

# **CIVIC ASSOCIATION OF SHORT BEACH**

## **ZONING BOARD OF APPEALS**

**P.O. BOX 2012  
Short Beach, Conn. 06405**

**MEETING AGENDA  
Monday, January 3, 2011  
7:30 p.m.  
Short Beach Union Church**

1. Receive new applications/appeals
2. MINUTES - Regular Meeting of December 6, 2010
3. PUBLIC HEARING AND POSSIBLE ACTION ON PUBLIC HEARING ITEMS:
  - A. Application #2011-1, 40 Little Bay Lane, Request variance of Schedule A Line 5a decreasing required setback from street line from 20 feet (12 feet existing) to 6 feet, Schedule A Line 5f decreasing required setback from right-of-way line to 10 feet, Schedule A Line 6 increasing maximum building lot coverage from 30% (28.5% existing) to 33.4%, and Section 7.4 regarding minimum setback from right-of-way centerline, to accommodate porch renovation. Owner/Applicant: Charles Sanislow
3. OLD BUSINESS
4. BILLS AND CORRESPONDENCE
5. NEW BUSINESS
6. Adjournment

*Next Meeting: Monday, February 7, 2011*

Minutes of a meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held January 3, 2011 at the Union Church.

Present: Pat Nielsen, chairperson; Helen Wong, Ann Davis, Jon Nicholas and Joan Armstrong, regular members. Alternate Mark Winik, absent.

1. New applications/appeals - none.
2. Meeting called to order at 7:40 p.m.

Minutes of the regular meeting of December 6, 2010 were in error re file number for appeal of Charles Sanislow. This item should be 2011-1. With this correction, minutes approved by vote of 4-1 (Pat Nielsen abstaining due to absence December 6).

3. Public hearing and possible action thereon (as advertised).

A. Application #2011-1, 40 Little Bay Lane. Request variance of Schedule A Line 5a decreasing required setback from street line from 20 feet (12 feet existing) to 6 feet, Schedule A Line 5f decreasing required setback from right-of-way line to 10 feet, Schedule A Line 6 increasing maximum building lot coverage from 30% (28.5% existing) to 33.4%, and Section 7.4 regarding minimum setback from right-of-way centerline, to accommodate porch renovation. Owner/Applicant: Charles Sanislow.

Appeal presented by architect Matthew Schoenherr, with owner Charles Sanislow in attendance.

Mr. Schoenherr explained the need for a variance to replace and enlarge a screened porch on the south side of the house. That house, at 40 Little Bay Lane, is a pre-existing, non-conforming dwelling built ca. 1900. Proposed porch reconstruction, although larger than current porch, is similar in site-positioning to the home's original porch from the 1940's.

Due to the relatively small size of the lot and the building orientation toward the front property line, zoning setback regulations create a substantially reduced buildable area toward the street. Sideyard is encumbered with a right-of-way access to a rear property. The right-of-way restricts buildable area to the south by reducing boundary line by an additional 5 feet. The new renovation will be positioned no closer from the street property boundary than the adjacent neighboring structures and will not physically encroach upon the southerly positioned right-of-way.

Unique conditions: Zoning regulations restrict improvements to the lot beyond that of ordinary lots due to a relatively small lot size and the pre-existing structure's orientation toward the front of the lot. Also, an established right-of-way restricts the buildable area toward the southern property boundary.

Mr. Schoenherr answered questions from board members clarifying the distance between the edge of the right-of-way and proposed structure is 4.9 feet and reiterated the maximum lot coverage will be 33.4%. Total proposed floor area of 1299.8 square feet brings

percentage of lot area to 32%.

Ann Davis summarized some of the issues to be considered:

Porch is not 6 foot minimum from edge of right-of-way.  
Neighbors support the proposal -- no objections raised.  
Non-conformity increased by 6 feet but precedent set for pre-existing porch.  
Position of home on lot is a hardship.  
Lot coverage maximum is beyond 30%.

Public Comment

John Poulton, 28 Little Bay Lane: His yard adjoins #40. He and his wife consider the proposal an improvement and it does not encroach upon Little Bay Lane.

David Peterson: In his opinion the legal notice for the meeting is flawed in several respects (noted at length) and has no bearing. It could be used as a basis for legal action to stop construction if a neighbor subsequently raises opposition within the year provided by regulation.

