

**ZONING BOARD OF APPEALS**  
**March 3, 2008 Meeting Minutes**

Board Members Present: Shane O'Connor, Robert Rosenberg, and Curtis Ruckey

Town Staff Present: Jennifer Rodriguez  
Planning Coordinator and Assistant Zoning and Wetlands Officer

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Shane O'Connor called the meeting to order at 7:15 pm.

Board roll call was taken.

**NEW MEMBER:**

Mr. O'Connor read the following letter dated January 15, 2008 from Edward Ferrari, Chairman of the Windsor Locks Democratic Town Committee:

“At its meeting on January 15, 2008, the following individual was endorsed to fill the Democratic vacancy on the Zoning Board of Appeals by the Windsor Locks Democratic Town Committee: Raymond Williams, 11 Greenview Lane. We thank you for your prompt consideration. Do not hesitate to contact me if you have any questions or comments concerning this recommendation. Thank you.”

**Mr. O'Connor moved to appoint Ray Williams to the Zoning Board of Appeals vacancy until the next municipal election. Mr. Rosenberg seconded the motion. All were in favor. The vote was 3 – 0, the motion was approved.**

Bill Hamel, Town Clerk, then swore in Mr. Williams.

**MINUTES FROM THE NOVEMBER 2, 2007 MEETING:**

**Mr. O'Connor asked the Board members if they had reviewed the November 2, 2007 meeting minutes. Everyone had. He then asked for a motion. Mr. Ruckey moved to approve the November 2, 2007 meeting minutes, as published. Mr. Rosenberg seconded the motion. All were in favor. The vote was 3 – 0 (Mr. Williams abstained), the motion was approved.**

**TOWN WEBSITE DISCUSSION:**

Ms. Rodriguez stated that the new Windsor Locks Town website was [www.windsorlocksct.org](http://www.windsorlocksct.org). She then gave a brief demonstration and overview of the website and the information that she had put up with regard to the Zoning Board of Appeals.

A discussion followed and it was decided that the Recording Secretary would post all meeting agendas on the website as pdf files and that the meeting minutes would be posted once they were approved. The motion to approve the minutes would be included at the end of the meeting minutes and they would be converted to a pdf file prior to posting on the website.

**BILLS AND CORRESPONDENCE:**

The Recording Secretary passed along two newsletters to the Board members for their review. She went on to say that she had some rather small bills that needed to be signed by whomever was elected Chairman later in the evening, but that they were all for small amounts of money and did not require the Board to vote on them.

**OLD BUSINESS:**

There was none.

**NEW BUSINESS:**

Mr. O'Connor asked Ms. Rodriguez if there was anything that she knew about that would be coming down the line. Ms. Rodriguez stated that Enterprise Rent A Car was going to be moving into the Alaimo building. She went on to say that they had wanted to add some large canopies over some parking in two areas and that one of them was partially in the front yard, which was not allowed. Ms. Rodriguez had told them that they were not permitted, under the Regulations, to build the proposed canopies in the front yard before they had leased the property, but that they went ahead and leased the property anyway. She noted that, in her opinion, the hardship had then been self-created. A brief discussion followed.

Mr. Rosenberg asked if that application would be coming up in April. Ms. Rodriguez replied that she thought that it would, they had picked up the application package, but she had not received it yet.

Ms. Rodriguez offered to make copies of some statutory dialog that she had found for the Board members, if they wanted it for reference. The Board members agreed that that would be helpful. Ms. Rodriguez stated that she would provide the Board members with hardcopies as well as the website address that they could refer to.

Ms. Rodriguez stated that she would be leaving on Maternity leave in early April and would not be returning until June

Mr. Williams asked what the time limit for deciding on an issue before the Board was. Ms. Rodriguez replied that the Board had 35 days to make their decision, but that the applicant could request a 65 day extension.

Mr. Williams asked what course of action an applicant could take if the Board decided against their application. Ms. Rodriguez replied that the Board was the quasi judge; therefore it would go to court.

Mr. Williams asked if the Board was required by law to follow precedent. Ms. Rodriguez explained that if the Board had interpreted something in a certain way and a very similar situation came up they should try to interpret it the same way. She then went on to say that they should look at each property individually, since in order to obtain a variance the applicant was essentially saying that their property was different and unique. Mr. Williams commented that times had also changed and that the Board may have found that previous decisions had been mistakes. Ms. Rodriguez replied that that was correct. Mr. Rosenberg commented that in the past the Board had said that there was no precedence; everything was done on a case by case basis.

Ms. Rodriguez mentioned that they were working on getting someone to work 10 to 20 hours per week in her capacity while she was out on Maternity leave. She went on to say that funding had not been approved for that yet. She noted that the individual that they had been talking to about the position was familiar with zoning and wetlands duties as well as worked as a regional planner.

Mr. O'Connor asked Ms. Rodriguez if she had any more copies of the Zoning Regulations. She replied that she did not; she was waiting for the Chairman of the Planning and Zoning Commission to have some printed and bound. Mr. Ruckey asked if the Regulations were on the website. Ms. Rodriguez replied that they were.

#### **ELECTION OF CHAIRMAN:**

**The Recording Secretary read the following letter dated February 28, 2008 from Board Member Howard Aspinwall:**

**“I have been scheduled for a business trip the first week of March and therefore will be unable to attend the March 3<sup>rd</sup> Zoning Board of Appeals meeting. As per the agenda, I see that we are scheduled to elect a new Chairman for the Zoning Board of Appeals.**

**I would like to ask that you nominate Shane O'Connor for Chairman of the Zoning Board of Appeals on my behalf and also cast a vote for the same for me. If you need to contact me during the meeting on March 3<sup>rd</sup>, please feel free to call me on my cell phone.**

**Thank you for your help on this issue.”  
Mr. Ruckey seconded the motion. Mr. O'Connor accepted the nomination. The Recording Secretary then asked for any other nominations. There were none. The vote was 3 – 0 (Mr. O'Connor abstained), the motion was approved.**

**Mr. Rosenberg moved to adjourn the meeting. Mr. Ruckey seconded the motion. All were in favor. The vote was 4 – 0, the meeting was adjourned at 7:55 pm.**

Respectfully submitted,

Diane Ferrari  
Recording Secretary

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**ZONING BOARD OF APPEALS  
Extract from the April 7, 2008 Meeting Minutes**

**Chairman O'Connor referred to the March 3, 2008 meeting minutes and asked for any corrections or changes. There were none. He then asked for a motion regarding the minutes. Mr. Rosenberg moved to accept the March 3, 2008 meeting minutes, as published. Mr. Ruckey seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**