

MINUTES

I. Monthly Meeting

- a. **Call to Order:** S. Woodward called the meeting to order at 6:00 pm
- b. **Roll Call:**
 - Members Present:** W. Brower, S. Woodward, M. Nieski, R. Smith, V. Peabody, S. Peaslee
 - Members Absent:** R. Laurens
 - Others Present:** T. Lasota, J. Mahoney

II. Designation of Alternates: S. Peaslee was seated.

III. Review of Minutes January 14, 2019:

- B. Brower **MOVED** to **APPROVE** the meeting minutes of January 14, 2019; R. Smith **SECONDED**;
S. Woodward noted the 01/14/2019 minutes should reflect this as a “Special Meeting” rather than a
“Regular Meeting”; **MOTION CARRIED UNANIMOUSLY**

IV. New Business

a. Discussion of ZBA procedures and staff support:

S. Woodward noted it was uncertain if there would be anyone taking on the clerk responsibilities that T. Lajoie handled for the ZBA; she was informed it would be the ZBA Chair’s responsibility to create the agendas and C. French would assist in getting the agendas recorded and posted in the appropriate places. S. Woodward said her biggest concern is the lack of procedures to follow in regards to how ZBA functions in accordance with State law; she hoped the new interim ZEO would be of assistance in this process, noting the new Assistant to the Building Official was told she has nothing to do with ZBA.

M. Nieski reminded the ZBA board members they were not paid employees of the Town, and the ZBA Chair’s job is only to oversee the ZBA, and suggested closing the ZBA until a clerk for the board was in place. The board members discussed funding of the ZBA’s budget, possible liabilities, and the function of the ZEO. W. Brower noted the interim ZEO was expected to get a handle on the ZEO/ZBA issues, including the issue with the pending application and how to address it.

S. Woodward said the interim ZEO instructed the ZBA to formally receive the pending variance application at this meeting, and set the public hearing for the meeting scheduled in June; W. Brower and M. Nieski said the application could not be received since they do not have a copy of the application before them to review. J. Mahoney and the Board members briefly discussed the application; S. Woodward felt it was inappropriate to discuss the application at this point. W. Brower and M. Nieski agreed the application must be physically present in order for the application to be “received”; the Board members agreed to continue to the agenda item **V**.

b. Approve proposed law change ... Article III, Section 1:

W. Brower **MOVED** to **APPROVE** the bylaw change of Article III, Section 1, which change the ZBA meeting day to the third Monday of each month; S. Woodward **SECONDED**;
MOTION CARRIED UNANIMOUSLY.

M. Nieski asked if an official letter could be sent to the First Selectman to express the displeasure of how the Board is being handled and insist on obtaining a board clerk; W. Brower added the ZBA is unable to perform its function at this meeting due to lack of having the needed materials and noted this was a disservice to the community. M. Nieski suggested bringing this issue to the attention of the Town Council; W. Brower said they were already aware of the situation. V. Peabody felt documentation of this issue was important.

W. Brower agreed a formal letter for documentation purposes should be sent to the First Selectman regarding lack of staff, also noting the ZBA was unable to “receive” the pending variance application.

ZBA members briefly discussed the P&Z special permit procedures. V. Peabody noted concern for any possible litigations as a result of lack of procedure and guidelines.

c. Discussion of pending variance request:

No further discussion.

d. Update on new member:

The ZBA members welcomed Stuart Peaslee as a new alternate member; S. Peaslee provided a brief history of his experience and background.

V. Unfinished Business

a. Blight Ordinance and question re box car permit on Pulpit Rock Rd:

S. Woodward noted the ZBA’s previous discussion on the lack of a Blight Ordinance and the box car permit on Pulpit Rd. S. Woodward said she was told by Jeff Gordon this was a Special Permit and he didn’t feel there were any time limits provided on the permit. She also noted T. Lajoie was asked to research this Special Permit further, but was not able to. W. Brower noted the ZBA supported the decision made by the ZEO at the time, even though it was requested to have the ZEO’s decision overturned.

ZBA members returned to agenda item **IV.b.**

VI. Correspondence and Bills:

S. Woodward noted several of the board members attendance of the Land Use seminar in March 2019 which had been paid by P&Z; she added there were no other bills that she was aware of.

VII. Citizens Comments: None

VIII. Adjournment:

M. Nieski **MOVED** to **ADJOURN**; W. Brower **SECONDED**; **MOTION CARRIED UNANIMOUSLY**
The meeting was **ADJOURNED** at 6:41 pm.

Respectfully submitted by Terri Lasota (Recording Secretary)

DISCLAIMER: These minutes have not yet been approved by the ZBA.

Please refer to next month’s minutes for approval/amendments