Pat Nielsen raised the possibility of continuing the hearing to February 7, republishing the notice, and providing a copy of all material to the Town Hall for public inspection.

After discussion of how to proceed, it was agreed that with no judgment as to flaws other than Mr. Peterson's and reassurances that the project was thoroughly reviewed and approved by neighbors, to move forward with the hearing. The applicant and architect had nothing more to add.

At 9:30 p.m. deliberations began. Consideration was given to concern that lot coverage exceeds regulation, but is a factor of position of house on land and topography where sloping site restricts options. Closeness to the road has been recognized in years past. Neighbors' acceptance is a favorable issue.

After extended discussion, Ann Davis moved and Helen Wong seconded, granting the appeal on the following grounds:

Street setback - placement of house on lot has been determined by history.

South side easement - right-of-way restricts buildable area to south and new construction is positioned no closer than elements of the existing structure. No additional impediment is created to the right-of-way and emergency access.

Lot coverage - new porch adds to coverage, but hardship created by contour of property maintain~~s~~ safe access from house to parking area. We do not ask that existing decks be reduced or removed, as they improve the area necessary for safety.

*is such that existing decks*

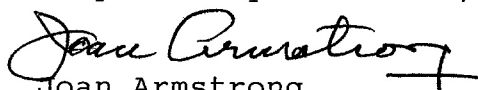
ZBA meeting of 1/3/11 - p.3

VOTE RESULTS

All five members in agreement; motion passed.

There being no further business, meeting adjourned unanimously  
at 10 p.m.

Respectfully submitted,

  
Joan Armstrong  
Recording Secretary

# **CIVIC ASSOCIATION OF SHORT BEACH**

## **ZONING BOARD OF APPEALS**

**P.O. BOX 2012  
Short Beach, Conn. 06405**

**MEETING AGENDA  
Monday, February 7, 2011  
7:30 p.m.  
Short Beach Union Church**

1. Receive new applications/appeals
2. MINUTES - Regular Meeting of January 3, 2011
3. OLD BUSINESS
4. BILLS AND CORRESPONDENCE
5. NEW BUSINESS
6. Adjournment

*Next Meeting: Monday, March 7, 2011*

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held February 7, 2011 at the Union Church.

Present: Pat Nielsen, chairperson; Jon Nicholas, Ann Davis and Joan Armstrong, regular members. Absent: Helen Wong, regular member and Mark Winik, alternate.

1. New application presented at 7:37 p.m. for property at 92 Beckett Avenue. Reviewed by Bill Perfetto, contractor, and Amy Wilson, owner.

Applicant wants to add two dormers to roof area for increased interior space. Mr. Perfetto outlined plans which would increase the building height above the 30-foot maximum allowed. Board members had questions on accuracy of some figures, e.g. square footage totals, which will be corrected so a legal notice can be published for a public hearing March 7, 2011. It was also suggested that the applicant specify how height restrictions are a hardship to completing the project as envisioned.

2. Meeting called to order at 8:55 p.m.

Minutes of the meeting of January 3, 2011 were amended in the last paragraph on page 2 to read:

Lot coverage - new porch adds to coverage, but hardship created by contour of property is such that existing decks maintain safe access from house to parking area. We do not ask that existing decks be reduced or removed, as they improve the area necessary for safety.

With this change, minutes were approved unanimously.


3. Old Business - none.

4. Bills and Correspondence - Ann reported receipt of bills for legal advertising. She has reminded sender that invoices are to be directed to the Civic Association's post office box.

5. New Business - none.

There being no further business, meeting adjourned by unanimous vote at 9:10 p.m.

