

**Minutes of the Suffield Zoning Board of Appeals
Police Station Conference Room – Sept.7, 2010 – 7 p.m.**

Members Present: William Arendt, Chairman
Susan Hastings, Secretary
Mark Blackaby
Jay Presser
Renee Pacewicz

Members Absent: Mark O'Hara, Vice Chairman
Christine Rago

I. ROLL CALL

The chairman called the regular meeting of the Suffield Zoning Board of Appeals to order at 7 p.m. Bobbie C. Kling, the recording secretary, read the Legal Notice of the Meeting as published in the Journal Inquirer, Aug. 27 and Sept. 3.

Communications

The Chairman received notice that Jon and Kathleen Kores published in the Journal Inquirer what appeared to be a decision notice from the Board for application 09-10-07. By way of background, this application was an appeal of a cease and desist order, and the Board ruled in favor of the applicant. The Board drafted its decision notice which was reviewed and determined to be legally sufficient by counsel for the applicants as well as counsel for the Board. The Board published its decision notice in the on August 7th edition of the Journal Inquirer. Jon and Kathleen Kores then published in the Journal Inquirer their opinion as to how the legal decision should read. They inappropriately included their opinion under the heading *Suffield Zoning Board of Appeals Decision Notice*, which could cause some confusion to the public. The Board understood that while the publication may appear to be a decision notice from the Board, it is in fact not. It is nothing more than an opinion and therefore lacks any significance or relevance to application 09-10-07. The Board will discuss with the Journal Inquirer its procedures to ensure only authorized representatives are permitted to submit documents claiming to be from the Board.

II. PUBLIC HEARING

Application #10 11 1: Gregory Boldt, 484 East Street North, Suffield Requests a Rear Yard Variance from the Required 40 Feet to 14 Feet for Construction of an Addition.

Mr. and Mrs. Boldt; 484 East St. North were present. They want to put an addition on to the house to get more space and to make some of the existing space more efficient for their growing family. Mr. Boldt noted that the house was built in 1910, and that the existing house is already non-conforming. The Chairman asked Mr. Boldt is there any other place for the addition that would comply with the regulations to avoid expanding the non-conformity. It was noted that any change to the house would still be non-conforming. Mr. Presser noted that the house was built before the zoning regulations came into being. Mrs. Boldt stated that the addition would be built on the site of the back porch which would be taken down completely.

Mr. Boldt submitted photographs to the Board; the Chairman marked the photos as Exhibit A. The photos were shown to the ZBA members, and were placed in the file.

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The Chairman designated the voting members: Mr. Presser, Mr. Blackaby, Ms. Pacewicz, Ms. Hastings and Mr. Arendt.

The Chairman asked if anyone present wished to speak in favor or against the application: Fred Dudek, sister of the abutter Donna Dudek, 1783 Forest Drive, #261, and speaking for his sister, questioned if there was a need for an A-2 survey. The Chairman noted that the Building Official would look at these plans, and he would rule if such a survey was required. Mr. Dudek stated that he had no objection to the application. No person spoke against the application. There were no communications received regarding this application. The Public Hearing closed at 7:26 p.m.

Mr. Presser moved to enter deliberations; Mr. Blackaby seconded. The meeting was voted into Deliberations at 7:28 p.m. The Chair stated that the applicant made a reasonable case and that the issue is that the house is pre-existing non-conforming, which means that it was built before the enactment of the zoning regulations. There is no other option; any location would still be non compliant.

Mr. Presser moved to grant Gregory Boldt, 484 East Street, North, Suffield, a rear yard variance from the required 40 feet to 14 feet for construction of an addition; Ms. Hastings seconded. The variance was approved by unanimous vote. Hardship noted: pre-existing non conforming structure.

III. UNFINISHED BUSINESS

In January, the Chairman presented “A Practical Guide to the Variance Process” to the members and asked for their review. It has been reviewed by the ZBA members and the Zoning Enforcement Official. This document has been approved and the Chairman will post on the Town website.

The Chair stated that he would like to review the language on the ZBA application in regard to the time frame, specifically because the meeting dates have changed, and that the application refers to the old schedule. The Board will revisit this issue with the Zoning Enforcement Officer.

IV. NEW BUSINESS: None

V. MINUTES – August 3, 2010 Regular Meeting

Mr. Presser moved to approve the minutes as amended by the deletion of “CD” to “recording” on page 1. Ms. Hastings seconded the minutes. The minutes of the Aug. 3 meeting, by unanimous vote, were approved as amended. The next meeting will be Oct. 5 with one application.

VI. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Respectfully submitted,
Susan Hastings, Secretary

Bckling, recording secretary
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