

**TOWN OF CROMWELL ZONING BOARD OF APPEALS
PUBLIC HEARING AND REGULAR MEETING
7:00 P.M. TUESDAY, DECEMBER 28, 2010
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

MINUTES

1. Call to Order

Chairman Thomas Tokarz called the meeting to order at 7:00 PM.

2. Roll Call

Present: Chairman Thomas Tokarz, Shaun Sullivan, Ed Wenners, Alternate Stanley Stachura

Also Present: BOS Liaison Ann Halibozek, Commission Clerk Sarah Voog

Absent: Kimberley Enowitch, Alternate Jeffery Ramia, Alternate Brian Fisk

3. Seating of Alternates

Ed Wenners made a motion to seat Alternate Stanley Stachura, 2nd by Shaun Sullivan.

All in Favor, Motion Passed

4. Approval of Agenda

Shaun Sullivan made a motion to approve the agenda as presented, 2nd by Stanley Stachura.

All in Favor, Motion Passed

5. Public Comments None Present

6. Public Hearing:

a. Application #10-18: Variance from Article 11.3 (Rear Lots) at 16 Newbury Road.

H & C Developers LLC, owner/applicant.

Attorney Sal Petrella of 630 Main Street on behalf of the applicant H&C Developers LLC requested to use the applicant's privilege to revoke the application from being heard at tonight's meeting for two reasons. One, is that there are only four voting members present and second, is that an error was made in the notification of the appropriate property owners for the proposed application. He said that he would like to redo the letter and resend the certified letters to the correct property owners.

A brief discussion was held regarding the subdivision map and the appropriate parcels for notification.

Stanley Stachura made a motion to table Application #10-18 until the next meeting, 2nd by Ed Wenners.

All in Favor, Motion Passed

7. Old Business: None

8. New Business: None

9. Commissioners Comments

Thomas Tokarz noted that he believes the By-Laws in the packet is not the most current document as he was present for revisions and that would be more recent than April of 2003.

Stanley Stachura noted that the meeting day is not correct as the first Tuesday since the Board meets the fourth Tuesday of each month. He asked that the most recent By-Laws be provided in the next packet so the commissioners may review the document for potential changes.

Stanley Stachura commented that application #10-18 should not have been on the meeting agenda. He said that staff needs to review the certified letters for proper notification based on the variance requested. He added that in the absence of the Town Planner there should be someone designated to do the review of the cards.

10. Approval of Minutes:

a. August 10, 2010

Ed Wenners made a motion to table the August 10, 2010 minutes and to have them provided in the next meeting packet, 2nd by Shaun Sullivan.

All in Favor, Motion Passed

b. November 23, 2010

Ed Wenners made a motion to accept the November 23, 2010 minutes as presented, 2nd by Shaun Sullivan.

Vote: Yes: Thomas Tokarz, Ed Wenners, Shaun Sullivan

Abstain: Stanley Stachura (not present at Minutes meeting)

Motion Passed

11. Annual Meeting:

a. Election of Officers

Chairman Tokarz indicated that the Board positions open are Chairman and Vice Chairman. Stanley Stachura stated that he will not be voting as only regular members are permitted to vote.

Ed Wenners made a motion to nominate Thomas Tokarz as Chairman, 2nd by Shaun Sullivan.

Chairman Tokarz called for any other nominations for Chairman, hearing none:

All in Favor, Nomination Approved

Shaun Sullivan made a motion to nominate Ed Wenners as Vice Chairman, 2nd by Thomas Tokarz.

Chairman Tokarz called for any other nominations for Vice Chairman, hearing none:

All in Favor, Nomination Approved

b. Approval of Meeting Dates for 2011

Discussion was held on the proposed meeting dates for 2011. Each dated was verified with next year's calendar for the fourth Tuesday of each month. Chairman Tokarz indicated that the January meeting date should be January 25, 2011. The Board agreed to change the December 2011 meeting date to Wednesday, December 21, 2011.

Ed Wenners made a motion to approve the amended 2011 Meeting dates, 2nd by Shaun Sullivan.

All in Favor, Motion Passed

12. Adjourn

Stanley Stachura made a motion to adjourn the meeting at 7:25 PM, 2nd by Ed Wenners.

All in Favor, Motion Passed

Respectfully Submitted By,

Sarah A. Voog, ZBA Commission Clerk