

**CITY OF NORWALK
ZONING BOARD OF APPEALS
REGULAR MEETING, NOVEMBER 18, 2021
MINUTES**

ATTENDANCE: Lee Levey; Chairman; Andy Conroy; Chris Gavrielidis; Greg Brasher; Tad Diesel

STAFF: Michelle Andrzejewski; John Hayducky

OTHER: Michael Losasso; Jocelyn Smith; Atty. Adam Blank; Jurek Antoszewski; Lisa Yates; Atty. Nicholas Vitti; Dan Vigneault; Kent Gannon; Krist Dodaro; Bryan Smith; Jim Guiliano; Mark Demmerle; Atty. Mario Coppola; Raissa Bennett; Andrew Carrs; April Wenterstrom; Council Member Heidi Alterman; Pam Schneider-Young; Jessica Jones; Atty. Liz Suchy; Vincent Hynes

CALL TO ORDER

Chairman Levey called the meeting to order at 7:30 P.M. There was a quorum present.

Chairman Levey reviewed how the meeting would be conducted for those present.

ROLL CALL

Chairman Levey provided a roll call of those present.

PUBLIC HEARINGS

(21-0819-03)

(CONTINUED FROM 10/19/2021) CITY OF NORWALK – VARIANCE OF REAR SETBACK; 223’ REQUIRED, 68.45’ PROPOSED FOR A NEW SCHOOL IN AAA RESIDENCE ZONE. PROPERTY LOCATED AT 12 KNOWALOT LN.

Mr. Alan Lo came forward to discuss this item. He reviewed the history of the project for those present. Their primary objectives are to minimize the impact on the existing wetlands, minimize the impact on the wooded area on the property, and to reduce the need to relocate students until the new building is completed. They have worked through the design phase and came up with their current solution in the spring of 2021 as a result. Due to the lot arrangement the front of the property is not on Knowalot Ln. but on Field Street which created a problem regarding the setback requirement and special permits. They have worked to find a compromise. As a result, he desires to update the Zoning Board of Appeals as to their current status and negotiation/discussions.

Atty. Mario Coppola came forward to discuss this item. He has worked with the neighbors to find a resolution to the issues of concern raised by the neighbors. They can propose conditions at this time as a result. They have met on three separate occasions with various staff and attorneys to resolve this issue. They have provided sample materials, drawings, and renderings to the neighbors for review. A

memorandum has been submitted by Mr. Lo to the Zoning Board of Appeals on November 17th, 2021. It was amended to include the following conditions/amendments:

1. To increase the evergreen tree screening along the west property line to appx. 90 trees in locations to be coordinated with the neighbors.
2. Positioning of the dumpsters to the south of the building next to the receiving entrance.
3. To relocate the tennis courts and basketball hoops east of the building within the parent drop-off loop.
4. To relocate the building 10 feet further north than the original presentation to the Zoning Board of Appeals in September 2021.

The applicant is comfortable with these conditions. A letter from Atty. Green was received an hour prior to the meeting which expands upon those conditions. Any further issues with details will be resolved following the meeting. He is concerned with them adopting the conditions as proposed since he has not had an opportunity to review them. He listed some of the issues he had and said he would need to further review it as a result.

Mr. Conroy commented that the letter from Atty. Green was very similar to the report submitted by Alan Lo. One of the key issues was noise attenuation with the school having been moved closer to the lane. The document submitted by Mr. Lo resolves the issues.

Chairman Levey said it was admirable that both sides have worked as hard as they must come to an agreement. They still need to see the final documents but are capable of progressing.

Mr. Coppola suggested that they have Ms. Yates review the plans to address the concerns raised by the neighbors for the Board.

Ms. Lisa Yates came forward to discuss this item. She provided slides for the Board. She reviewed the plans for the plans to address the concerns with the following points:

- The main building has been shifted 10 feet north.
- There is a line representing the evergreen trees planted in a staggered double row.
- The tennis court has been moved to the other side of the site.
- She pointed out the change in location for the dumpster area.
- She reviewed the area for fire department access.
- They are screening mechanical elements with evergreen trees.

Chairman Levey asked about two green rectangles on the map. Ms. Yates informed him that those were gardens besides an outdoor shaded play area. He also asked about an area on the east side of the building which Ms. Yates informed him was seating.

Mr. Lo confirmed that the drawings were part of the updated package that had been submitted to the ZBA.

Mr. Coppola said that the items that had been discussed with the neighbors were items that would likely be part of the review for a site plan. Some of the issues being sought to be resolved were not part of the relief in the application. He further discussed their approach and proposed conditions.

Mr. Conroy asked about security on the back side where the fire truck turn-around is. At another school a similar layout had resulted in people using the turn-around that should not have been doing so.

Ms. Yates pointed to a vehicular gate on the design plans that would prevent such a thing from happening. There will be no staff parking in the back of the school either.

