appeals Action: GRANTED _____ DENIED _____ Date: _____
Reason for ZBA Action: _____

Conditions: _____

Signature of Zoning Board of Appeals Chairman _____

ZONING BOARD OF APPEALS OF THE CIVIC ASSOCIATION OF SHORT BEACH

APPEAL FOR A REVIEW OF ACTION
MANNER OF FILING USING FORM 31

FOR APPEALS WHERE IT IS ALLEGED THAT THERE IS AN ERROR IN ANY ORDER, REQUIREMENT, OR DECISION MADE BY THE EXECUTIVE BOARD OR ZONING ENFORCEMENT OFFICER OF THE CIVIC ASSOCIATION OF SHORT BEACH

1. All applications for Appeal For A Review Of Action shall be contained in the official form adopted by the Zoning Board of Appeals (ZBA) for that purpose, which shall be available from the Executive Board of the Civic Association of Short Beach. An appeal shall be taken to the ZBA within two (2) months after a decision by the Executive Board or Zoning Enforcement Officer (ZEO) of the Civic Association of Short Beach.
2. Twelve (12) copies of the Application with original signatures of the applicant (or agent) and the owner (if applicable) shall be submitted, together with a Filing Fee of \$100.00 (checks made payable to the Civic Association of Short Beach). All information requested on form shall be completed by applicant, if extra space is needed, use separate sheets of paper.
3. Applications shall be accompanied by the following documents:
 1. Two (2) copies of Decision of Executive Board or Zoning Enforcement Officer of the Civic Association of Short Beach.
 2. Two (2) copies of any other documents that have subject matter pertinent to applicants claim. These may include copies of deeds, land surveys, topographical surveys, building plans, plot plans, photographs, tax records, assessment records, receipts, previous zoning applications or permits, and/or any other documents.
4. Applicant is responsible for notification of all adjoining property owners, (and subject property owner if applicable) by certified mail, return receipt requested. Receipts (green cards) must be submitted at the hearing. This requirement can be waived at the discretion of the Zoning Board of Appeals.
5. The Zoning Board of Appeals at its discretion may deny an appeal (without prejudice) for a failure to comply with any of the foregoing rules. Any resubmitted application shall incur a new filing fee.
6. On an application for a rehearing the applicant must allege new facts and prove same at the hearing.
7. Applications may be submitted to the Zoning Board of Appeals at any regular monthly meeting, or by arrangement with the ZBA Chairman. Only complete applications accompanied by the filing fee and all of the required documents, collated together, will be accepted by the ZBA for a hearing.

Form 31 Manner of Filing

Adopted 2/6/06

subject to change

ZONING BOARD OF APPEALS OF THE CIVIC ASSOCIATION OF SHORT BEACH

**APPEAL FOR A VARIANCE
APPLICATION**

Zoning Board # _____ Date Denied _____ Reason For Denial: _____

1. I (We) hereby appeal to the Zoning Board of Appeals for a Variance of the Zoning Regulations

2. Applicant _____ Owner _____

Name: _____ Name: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

Subject Property Address: _____

3. Present use of subject property: _____ Zone: _____

4. Previous Appeals or Special Exceptions that have been made with respect to subject property:
Application Numbers and Dates: _____