Respectfully submitted,

  
Joan Armstrong  
Recording Secretary

# **CIVIC ASSOCIATION OF SHORT BEACH**

## **ZONING BOARD OF APPEALS**

**P.O. BOX 2012  
Short Beach, Conn. 06405**

**MEETING AGENDA  
Monday, March 7, 2011  
7:30 p.m.  
Short Beach Union Church**

1. Receive new applications/appeals
2. MINUTES - Regular Meeting of February 7, 2011
3. HEARING
  - A. Application #2011-2, 92 Beckett Avenue, Branford, CT, Request variance of Schedule A Line 5f decreasing required setback from street line from 6 feet to 1 foot 9 inches and 2 feet six inches (existing) increasing existing nonconformity, and Schedule A Line 7 increasing maximum total floor area from 50% to 52.1% for addition to house. Owner: Amy Wilson; Applicant: William Perfetto, Perfetto Construction LLC
4. OLD BUSINESS
5. BILLS AND CORRESPONDENCE
6. NEW BUSINESS
7. Adjournment

*Next Meeting: Monday, April 4, 2011*

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held March 7, 2011 at the Union Church.

Present: Pat Nielsen, chairperson; Jon Nicholas, Helen Wong, Mark Winik and Joan Armstrong, regular members; and Tom Horrigan, alternate.

1. New applications/appeals - none.
2. Meeting called to order at 7:37 p.m.

Minutes of the February 7, 2011 meeting were approved with four in favor and two abstaining (previously absent).

Before proceedings began, Jon Nicholas recused himself from deliberations to follow. Tom Horrigan was appointed by the Chair to active status for this meeting.

### 3. Old Business

Public hearing and possible action thereon

- A. Application #2011-2, 92 Beckett Avenue, Branford, CT, request variance of Schedule A Line 5f decreasing required setback from ~~street~~ side line from 6 feet to 1 foot 9 inches and 2 feet 6 inches (existing) increasing existing nonconformity, and Schedule A Line 7 increasing maximum total floor area from 50% to 52.1% for addition to house. Owner: Amy Wilson; Applicant: William Perfetto, Perfetto Construction LLC.

When certificates of mailing to neighbors were presented by the applicant, owners of property at 92 Beckett Avenue (Richard Shananhan) and 145 Shore Drive (Tim Nicholas) who were present stated they had not received these notices. No explanation for this situation could be determined, but the Chair ruled the receipts constitute a record of mailing and meet the legal requirement.

Mr. Perfetto outlined the owner's intent to make the third floor area usable for a master bedroom. Two side dormers would be installed in the roof while keeping within the height limit. Drawings of this concept were presented.

He cited as hardship the size of the lot and the existing setbacks of less than six feet resulting in close proximity to neighbors. Building floor area percentage would be increased. He also said the hardship was unique to other immediate neighbors for reasons of lot size and setback dimensions. He said no surrounding neighbors' views would be affected by dormer sites because the lot slopes toward the front.

In discussion, some Board members were concerned about "bulking up" by dormers the already-limited space between houses. Apart from adding more bulk, these additions could be a possible negative factor in the event of fire.



Also questioned was the possibility of setting a precedent that might result in future appeals from other neighbors to add dormers to their homes. In addition, members asked if alternate plans had been considered, such as using the maximum roof height allowance.

Public Input

Richard Shanahan (92 Beckett) questioned wording of the legal ad and also was concerned about the concentration that additional structures would add to the existing limited setback space.

Tim Nicholas (145 Shore Drive) was certain his view would be blocked by the proposed project. He cited as well the historic value of sameness in the houses as presently located in that area of Beckett Avenue.

With no further public comment, the hearing was concluded at 8:25 p.m.

Upon reconvening the meeting, discussion raised the possibility of enlarging the house to the rear, where the lot size is ample. Hardship can't be proved as unique to this property because from two to five houses are located in the same portion of the street. Also, concern about the wisdom of setting a precedent by a favorable vote was expressed generally.


Action taken:

Mark Winik moved to deny the application because unique hardship is lacking for the property in question. Vote: 5 in favor (Nielsen, Horrigan, Wong, Winik, Armstrong).

4. New Business - none.

There being no further business, it was voted unanimously to adjourn at 9:05 p.m.

Respectfully submitted,

  
Joan Armstrong  
Recording Secretary

# **CIVIC ASSOCIATION OF SHORT BEACH**

## **ZONING BOARD OF APPEALS**

**P.O. BOX 2012  
Short Beach, Conn. 06405**

**MEETING AGENDA  
Monday, April 4, 2011  
7:30 p.m.  
Short Beach Union Church**

1. Receive new applications/appeals
2. MINUTES - Regular Meeting of March 7, 2011
3. OLD BUSINESS
5. BILLS AND CORRESPONDENCE
6. NEW BUSINESS
7. Adjournment

*Next Meeting: Monday, May 2, 2011*

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held April 4, 2011 at the Union Church.