Mr. Diesel noted that Atty. Coppola had not had the chance to fully review the agreement and said it would be difficult for him to approve the application, which is dependent on that document, without his approval.

Atty. Coppola said that they had provided a memo on the 17th which had the conditions which would resolve their concerns. He acknowledged that they had not had the opportunity to fully review it with their clients. He was confident that, if approval happened with the conditions in the memo, if additional issues arose they would not be giving up any of their rights in regard to this application. The City will continue to make good faith efforts with the neighbors and will make accommodations for them and comply with their requests.

Mr. Conroy suggested adding a fifth condition in which the City will continue to work in good faith to resolve differences with the residents who have raised issues about the school's construction.

Mr. Chris of 246 Grumman Corner came forward to speak in favor of this application. He said that he felt that they had come up with good solutions for the problems and was happy with the outcome.

Ms. April Wenterstrom came forward to speak in favor of this application. She resides on Ox Yolk Lane. She fully understands the issues with the community and family surrounding the school. This resolution has been a long time coming and she appreciates the work that the City has done and the accommodations that have been approved of and agreed upon and she hopes this will move forward.

Council Member Heidi Alterman of 29 Sherwood Street came forward to speak in favor of this application. She has witnessed the amount of work that has gone into this project. There has been a lot of work back and forth. She hopes that the Zoning Board will take the City's willingness to work, no matter what the issue is, as a show of good faith that they will continue to work with the neighbors. They have worked with the building committee to find the best possible solutions.

Ms. Pam Schneider-Young of 4 Christian Lane came forward to speak in favor of this project. Her husband has been on the school board and has helped the project progress through its earlier stages. She hopes there are no surprises but is glad at all the work that's gone into it. She is hoping that, after all these years, the right work has been done.

Ms. Jessica Jones of 307 Newtown Avenue came forward to speak in favor of this project. She is very excited to see this coming to fruition. She is happy that the City has worked with the neighbors.

No one wished to speak in opposition to this item.

Atty. Coppola said he was thankful for the consideration by the ZBA and wished them to consider the adoption of the conditions at the end of the memorandum and approve the variance pursuant to the most recent plans.

Mr. Lo also gave his thanks to the Board for the consideration.

(21-1021-03)

(CONTINUED FROM 10/21/2021) JOCELYN SMITH – VARIANCE TO ALLOW PARKING WITHIN THE FRONT SETBACK AND VARIANCE OF FRONT SETBACK; 40' REQUIRED, 22.2' PROPOSED FOR ADDITION TO SINGLE FAMILY HOME IN A RESIDENCE ZONE. PROPERTY LOCATED AT 22 HILLANDALE MNR.

Atty. Nicholas Vitti came forward to discuss this item. He reviewed the history of the item for those present. He wished to deal with any outstanding questions from the prior meeting. The architect has submitted updated architectural renderings dealing with the lack of detail in the basement and garage areas. The possibility of having the City cede some of its property to form a faux cul-de-sac was also raised. This would involve getting an appraisal, title search, and having a City department declare that this property has no value or worth so that it could be transferred without consideration to the property owner. Further discussion on this idea followed.

Chairman Levey said he had answered all of the questions he had posed at the prior meeting.

Mr. Conroy said his suggestion was to make it easier overall and to see the property, not make it a contingent for approval.

No one wished to speak in favor of this application.

No one wished to speak in opposition to this application.

(21-1118-01)

TRISTRAM PERKINS – VARIANCE OF NUMBER OF STORIES; 2½ ALLOWED, 3½ PROPOSED AND HEIGHT REQUIREMENT; 31' MAXIMUM TO MIDPOINT ALLOWED, 32.66' PROPOSED TO ELEVATE AND RECONSTRUCT A SINGLE-FAMILY RESIDENCE IN B RESIDENCE ZONE. PROPERTY LOCATED AT 19 SOUTH BEACH DR.

Atty. Adam Blank came forward to discuss this item. The house is not currently compliant with FEMA flood regulations. He provided a slide presentation to the Board regarding the house in question. They are unsure if the structure will be lifted or be rebuilt from scratch.

Mr. Brasher noted that they had approved the neighboring house the prior year for the same reasons.

No one wished to speak in favor of this application.

No one wished to speak in opposition to this application.

Atty. Blank asked to ensure that the language allowed them to either build from scratch or reconstruct pursuant the current building.