5. This Appeal relates to: USE _____ and / or AREA (setbacks, frontage, height, etc.) _____
Describe Briefly: _____

6. VARIANCES of the Zoning Regulations are requested for the following sections: _____

7. Strict application of the regulations would produce UNDUE HARDSHIP because: _____

8. The hardship is UNIQUE and not shared by all properties in the neighborhood because: _____

9. The variance would not change the CHARACTER of the NEIGHBORHOOD because: _____

10. Schedule A Information (list square footage and percentage for all items):

Existing _____ Proposed _____

Building Lot Coverage: _____ Building Lot Coverage: _____

Building Floor Area: _____ Building Floor Area: _____

Aggregate Lot Coverage: _____ Aggregate Lot Coverage: _____

11. All Owners (and addresses) whose property abuts on any portion of subject property: _____

12. Applicant Signature _____ Date: _____

Owner Signature _____ Date: _____

ZBA # _____ Date Received _____

Zoning Board of Appeals Action: GRANTED _____ DENIED _____ Date: _____

Reason for Action: _____

Conditions: _____

Signature of Zoning Board of Appeals Chairman _____

ZONING BOARD OF APPEALS OF THE CIVIC ASSOCIATION OF SHORT BEACH

APPEAL FOR A VARIANCE
MANNER OF FILING USING FORM 30

1. All applications for Appeal For A Variance shall be contained in the official form adopted by the Zoning Board of Appeals (ZBA) for that purpose, which shall be available from the Executive Board of the Civic Association of Short Beach. An appeal shall be taken to the ZBA within six (6) months after the denial of an Application For Zoning Permit by the Executive Board of the Civic Association of Short Beach.
2. Twelve (12) copies of the Application with original signatures of the applicant (or agent) and the owner shall be submitted, together with a Filing Fee of **\$175.00** (checks made payable to the Civic Association of Short Beach). All information requested on form shall be completed by applicant, if extra space is needed, use separate sheets of paper.
3. Applications shall be accompanied by all of the following documents:
 1. Two (2) copies of current Deed for subject property.
 2. Two (2) copies of denial of Application For Zoning Permit by Executive Board of CA.S.B.
 3. Two (2) copies of a Class A-2 Survey dated after 8/13/96 and conforming to Sec. 20-300B of the Regulations of Connecticut State Agencies and bearing the seal of a Connecticut licensed land surveyor.
 4. ¹⁰Twelve (12) copies of a Topographical Survey are required if topographical conditions are claimed as a hardship. Photographs of conditions may be submitted. *In addition,*
 5. ¹⁰Twelve (12) copies of Building Plans. Required for proposed new buildings as well as additions or alterations to existing buildings. All elevation drawings and floor plans need to be accurate, to scale, and include dimensions of structures.
 6. ¹⁰Twelve (12) copies of a Plot Plan accurately drawn to scale. Plan should agree with A-2 Survey. Plot plans shall include:
 - a. Dimensions and area of the lot, including apparent width of all abutting street rights-of-way and all other easement and rights-of-way of record.
 - b. The height, dimensions, setbacks, square footage, number of stories, and location of all existing and proposed buildings and other structures on the lot.
 - c. The existing and proposed uses of each part of any building.
 - d. The number of family units the buildings are designed to accommodate.
 - e. The location, area and dimensions of all required off-street parking spaces and vehicular access.
 - f. Plot plans accompanying applications pertaining to commercial uses, including gasoline filling stations, automotive repair garages, and parking lots shall also include the location of any petroleum pumps, plantings, curbs, sidewalks, signage, area lighting with height and intensity, vehicle exits and entrances and all required parking and loading spaces.
4. Applicant is responsible for notification of all adjoining property owners, by certified mail, return receipt requested. Receipts (green cards) must be submitted at the hearing. Applicant is also responsible for recording of the variance, if granted, with the Branford Town Clerk.
5. The Zoning Board of Appeals at its discretion may deny an appeal (without prejudice) for a failure to comply with any of the foregoing rules. Any resubmitted application shall incur a new filing fee.
6. On an application for a rehearing the applicant must allege new facts and prove same at the hearing.
7. Applications may be submitted to the Zoning Board of Appeals at any regular monthly meeting, or by arrangement with the ZBA Chairman. Only complete applications accompanied by the filing fee and all of the required documents, collated together, will be accepted by the ZBA for a hearing.

NOTICE OF VARIANCE APPLICATION

DATE _____

DEAR _____

This notice is to inform you, as my adjoining property owner, that I am applying for a VARIANCE of the Short Beach Zoning Regulations to:

The meeting will be held on _____
at 7:30 P.M. at the Short Beach Union Church, 11 Pentecost St., Short Beach.

Sincerely,

Certified Mail #

**CIVIC ASSOCIATION OF SHORT BEACH
ZONING BOARD OF APPEALS**

November 30, 2005

Schedule of regular monthly meetings for calendar year 2006:

January (no meeting)
February 6,
March 6,
April 3,
May 1,
June 5,
July (no meeting)
August 7,
September (no meeting)
October 2,
November 6,
December 4,

All regular meetings are held on the first Monday of the month at 7:30 p.m. at the Short Beach Union Church, at 11 Pentecost Street in Short Beach, Connecticut. Regular meetings may be canceled by notice from ZBA Chairman.

ZBA Chairman
David Peterson