

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

MINUTES FROM THE MARCH 6th, 2023 MEETING

Meeting held remotely via Google Meeting. Called to order by Chairman, Acting Chair Andi Hallier. Chair Hallier sat alternates Mr. Hallier and Mr. Steinman at regular members to complete quorum. Chair sat Mr. Steinman as acting secretary.

Present at this meeting were Acting Chair, Andi Hallier, Acting Secretary, David Steinman, Regular Member, Carleen Davis. Also present was Alternate Member Martin Hallier Sr. Members Walter Kawecki and Tom Perretta were not present.

Also in attendance was Attorney Christopher Eddy, representative for the applicants.

1. Public Hearing

Application #01-2023 (14 Rockland Park) Stuart P. & Rebecca K. Rosenberg Appeal of Zoning Enforcement Officer's July 12, 2022 Cease and Desist Order. This hearing was postponed to April 3, 2023 at Applicant's request. In so doing, the applicants would have this new hearing in conjunction with their second appeal, which is their appeal of the Civic Association of Short Beach December 12, 2022's denial of a building permit.

The chair reminded those present that this board has a statutory obligation to hear the appeal on the cease and desist within 65 days of acceptance. Since that appeal was accepted February 6th, 2023, this board will hold a public hearing on April 3, 2023.

The chair discussed advertising upcoming public hearing on March 23 and March 30, 2023 which falls in the statutory time frame.

Attorney Eddy was reminded that applicants have an obligation to provide all abutting property owners with notification of this public hearing via certified mail at least 20 days in advance of the April 3, 2023 hearing and provide proof of notice at the hearing.

2. Receive New Applications for Appeal

Application #02-2023 (14 Rockland Park) Stuart P. & Rebecca K. Rosenberg Appeal of the Civic Association of Short Beach denial of building permit at their December 12, 2022 meeting. Board members present acknowledged receipt of application including a supplement survey and forms 30 and 30 and that they had an opportunity to review.

Discussion was held regarding line 5 on Form 30 language regarding the date of the Executive board's decision to deny the application. It was agreed that the Executive board denied permit on December 12, 2022 and that

the applicants appealed that decision on 2/7/23 instead of 2/10/23 and that this was a clerical mistake that should be corrected.

The chair entertained a Motion to accept application for building permit and schedule a public hearing April, 3 2023 and simultaneously hear the cease and desist. Mr. Hallier moved to accept. Ms. Davis seconded. Passed unanimously.

The chair lead discussion about the hearing being held virtually. Chair again reminded applicants to notify abutting landowners at least 20 days before April 3 hearing via certified mail and be able to provide proof of that notice at that April 3, hearing.

The chair discussed that the public hearing will be advertised in The Sound publication March 23 and 30, 2023.

Discussion was held regarding the content for public notice regarding appeal #2 and Based on form 30A and sections 7.4 and 8.5.5(2 and 4) of CASB Zoning Regulations pertaining to setbacks and retaining walls and identifying the corresponding variances being requested. The chair identified and Attorney Eddy agreed on the following variance requests:

Section 7.4, Schedule A Line 5(b): permit a minimum rear yard setback of 0.65 feet, where 20 feet is required;

Section 7.4, Schedule A Line 5(f): permit a minimum westerly side yard setback of 0 feet, where 10 feet is required;

Section 7.4, Schedule A Line 5(f): permit a minimum easterly side yard setback of 0 feet where 10 feet is required;

Section 7.4, Schedule A Line 5(d): permit minimum distance of 11.91 feet from the mean high water line of Long Island Sound where 25 feet is required;

Section 7.4, Schedule A Line 5(e): permit a minimum distance of 6.37 feet from Critical Coastal Resources where 25 feet is required;

Section 8.5.5(2): permit retaining wall 0 feet from side or rear property line where 15 feet is required; and

Section 8.5.5(4): Permit retaining walls used to create terrace a minimum distance of 0 feet apart where 10 feet is required.

Secretary requested of Attorney Eddy an electronic copy of the revised survey submitted in application #2 for website publication. Chair agreed to follow up in submitting application to Town Clerk's office.

3. Minutes

The chair presented for comment the minutes of the Board's February 6th, 2023 Meeting. Hearing none, the chair entertained a Motion to Approve the minutes as submitted. Ms. Davis moved to approve the minutes, and Mr. Hallier provided a second. The minutes were approved unanimously thereafter.

4. Old Business

Chair discussed receiving no communications regarding the application for appeal of cease and desist made by 269 Shore Drive, Gerald Mastrangelo, was tabled by Chairman Kawecki at the February 6, 2023 meeting until the April 3, 2023 meeting. The cease and desist was issued to property owner by the Zoning Enforcement Officer on September 21, 2022.

5. Bills & Correspondence

Chair reported correspondence between herself and Attorney Eddy pertaining to supplementation to Application #2 and has printed and scanned that material and make it part of the record on the appeal.

6. New Business

None

7. Adjournment

Hearing no further business, the chair entertained a Motion to Adjourn the Meeting. Mr. Hallier moved to adjourn, and Ms. Davis provided a second, after which the Motion carried unanimously and the Meeting was adjourned.

Respectfully submitted,

David Steinman, Acting Secretary
Short Beach Zoning Board of Appeals