(21-1118-02)

ROWAYTON ONE ELEVEN, LLC – VARIANCE OF FRONT SETBACK FOR A TRANSFORMER; 35' (33' WITH ALLOWED PROJECTION) CENTERLINE REQUIRED; 25.1' CENTERLINE PROPOSED (SECTION 118-530C & 118-810I) FOR A 5 UNIT RESIDENTIAL BUILDING UNDER CONSTRUCTION IN ROWAYTON AVENUE VILLAGE DISTRICT ZONE. PROPERTY LOCATED AT 111 ROWAYTON AVE

Atty. Liz Suchy came forward to present this item. Letters have been sent to abutting property owners on or about November 4th and green cards were returned to staff this morning. She provided an overview of the property for the Board. The transformer at the location needs to be upgraded or a new transformer needs to be installed at 111 Rowayton Ave. This was considered to be the better option. The Corporation Council Office has disagreed with the decision prompting the application.

The practical difficulties and hardships are due to where Eversource says that the transformer can be located and the various other requirements create practical difficulties and unnecessary hardships. There is a letter of support that has been submitted from a neighbor across the street.

Mr. Vincent Hynes came forward to discuss this item. He is the engineer for the project. They had reached a point in the preliminary discussions where Eversource and the property owner were acceptable of being fed power from the existing transformer at 105 Rowayton Ave. This transformer is in a similar situation. Discussion followed regarding the need for a new transformer and requirements.

Atty. Suchy added that this issue has come up in a prior application. It seems that transformers are different from generators and are not subject to local zoning laws but they could not locate the origin for this ruling. Other locations impact parking spaces or not be as appropriate. They are willing to install landscaping and visual barriers provided that they meet the requirements and restrictions that Eversource employs in connection with transformers.

Chairman Levey asked if it was due to the flood elevations that an underground vault could not be considered.

Mr. Hynes said that they were taking every effort to not incorporate an underground vault due to prior instances that had problems.

Chairman Levey asked if there would be any objection to requiring landscape screening and bollards to protect the transformer.

Atty. Suchy said there would not likely be any objections but it would be subject to final review by Eversource as they do have some restrictions.

Mr. Hynes said that Eversource was not likely to require bollards due to the location.

Mr. Conroy asked what the mean time failure was for the transformer.

Mr. Hynes said he didn't know the answer to that.

Mr. Conroy asked if there would be shielding around it to provide safety and how wide the sidewalk in front was.

Mr. Hynes said that it was appx. 6 ½'. There is also a site retaining wall.

Mr. Conroy asked that Mr. Hynes think about how to shield the sidewalk from the transformer should it blow up. Some shielding would be needed for safety reasons as a result.

No one wished to speak in favor of this application.

No one wished to speak in opposition to this application.

Atty. Suchy said that there was a letter of support from the Fairfield County Savings Bank.

Mr. Conroy asked if Fairfield had a fiduciary interest in the property.

Atty. Suchy said that they did not.

(21-1118-03)

MAXINE VIGNEAULT - VARIANCE OF FRONT SETBACK; 30' REQUIRED 8.3' PROPOSED OR REAR SETBACK; 15' REQUIRED, 8.3' PROPOSED FOR AN IN-GROUND POOL AT EXISTING SINGLE-FAMILY DWELLING IN B RESIDENCE ZONE. PROPERTY LOCATED AT 26 SHOREFRONT PARK.

Atty. Suchy came forward to discuss this item. She provided the survey for the Board. Certified letters were sent to all abutting property owners on November 3rd and the green cards were returned the morning of the 18th and are on file. She reviewed the survey and details of the property for the Board. North Street is a paper street and does not physically exist despite counting as one for purposes of zoning and setbacks. It only exists up to the parking lot and had not been improved beyond that point. Photos of the lot were provided for the Board. She noted that the gazebo on the property had been used by bootleggers during the prohibition.

The pool is proposed to be between the house and an existing wall. The only neighbors who would be able to see the changes are the neighbor to the west and the South Norwalk Boat Club; and neither have expressed objection to the application. There is no expectation that the City will improve North Street when it extends into the harbor. She finds the fact that there is a non-existent street and the presence of the wall constitutes a hardship. The in ground pool will only be seen by the clients and a small bit by the neighbors who are separated from the property by a 6' high fence.

The applicants have proposed a set-back of 8.3 feet to the pool instead of the required 30 feet. There will be no cabanas or similar structures by the pool. She provided photos of the lot which included the undeveloped area where North Street is undeveloped. Placing the pool in the back yard would take up all the back yard and place it close to the neighboring property and utilities would need to be rerouted. Since the property is unique and North Street is a paper street having the pool set back the full 30 feet presents a practical difficulty.

Mr. Conroy asked if they needed additional screening along the wall.

Atty. Suchy said that the walls surrounding the property were high and not easy to scale. If the clients desire screening it's up to them but she did not believe it necessary. She was willing to accept it as a condition of approval.

Chairman Levey said he felt it was more critical for code compliance.

Mr. Conroy asked how tall the wall was.

Atty. Suchy said they were over 6' tall.

No one wished to speak in favor of this application.

No one wished to speak in opposition to this application.

