

**Beacon Falls Zoning Board of Appeals
10 Maple Avenue
Beacon Falls, CT 06403**



**BEACON FALLS ZONING BOARD OF APPEALS
Special Meeting**

June 7, 2018

**MINUTES
(Subject to Revision)**

1. Call to Order/Pledge of Alliance

Present: Bill Mis, Benjamin Smith, Brian Horgan, Tony Smith, Bob Doiron, and Alternate Nancy King

Not Present: Alternate Eva Newell and Alternate Doug Bousquet

Others Present: Manny Silva and Michael Mormile, ZEO

Chairman B. Mis called the Public Hearing to order at 7:30 P.M.

2. Approval of Minutes

Motion to approve the minutes from the Public Hearing and the regular monthly meeting held on May 10, 2018 as submitted by the clerk for tonight's meeting: Doiron/B. Smith; no discussion; all ayes.

3. Correspondence

a. Zoning Board of Appeals Clerk's Invoices

Motion to accept and pay the May 10, 2018 invoice in the amount \$64.75 as submitted by the clerk: Doiron/Horgan; no discussion; all ayes.

b. Other Correspondence

B. Mis noted that there was no other Correspondence received for tonight's meeting.

4. Discussion and Possible Vote on Public Hearing Held for Taveira Properties, property owners of 144 Blackberry Hill Road, Beacon Falls

B. Mis asked if the Members had any concerns regarding the application from Taveira Properties as heard in the Public Hearing held earlier tonight. T. Smith noted that he had a concern with the wetlands, and M. Silva had indicated that the proposed plan was approved by the Wetlands Commission. B. Mis added that the proposed plan must meet all the setbacks. T. Smith asked what is the hardship. M. Silva indicated that the hardship is that the existing lot is non-conforming that was created prior to Zoning and now Zoning Regulations indicate that the lot size is too small. B. Mis noted that there is an issue with not having the proof of notifying the adjacent property owners.

B. Smith indicated that he has a concern with the expanded footprint and if the proposed plan was to stay the same as the previous footprint, he would not have a concern. B. Horgan agreed with B. Smith's concern. B. Mis indicated that the issue is if this Board allows them to rebuild on the lot where a house was previously or agrees with the decision of the Zoning Enforcement Officer. B. Mis added that the size of the house is not an issue. B. Smith noted that if they want to replace what was there, it would be fine. But if they want to expand, they are not replacing what was there.

B. Doiron also noted some concerns with the proposed plan. B. Doiron indicated that a footprint should have been brought to this Board for discussion on the variance. M. Silva noted that without the approval of the variance, the lot would have to be considered as a non-building lot.

After a brief discussion, B. Doiron indicated that there are special circumstances based on what happened with the fire and removed of the foundation. If Taveira Properties decided to build on the previous footprint, then the lot is an existing, non-conforming use and should be allowed. The decision will be affected future applications for a variance on a lot size. M. Mormile indicated that the Board may want to ask for a review and recommendation by the Town's Land Use Attorney. . Doiron mentioned that this is the first time something like this has come before this Board. B. Smith agreed that perhaps we should talk with the Town's Land Use Attorney for his opinion.

After a brief discussion, there was a motion made to defer any decision on the Public Hearing held earlier tonight to the next scheduled meeting on July 12, 2018.

Motion to defer any decision on 144 Blackberry Hill Road, Beacon Falls, CT to the next scheduled meeting on Thursday, July 12, 2018:Doiron/Horgan;no discussion; all ayes.

5. New Business

There was no new business discussed at tonight's meeting.

a. Open Session for the Purpose of Hearing Appeals

There were no applications received at tonight's meeting.

6. Old Business

There was no old business discussed at tonight's meeting.

7. Adjournment

B. Misasked the Members if there were any other discussions for tonight's meeting and there were none.

Motion to adjourn the meeting at 8:09P.M.: Doiron/B. Smith; no discussion; all ayes.

The next monthly meeting for the Zoning Board of Appeals is scheduled for Thursday, July 12, 2018, starting at 7:00 PM.

Respectfully submitted,

Marla Scirpo
Clerk, Zoning Board of Appeals

DRAFT