Present: Pat Nielsen, chairperson; Jon Nicholas, Helen Wong and Joan Armstrong, regular members, and Tom Horrigan, alternate. Absent: Mark Winik, regular member.

1. New applications/appeals - none.
2. Meeting called to order at 7:40 p.m.

Minutes of the March 7, 2011 meeting were approved with four votes in favor. Jon Nicholas abstained (recused at that meeting).

3. Old Business - none
4. Bills & Correspondence

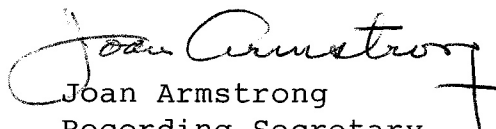
Pat reported three months' bills for newspaper notices are outstanding. She will attend the CASB meeting April 11 to find out why this problem exists and request prompt payment be made.

5. New Business

Jon Nicholas cited the minutes' reference to neighboring property owners' non-receipt of notices re the applicant's proposal. They were said to have been left for mailing at the East Haven Post Office. Our procedure re notification requirements follows State-approved practice. After discussion it was agreed to have Pat obtain tracking number records to see if they provide information and to consider this subject again at our next meeting.

There being no further business, meeting adjourned by unanimous vote at 7:58 p.m.

Respectfully submitted,

  
Joan Armstrong  
Recording Secretary

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held May 2, 2011 at the Union Church.

Present: Pat Nielsen, chairperson; Jon Nicholas, Helen Wong and Joan Armstrong, regular members. Absent: Tom Horrigan, regular member and Mark Winik, alternate. (Horrigan and Winik have exchanged membership status).

1. New applications/appeals - none.
2. Meeting called to order at 7:37 p.m.

Minutes of the April 4, 2011 meeting were approved unanimously.

3. Old Business

Notices to neighboring property owners re March 7 hearing on Beckett Avenue renovation.

As agreed at the April 4 meeting, Pat obtained Post Office tracking number records to trace date when notices were left at five addresses (February 11) and when (if any) action taken by recipient. The applicant fulfilled statute, even by using certified mail with return receipt, but responses to original or second notices indicate unclaimed or late pickup dates ranging from March 15 to April 2 (all after hearing date). Conclusion: furnishing return receipt doesn't assure compliance.

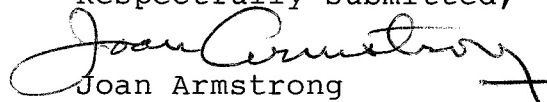
4. Bills and Correspondence

Pat reported bills for newspaper notices were still unpaid as of the last CASB meeting which she attended, but she was in contact with Treasurer Robert Silten, who said the paper should have their money this week. In the future it was agreed that bills be e-mailed to Pat, who will forward them to the Treasurer.

5. New Business - none.

Since there was no further business, meeting adjourned by unanimous vote at 8:05 p.m.

Respectfully submitted,

  
Joan Armstrong  
Recording Secretary

# **CIVIC ASSOCIATION OF SHORT BEACH**

## **ZONING BOARD OF APPEALS**

**P.O. BOX 2012  
Short Beach, Conn. 06405**

**MEETING AGENDA  
Monday, June 6, 2011  
7:30 p.m.  
Short Beach Union Church**

1. Receive new applications/appeals
2. MINUTES - Regular Meeting of May 2, 2011
3. OLD BUSINESS
4. BILLS AND CORRESPONDENCE
5. NEW BUSINESS
6. Adjournment

*Next Meeting: Monday, August 1, 2011*

Minutes of a regular meeting of the Zoning Board of Appeals of the Civic Association of Short Beach held June 6, 2011 at the Union Church.

Present: Pat Nielsen, chairperson; Tom Horrigan, Helen Wong and Joan Armstrong, regular members; Absent, Jon Nicholas, regular member and Mark Winik, alternate.

1. New applications/appeals - none.
2. Meeting called to order at 7:37 p.m.

Minutes of the May 2, 2011 meeting were approved unanimously.

3. Old Business

Pat reported the overdue bills for legal advertising had been paid.

