



EASTON ZONING BOARD OF APPEALS
225 Center Road - Easton, Connecticut 06612

**MINUTES OF May 2, 2023 REGULAR IN-PERSON MEETING OF THE
EASTON ZONING BOARD OF APPEALS MEETING**

Regular Members present: Thomas Dollard, Victor George, Elisabeth (Lisa) Burns,
James Wright
Regular Members Absent: Stephanie Christie
Alternate Member present: Charles Lynch, Scott Charmoy
Alternate Member absent: Davis Owen
Town staff present: Karen Velky (P&Z/ZBA Clerk), Justin Giorlando (Land
Use Director), Peter Gelderman (Town Attorney; Berchem,
Moses PC)
Location: Conference Room A, Easton Town Hall

Chairman Dollard called the Regular Meeting to order at 5:32 pm. Chairman changed the order of agenda items to accommodate guest presenters.

NEW BUSINESS

Discussion: Training Recap with Justin Giorlando, Land Use Director and Peter Gelderman, Berchem Moses PC – Town Attorney

- CT Land Use training requirement started 1/1/2023. Anyone seated as of 1/1/24 will have to have had finished 4 hours of training, including 1 hr of Affordable and Fair Housing. Hard requirement is 1 hour having to be affordable and fair housing training. After 01/2024, every 2 years board members have to maintain 4 hours of continued training.
- Land Use Training form 2023 handed out to members to document completed training requirements. Sign, date and submit when complete to tracking for Board of Selectman.
 - Board Member George offered to work on training requirements in Town Hall. K.Velky will assist in scheduling.
- J. Giorlando will provide added support to ZBA.
- P. Gelderman provided clarification on some questions from board members.
 - Requirements when rendering decisions. Substantial evidence (generally deemed expert testimony which includes the plans) in the record to support the decision. Reference information used to make decision. Record deliberations 24:57
 - In establishing hardship/extreme difficulty: General rule would be if you cannot use your property in any reasonably economically viable way unless you get a variance.
 - Appeals: If a neighbor is aggrieved on a decision made by P&Z Commission these appeals go to the court. ZBA only handles appeals on decisions from ZEO or Town staff. Need to have standing to bring any



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appeals and in Zoning you have to be aggrieved.

- Threshold for Board Member participation: Typically, recuse if immediate family member or any monetary interest. Board member discretion on whether they will be biased. When someone recuses, they should leave the meeting. Alternates do not take part in deliberations and leave the room unless they have been seated for a regular member in order to have a quorum (4). If only 4, applicant gets asked if they are comfortable proceeding.
 - ZBA approvals run with the land, however if ownership changes the conditions of the approval still need to be met. Any alterations need to be brought back to ZBA.
 - Receipt of application: Date of next regularly scheduled meeting whether the meeting is held or not.
- Alternate Member Attendance – no discussion

APPLICATIONS

ZBA-23-02 40 Herrmann La, G. Noisette – Application for Variance of Section 3530, Yard Setback Requirements (26.4ft in lieu of 40ft side/rear setback), of the Easton Zoning Regulations. This request is to allow for an addition to extend garage making it 3-car and adding a second floor.

- Action: Board asked for further clarification on the survey to include the well-setback and top label should include contour data.

REVIEW AND APPROVE

Minutes of Easton Board of Appeals Meeting 03/06/2023.

- MOTION: Board Member George (2nd Burns): Approve the minutes as presented.
- Vote: Aye – 4; Nay – 0; Abstain – 0

OLD BUSINESS

No update

ADJOURNMENT

Chairman Dollard: Adjourned the meeting at 7:00 PM.