

Minutes of April 6th, 2015 Meeting of the Civic Association of Short Beach Zoning Board of Appeals.

Present: Tom Horrigan (chairman), Norma Bennun, John Elgee (secretary), David Steinman, Marty Hallier and Helen Wong.

Absent: Matt Snyder

Meeting called to order at 7:31 P.M.

Minutes: Minutes from the January 5th, 2015 meeting were questioned as to the correctness of the description of the continuation date of the public hearing for the application for variances of Margaret Bratsenis of 120 Highland Ave. Motion was made by Dave Steinman and seconded by John Elgee to accept the minutes reflecting the change in the minutes to correct the description of actual day meeting was to be scheduled for (January 19th, 2015). Motion passed unanimously.

Minutes of the February 3rd, 2015 were questioned as to the correctness of the description of the change of the date for the continuation of the public hearing for the application for variances of Margaret Bratsenis 120 Highland Ave. Helen Wong also questioned the lack of notice of the presence of members of the audience other than the applicant and her attorney. Motion was made by Marty Hallier and seconded by Dave Steinman to accept the minutes as corrected. All voted to accept motion except Helen Wong who abstained.

New Business: Application # 2015-1. Owner JoAnn Mitchell, Applicant Will Petropoulos for 40 Becket Ave., Short Beach, CT. 06405 was returned to the owner and applicant because of need for variance request from CASB Executive board for Regulation 4.7.1, "Enlargements: Any nonconforming building, other structure or improvement may be enlarged, extended, reconstructed or structurally altered only if the enlargement or extension is conforming to these regulations."

Discussion was held concerning the variance for 67 Little Bay Lane. Variance for lot coverage was tentatively approved by ZBA at the November 3rd, 2014 meeting and given in the Notice of Variance. Yet ZBA Legal Notice did not cite that variance as approved. Fran Clark (CASB secretary) asked the board "how do we fix this"? ZBA board was of the opinion that because the CASB Executive Board did not require the applicant to apply for this specific variance the ZBA could not grant that variance and also the Legal Notice in The Sound said nothing about the granting of a variance for lot coverage and therefore the variance legally had not been granted.

Questions and discussions were held concerning changing and correcting ZBA forms and instructions posted on the CASB web site; how ZBA members are appointed, elected or replaced; how many members constituted the ZBA board, 7 or 8; concerning when an application is legally accepted; concerning the ZEO and whether he is a member of the ZBA; concerning a nonconforming building and whether we can grant a variance that makes it more nonconforming; concerning whether a building is nonconforming prior to the adoption of the CASB Zoning regulations when does it become conforming or nonconforming; concerning when an application is officially accepted as opposed to having been reviewed; concerning when it is appropriate to return an applicant's check; concerning ZBA members attending other ZBA

meetings in surrounding authorities; concerning process of accepting applications, public hearings, questioning by alternate members of the ZBA, voting on applications, who and how alternate is selected for replacement of regular member, site walks, and what is a quorum.

Old Business: None.

Correspondence: None

Bills: None.

Marty Hallier made motion to adjourn and was seconded by Norma Bennun. Vote unanimous. Meeting adjourned.

Submitted,

John Elgee

ZBA Secretary