4. Bills & Correspondence - none.

5. New Business

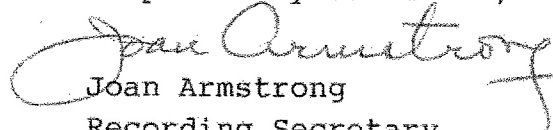
A poll was taken of present members who would consider reappointment when a new term date has been agreed to by the CASB. Result:

Helen Wong - alternate only, if needed  
Mark Winik - unknown  
Pat Nielsen - undecided at present  
Joan - OK  
Jon - no  
Tom - OK

An informal discussion was held regarding names of possible replacements for board vacancies. Pat and Tom will follow up.

There being no further business, meeting adjourned by unanimous vote at 8:07 p.m.

Respectfully submitted,

  
Joan Armstrong  
Recording Secretary

# No July, 2011 Meeting

Civic Association of Short Beach  
Zoning Board of Appeals  
P.O. Box 2012  
Short Beach, CT 06405

## Meeting Agenda

Monday, August 1, 2011  
7:30 p.m.  
Short Beach Union Church

1. Receive new applications/appeals
2. MINUTES – Regular Meeting of June 6, 2011 Minutes
3. Old Business
4. Bills & Correspondence
5. New Business
6. Adjournment



August 1, 2011

no quorum

no business

# No September, 2011 Meeting

Civic Association of Short Beach  
Zoning Board of Appeals  
P.O. Box 2012  
Short Beach, CT 06405

## Meeting Agenda

Monday, October 3, 2011

7:30 p.m.

Short Beach Union Church

1. Receive new applications/appeals
2. MINUTES – Regular Meeting of August 1, 2011 Minutes
3. Old Business
4. Bills & Correspondence
5. New Business
6. Adjournment

Minutes of a regular meeting of the Zoning Board of Appeals of the  
Civic Association of Short Beach held October 3, 2011

Present: Mark Howard-Flanders, chairperson; Tom Horrigan , David Steinman, Norma Bennun, regular members, and Helen Wong, alternate. Absent: Mark Winik, and Will Hochman, Jon Nichols - alternate members.

1. New Applications/appeals - none

2. Meeting called to order 7:40

3. Old Business - None

4. Bills & Correspondence – None

5. New Business

-Mark Howard-Flanders nominated as Chairman of the CASB Zoning Board of Appeal . Nominated by Norma Bennun & seconded by Helen Wong

-David Steinman nominated as recording secretary of the CASB ZBA by Norma Bennun & seconded by Tom Horrigan

-All Board positions filled to date

-An informal discussion was held regarding tasks at hand for board meeting protocol; table and chair setup, tape recording, housekeeping, record keeping.

There being no further business, meeting adjourned by unanimous vote at 8:45 pm.

Respectfully submitted,



David Steinman  
Recording Secretary

Civic Association of Short Beach  
Zoning Board of Appeals  
P.O. Box 2012  
Short Beach, CT 06405

## Meeting Agenda

Monday, November 7, 2011  
7:30 p.m.  
Short Beach Union Church

1. Receive new applications/appeals
2. MINUTES – Regular Meeting of October 3, 2011
3. Old Business
4. Bills & Correspondence
5. New Business
6. Adjournment

Next meeting: December 5, 2011

Minutes of a regular meeting of the Zoning Board of Appeals of the  
Civic Association of Short Beach held November 7, 2011

Present: Tom Horrigan – acting Chairman, regular members David Steinman and Norma Brennun, alternate members Helen Wong and Will Hochman.

Absent: Mark Howard-Flanders- Chair and alternate Mark Winik.

Resigned: Jon Nicholas – regular member

Motion to commence made by Tom Horrigan; seconded by Helen Wong

1. New Applications/appeals - none
2. Meeting called to order 7:35 p.m.
3. Old Business - None
4. Bills & Correspondence – None
5. New Business

Discussion was held regarding regular CASB ZBA board member Jon Nicholas's resignation from board. Present at meeting was candidate for Mr. Nicholas's replacement - Andrea Boncek.

Discussion was held regarding ZBA reference material handouts. Agreed that ZBA secretary would prepare a material booklet containing CASB ZBA regulations, filing forms and guidelines and state statutes pertaining to zoning for board members.

