ZONING BOARD OF APPEALS
Workshop Meeting Minutes
Tuesday, December 4, 2018
7:00 pm, Mallory Town Hall
9 Route 39 North, Sherman, CT 06784

Members Present: Kenric Gubner, Ann Chiaramonte, Kathy Fazzone and Alternate: David Raines
Absent: William Jones Jr., Samantha Addonizio Butts, Jared Bonner and Victoria Gentile
Also in Attendance: Christine I. Branson, ZBA Administrative Clerk

The Workshop began at 7:15 pm

Purpose: The purpose of this workshop was to share and discuss information summarized from a Land Use Seminar attended by A. Chiaramonte.

Board member Ann Chiaramonte shared information she gathered regarding a Land Use Seminar she recently attended. Topics of discussion included:

- Appropriateness of denial if a Case has been received but deemed incomplete.
- Submittal of a partial A-2 is acceptable in some cases.
- Maintaining Order during Meetings, no one should speak unless recognized by the Chair, including Board members.
- The Legal Warning does not have to be read into record in its entirety if the Case File has been made public to the Board and on the Town website. Reference during a motion can be “as warned” if appropriately made public. If not, the Clerk is to read the Legal Warning into record at the beginning of the Public Hearing.
- During a Vote, Board members shall weigh in by voice, not a show of hands. Each member shall state why they approve or do not approve during deliberations.
- In the Minutes, the record must reflect how each member voted.
- Should a member of the Board recuse themselves from a case, they must leave the Meeting room until the final vote has taken place.
- Motions are made in the affirmative.
- Discussion or comparison of earlier cases shall not be referenced, each case is unique.
- If there is the need for clarification regarding an aspect of a case, the Chair or Vice Chair has the ability to reach out to Land Use council.
- The Chair has the right to eject anyone who is being disruptive.
- The Board is to maintain a professional manner and appearance before and through-out the hearing process.
- The Chair can continue the hearing or deliberation for the fundamental fairness to examine all material.
Variances should only be granted where the general purpose of the Zoning plan will not be undermined and they should be based on the condition of the land, not a personal reason endured by the applicant. The hardship must be unique and different in kind from those generally affecting properties in the same Zoning district. The granting must be based on “unusual hardship” and not due to personal circumstances unless an ADA necessity.

Following discussion of each topic, the general consensus of the Board was in agreement of these items.

Adjournment:

K. Fazzone Moved to Adjourn the Meeting at 8:08pm.

Respectfully submitted:

Christine Branson, Administrative Clerk
March 26, 2019
APPROVED AS AMENDED AT THE APRIL 2, 2019 RMM