

SALISBURY ZONING BOARD OF APPEALS

REGULAR MEETING

FEBRUARY 8, 2022 – 5:00PM (VIA ZOOM)

1. Call to Order. Present: Roxanne Belter, Jeff Lloyd, Stacie Weiner, M. E. Freeman and Lee Greenhouse (Alternate). Absent: Mickey Alderman.
2. Roll Call & Seating of Alternates: All Regular Members present were seated. L. Greenhouse was appointed Voting Alternate for M. Alderman.
3. **Approval of Agenda. So Moved** by L. Greenhouse, seconded by M. E. Freeman and unanimously **Approved**.
4. **Approval of Minutes of January 11, 2022. So Moved** by L. Greenhouse, seconded by S. Weiner and unanimously **Approved**.
5. Public Comment – None
6. Discussion of Bylaws:
 - Article X – Conduct of the Public Hearing: Section 1. a. “Five members of the Zoning Board of Appeals including alternate members seated from the panel of alternates shall constitute a quorum in order to conduct the public hearing.” The Commission decided to change the number of members required to constitute a quorum to four members, instead of five, to conduct a public hearing.

Motion to Approve Change to the Bylaws: Article X, Section 1.a. Change to: Four members of the ZBA including alternate members seated from the panel of alternates shall constitute a quorum in order to conduct the public hearing; Change is Effective Immediately and Will Remain in Place Until Review in November, 2022. The Motion was made by M. E. Freeman, seconded by S. Weiner and unanimously **Approved**.

7. Election of Officers:

The Commission discussed having J. Lloyd continuing to serve as Chairman for another term; as well as M. E. Freeman serving as Vice-President and S. Weiner continuing to serve as Secretary. There was unanimous agreement in favor of these Officers serving, as stated, until November, 2022. L. Greenhouse asked about the original reasoning of term limits and what might be different in the future; J. Lloyd explained that there had been other Commission members available to serve as Chairman in the past and that the Bylaws will be reviewed again in November, 2022. S. Weiner talked about succession planning, determining what is needed in knowledge and skills to be Chairman. She suggested that the requirements be in writing and the other Members could think about serving as Chair. M. E. Freeman noted that there are other life circumstances to consider, as well. L. Greenhouse added that the

election of officers might become more intentional. S. Weiner and R. Belter suggested that perhaps J. Lloyd could mentor someone who has the interest in becoming the next Chair. (The actual Election of the Officers was Tabled until later in the meeting.)

At this time, the discussion was concluded and J. Lloyd called for a 5 minute break, before opening the Public Hearing at 5:30pm.

8. #2022-0157 / Brazzale (Grickis) / 17 Railroad Street / Setback Variance / Map 54 / Lot 58 / DOR: 01/11/2022.

The **Public Hearing was opened at 5:32pm**. The Legal Notice, as it appeared in the Lakeville Journal, was read by Georgia Petry, Recording Secretary. J. Lloyd introduced the Members of the ZBA and described the procedure of the Hearing. William Grickis, Attorney for the Applicant, gave an overview of the Variance application. Mr. Brazzale would like to build a barn to store the equipment for his landscaping contractor business on this property. The property is a small commercially-zoned lot. Attorney Grickis indicated that the existing setback requirements would preclude most types of building, without a variance. The Commissioners had questions about the setbacks being sought and easements that are part of the lot. R. Belter asked if the size of the proposed barn would be adequate for future needs; Mr. Brazzale answered yes. J. Lloyd asked about the Zoning Regulations for contractors and the setbacks required; Attorney Grickis described the actual dimensions of the lot and suggested nothing could be built if the setbacks were strictly applied. M. E. Freeman suggested that the proposed barn would appear to be much larger than others around it, but the location of the house and drainage limits the buildable area. Abby Conroy, Land Use Administrator, indicated that there were no comments in the file from abutting neighbors, except for a question about the scope of the project. One of the abutting neighbors, Laurie Grusauski, attending the meeting, commented that the Town should help the (Brazzale) business succeed. Another abutting neighbor, Samia Elsafty, attending the meeting, offered that her son would make any further comments, according to Attorney Grickis. M. E. Freeman asked if the proposed structure would make a more pleasing presentation; Attorney Grickis answered, this would address the concerns. A **Motion to Close the Public Hearing** was made by S. Weiner, seconded by R. Belter and unanimously **Approved**. The **Public Hearing was closed at 6:01pm**.

The ZBA members discussed the application. L. Greenhouse asked if this application meets the condition of being an unusual hardship, unlike the other properties, it has to be unique. R. Belter expressed that because of the location of the house and the drainage, it is unique. She added that allowing the variance would be in line and in keeping with the commercial zoning of that property. J. Lloyd noted that the existing house on the property pre-dates the commercial zoning. S. Weiner agreed and added that if the neighbors don't object, she has no problem with granting the variance; M. E. Freeman also agreed and added that this (structure) would be an improvement in appearance and a good solution to multiple problems. J. Lloyd had no problem with granting the variance. R. Belter offered the reason to grant the variance; Nick Brazzale has shown sufficient hardship to be relieved of Section 213.4. of the Zoning Regulations in order to build a storage barn at 17 Railroad Street, Salisbury. A **Motion to Grant a Variance for Relief of Section 213.4 of the Zoning Regulations to Nick Brazzale at 17 Railroad Street, Salisbury**, was made by S. Weiner, seconded by R. Belter and unanimously **Approved**. Mr. Brazzale and Attorney Grickis thanked the Board for their support.

Other Business

Abby Conroy, Land Use Administrator joined the meeting.

There was a brief re-cap of the discussion of the Bylaws and the Election of Officers; both will be re-visited at the annual meeting in November, 2022.

9. Alternative Application Reception / Hearing Scheduling Process

The alternative process would allow the staff, A. Conroy and G. Petry, to review a new application and schedule a Public Hearing, if there is sufficient time for Notices, without having a preliminary ZBA meeting just to receive the application. The Bylaws will be reviewed to consider that option, but A. Conroy offered that it is not necessary to amend the Bylaws, at this time. L. Greenhouse suggested that it would be a more efficient process for everyone; there was general agreement by the ZBA.

10. Draft Application Form

The new online application software for the Town will be based on the current forms being used and updated. A. Conroy explained that this is the time to make any changes and she is looking for consistency across land use boards and commissions. She explained some of the changes to the form, including revised statements about granting variances and conditions, which reflect the latest case law. She also added a checklist on the application form to make sure all required supportive materials have been received, to help find that an application is complete. The actual finding of “completeness” is the statutory obligation of the ZBA. The Commission agreed that having live links to the Zoning Regulations and the CT General Statutes would be a good addition. A. Conroy explained that right now, the forms are downloadable for printout, but when the other permits go online, the form will eventually become interactive. The Commission approved the new Application Form, with the changes.

Election of Officers -- (R. Belter was no longer in attendance at the meeting)

A **Motion to Nominate and Elect Stacie Weiner for Secretary** was made by M. E. Freeman, seconded by L. Greenhouse and **Approved**.

A **Motion to Nominate and Elect M. E. Freeman for Vice-Chairman** was made by S. Weiner, seconded by L. Greenhouse and **Approved**.

A **Motion to Nominate and Elect Jeff Lloyd for Chairman** was made by L. Greenhouse, seconded by S. Weiner and **Approved**.

11. Adjournment. So Moved by M. E. Freeman, seconded by S. Weiner and unanimously **Approved**.