(21-1118-04)

RAISSA AND GARRETT BENNETT – VARIANCE OF FRONT SETBACK FOR ADDITION UNDER CONSTRUCTION; 40' REQUIRED, 35.3' PROPOSED AND PROPOSED GENERATOR; 40' REQUIRED 26.8' PROPOSED (SECTION 118-310C) AT SINGLE FAMILY DWELLING IN AAA RESIDENCE ZONE. PROPERTY LOCATED AT 4 POINT RD. IV. BOARD ACTION ON: A - E V. ACTION ON HEARING MINUTES – OCTOBER 19, 2021, AND OCTOBER 21, 2021,

Mr. Mark Demmerle came forward to discuss this item. They are looking to connect a side garage to the side entry of the house. The first builder finished the foundation but did not call for an as-built survey. A second builder came in to build the superstructure under the impression that he had a building permit. There was no intended disregard for the code. He further reviewed the history of the property for the Board. They immediately asked for an as-built survey upon realizing there was an issue. In the meantime, the owners wish to install a 24kw generator. Installing it into the corner of the garage is ideal due to the way the gas lines are arranged but would cut into the setback. The owners have contacted all adjacent neighbors regarding the issue and the request for a variance. The neighbors have written letters to Planning & Zoning in favor of the variance. Due to the landscaping, there is little concern for acoustic issues arising with some planting, which the applicant is willing to do.

Mr. Conroy asked how long the current owners have owned the property.

Mr. Demmerle said that they had purchased the home in 2016.

Chairman Levey asked if they had done prior work on the house with permits.

Mr. Demmerle said that they had.

No one wished to speak in favor of this application.

No one wished to speak in opposition to this application.

DECISION SESSION

(21-1118-04)

RAISSA AND GARRETT BENNETT – VARIANCE OF FRONT SETBACK FOR ADDITION UNDER CONSTRUCTION; 40' REQUIRED, 35.3' PROPOSED AND PROPOSED GENERATOR; 40' REQUIRED 26.8' PROPOSED (SECTION 118-310C) AT SINGLE FAMILY DWELLING IN AAA RESIDENCE ZONE. PROPERTY LOCATED AT 4 POINT RD. IV. BOARD ACTION ON: A - E V. ACTION ON HEARING MINUTES – OCTOBER 19, 2021, AND OCTOBER 21, 2021,

Mr. Conroy noted that this was a situation in which things had happened beyond their control. While there had been issues over the years that had not been appropriate it could be resolved now with an appropriate variance.

Chairman Levey said he has always been wary of telling an applicant to cut 3' off an already-constructed project and felt it was unrealistic. He was willing to grant this portion of the request. He was unwilling to give them the generator location as the front yard is not appropriate for a generator and there needs to be a small penalty to pay for their lack of building permits and foundation location survey.

Mr. Diesel said that there were other locations on the property where a generator could be placed in compliance.

Mr. Brasher recalled an earlier case with a similar arrangement where they had requested, they make changes to an existing structure. He wanted to know what the difference between the two was. He was concerned that this would be setting a precedence that ignorance was acceptable. Discussion followed.

Chairman Levey said that they lacked a set policy and needed to handle it on a case-by-case basis.

Mr. Conroy noted that they had cases in which someone had decided to build something different than what they had a permit to build. These occasions were typically intentional and required the applicant to remove the non-conforming structures. However, he did not see a need for such an extreme measure in this case.

Mr. Gavrielidis recalled the incident in which the ZBA had required someone to tear down a porch over 8" but he felt that had been a mistake.

Mr. Conroy asked to confirm that the generator would not be approved but the variance request would be. The Board was in agreement with this decision.

**** CHAIRMAN LEVEY MOVED TO GRANT THE VARIANCE FOR THE ADDITION THAT WAS BUILT IN ERROR BUT DENY THE PORTION OF THE APPLICATION FOR THE GENERATOR SUPPOSED TO BE LOCATED IN THE FRONT YARD FOR APPLICATION (21-1118-04)**

**** MR. CONROY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

(21-1118-03)

MAXINE VIGNEAULT - VARIANCE OF FRONT SETBACK; 30' REQUIRED 8.3' PROPOSED OR REAR SETBACK; 15' REQUIRED, 8.3' PROPOSED FOR AN IN-GROUND POOL AT EXISTING SINGLE-FAMILY DWELLING IN B RESIDENCE ZONE. PROPERTY LOCATED AT 26 SHOREFRONT PARK.

Mr. Conroy said that there have been issues in the past where people have desired to install pools in locations convenient to the house instead of having an actual hardship; which needs an exceptionally good reason to justify. While he felt there might be a good reason there was no tremendous hardship involved.

Chairman Levey noted that there was no hardship.

Mr. Brasher said that, if they had desired a pool, they could have built the house differently.

Chairman Levey said it was a distinct afterthought on the part of the property owner.

Mr. