

MINUTES

I. Monthly Meeting

- a. **Call to Order:** S. Woodward called the meeting to order at 6:00 pm.
- b. **Roll Call:**
 - Members Present:** S. Woodward (Chair), W. Brower (Vice Chair), R. Laurens (Secretary), R. Smith, V. Peabody, S. Peaslee
 - Members Absent:** D. Durst, M. Nieski
 - Others Present:** C. Brown, T. Lajoie

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

III. Review Minutes of May 20, 2019:

William Brower **MOVED** to **APPROVE** the meeting minutes of May 20, 2019; Raymond Smith **SECONDED**; **MOTION CARRIED UNANIMOUSLY**. Robert Laurens **ABSTAINED**.

IV. New Business

- a. None

V. Old Business

a. Town Hall Support.

Throughout the last couple of months, Suzanne Woodward has been updating ZBA members on the administrative support needs of the ZBA. After the last ZBA meeting, she emailed First Selectman Alberts sharing concerns regarding the need for preparation and support at the town hall for ZBA.

At Office Manager Crystal Adam's request on July 2nd, Ms. Woodward provided her with a detailed list of the proposed position's duties and responsibilities. In the meantime, Assistant Town Clerk Christine French has been providing administrative support to the department on a part-time basis. Additionally, as a result of Tina Lajoie returning as Zoning Enforcement Officer (ZEO), Ms. Woodward stated that she is more confident that the workload will be managed appropriately with the two of them in the office.

VI. Correspondence and Bills:

a. Resolution of Mahoney Variance.

Suzanne Woodward referenced an email communication dated August 19, 2019, which was sent to Mr. James Mahoney on behalf of the Town of Woodstock requesting Mr. Mahoney provide proof that the Laurel Drive property is buildable. Prior to this email, Mr. Mahoney had withdrawn his variance request. Further, the application was never accepted as a valid variance request and the application fees were never processed.

Ms. Woodward stated that at this point, based on what transpired in 2010 and the decision of ZBA at that time with support from the town attorney, the two lots that Mr. Mahoney believes are buildable are not considered approved building lots. ZBA has not heard back from Mr. Mahoney since the August 19th communication to him.

Ms. Woodward voiced concern regarding the process that occurred. Specifically, she was not included in the discussions with regards to retaining an attorney and incurring legal fees, which she learned is the responsibility of ZBA to pay. The July invoice from the attorney was \$277.50. She stated that this may be the last invoice if nothing transpired in August.

Stuart Peaslee agreed with Ms. Woodward regarding the lack of clarity in this process. Ms. Woodward noted that the lack of communication, as well as the lag time in communication, was due in part to the ZEO position vacancy.

b. ZEO Appeal Letter Received by ZBA from Peggy Flanagan

Suzanne Woodward referenced a letter dated August 22, 2019 addressed to the ZBA appealing the decision of the ZEO regarding the Buck's Soft Serve business on Kenyonville Road. Ms. Woodward stated that legal counsel has informed ZBA that there is no appeal available to ZBA for a decision like this one made by the former ZEO. Mr. Brower referenced a previous appeal to overturn a ZEO's decision regarding a boxcar. However, Ms. Lajoie stated that the boxcar appeal was focused on a zoning permit and the Buck's Soft Serve case, as reviewed by legal counsel, was a letter of opinion from the ZEO at that time and not appealable to the ZBA.

Tina Lajoie referenced a book titled "What's Legally Required" by Michael Zitzka, which serves as a resource for these types of decisions. She will share a copy of this with ZBA members. Members also requested some training sessions for ZBA members. Ms. Lajoie will work on this.

The ZBA agreed that a letter be prepared from Chair Suzanne Woodward to Ms. Flanagan acknowledging receipt of her letter and sharing the outcome per the town attorney.

VII. Citizens Comments: None

VIII. Adjournment:

Raymond Smith **MOVED** to **ADJOURN**; William Brower **SECONDED**; **MOTION CARRIED UNANIMOUSLY**. The meeting was **ADJOURNED** at 6:20 pm.

Respectfully submitted by Cynthia Brown, Recording Secretary

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

Please refer to next month's minutes for approval/amendments.