



TOWN OF MIDDLEBURY

Zoning Board of Appeals

MINUTES

ZONING BOARD OF APPEALS MEETING

Wednesday, April 1, 2015 – 7:30 p.m.

Shepardson Community Center Room

Present: Ken Long
Ray Caruso
Brian Proulx
Bill Bellotti
Bernie Evans, Alternate

Also Present: Curtis Bosco, Zoning Enforcement Officer
Rachel Primus, Recording Clerk

Excused

Absent: David G. Alley, Chairman
Linda Herrmann, Alternate
D.J. Mahoney, Alternate

Call to Order with Pledge of Allegiance

The meeting was called to order by Ken Long at 7:34 p.m.

Seating with Regular Members

The regular members present were seated. Ken Long appointed Bernie Evans as a regular voting member.

Approval of December 3, 2014 Zoning Board of Appeals Meeting Minutes

VOTED: Unanimously with a motion by Ray Caruso and seconded by Bill Bellotti to **APPROVE** the December 3, 2014 minutes.

Public Hearing

Appeal # 3168 – Jason R. and Jennie L. Kastelein seeking a variance from Section 11 of the Middlebury Zoning Regulations to enlarge a garage at 68 Atwood Street, Middlebury, CT that does not meet the minimum 25 foot sideline requirement and will exceed the 10% lot coverage. The applicants state that the Hardship is that the lot was created in 1947 and the Regulations hinder this small expansion of the existing home needed for growing family.

Ken Long stated he was advised there was a problem with the Public Hearing notice. Curt Bosco said he had placed the ad for the Public Hearing to run in the Voices on March 18th and 25th. The ad listed the property addressed as 68 Atwood Street, when in fact the correct address is 63. He noted the phone number for the Zoning Department was incorrect as well and has since been

corrected. He felt the notice for the hearing was flawed and if someone was to oppose the project this could hold up the applicant. He suggested the board review the application tonight and then set a new public hearing date for May 6th. He stated he was at fault and takes 100% credit for the error. He noted the applicant had to send out over 98 certified letters due to the proximity of Ridgewood. Ken Long said he spoke with David Alley and they both agreed this was not a legal notice. A discussion on the error ensued and of the cost of the certified mailings to the applicant. Ken Long suggested that Mr. Bosco speak with the CFO or Selectman regarding the error and whether the town could cover the cost of the mistake. He said they would delay the Public Hearing until the May 6th meeting.

New Business

Curt Bosco noted the EDC had developed a commercial guide book. He handed a copy to each member and asked them to look it over and forward any questions or comments directly to them.

Other Business

None

Correspondence

None

Adjournment

VOTED: Unanimously on a motion by Brian Proulx and seconded by Bill Bellotti to **ADJOURN** the meeting at 7:45 p.m.

These minutes are submitted subject to approval.

Respectfully submitted,

Rachel Primus

Recording Clerk

ZBA Members

CC: Town Clerk, Barbara Whitaker, Z.E.O.