Discussion was held regarding application workflow - clarification on how applications should proceed through CASB and onto ZBA.

Mention was made by Tom to please arrive on time to help set up meeting room.

Mention was made by Helen for secretary to prepare CASB ZBA 2012 meeting schedule for review at December 5, 2011 meeting and then to be filed at Town Clerk's office.

There being no further business, motion to adjourn made by Tom and seconded by Norma at 7:51p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David Steinman', with a stylized flourish extending to the right.

David Steinman - Recording Secretary CASB ZBA

# **CIVIC ASSOCIATION OF SHORT BEACH**

## **ZONING BOARD OF APPEALS**

**P.O. BOX 2012  
Short Beach, Conn. 06405**

### **MEETING AGENDA**

**Monday, December 5, 2011**

**7:30 p.m.**

**Short Beach Union Church**

1. Receive new applications/appeals
2. MINUTES - Regular Meeting of November 7, 2011
3. Review and vote on 2012 meeting schedule
4. OLD BUSINESS
5. BILLS AND CORRESPONDENCE
6. NEW BUSINESS
7. Adjournment

*Next Meeting: Monday, January,2, 2012*

Mark Howard-Flanders  
ZBA Chairman



Minutes of a Regular Meeting of the Zoning Board of Appeals of the  
Civic Association of Short Beach, Connecticut December 5, 2011

Present: Mark Howard-Flanders -Chairman, regular members David Steinman, Norma Bennun, Andrea Boncek, Tom Horrigan and alternate member Helen Wong.

Absent: Alternates Mark Winik & Will Hochman

Also Present: CASB Clerk Fran Clark

Motion to commence meeting made by Tom Horrigan;  
seconded by Mark Howard-Flanders

1. New Applications/appeals - none
2. Meeting called to order 7:34 p.m.

Motion to accept 11/7/2011 minutes made by Norma Bennun;  
seconded by Dave Steinman.

3. Old Business - None
4. Bills & Correspondence – None
5. New Business

Discussion was held regarding location of ZBA archives at Orchard House.

Discussion was held regarding the agreement to TAPE record any case meetings for transcription per Fran Clark's request with provided micro mini cassette recorder and blank tapes. (Fresh tape for each case meeting – clearly labeled.)

Discussion was held regarding giving notice of chairman Mark Howard-Flanders as authorized signatory for submittal of certificates of variance to town clerk and building office. (Fran Clark has the seal for that letter and other official board documents that may require a seal). Steinman to submit doc per chairman approval.

Discussion was held regarding church rent and usage for ZBA regular meetings. Generally agreed that the expense of \$25 per month may not be recoupable in application fees. Pursuit of usage of Orchard House for future meetings was discussed as a cost-free option. Board generally agreed to revisit the issue.

Discussion was held regarding workflow detail that if a ZBA permit were granted, Fran Clark would get two copies for her records.

A motion to accept 2012 ZBA schedule was made by Andrea Boncek and seconded by Norma Bennun. Noted that if venue for meetings should change, revised schedule and location would need to be refilled with town clerk. Steinman will submit schedule document to town clerk before December 31, 2011 deadline.

There being no further business, motion to adjourn made by Tom and seconded by Norma at 8:01p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David Steinman', with a long horizontal flourish extending to the right.

David Steinman - Secretary CASB ZBA

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

RECEIVED

2011 DEC -9 A 9 24

TOWN CLERK'S OFFICE  
BRANFORD, CONNECTICUT

2012 SCHEDULE OF REGULAR MEETINGS

MONDAY JANUARY 2, 2012

MONDAY FEBRUARY 6, 2012

MONDAY MARCH 5, 2012

MONDAY APRIL 2, 2012

MONDAY MAY 7, 2012

MONDAY JUNE 4, 2012

\*\*\*NO JULY MEETING\*\*\*

MONDAY AUGUST 6, 2012

\*\*\*NO SEPTEMBER MEETING\*\*\*

MONDAY OCTOBER 1, 2012

MONDAY NOVEMBER 5, 2012

MONDAY DECEMBER 3, 2012

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 THE  
ZBA CHAIRMAN.

MARK HOWARD-FLANDERS  
ZBA CHAIRMAN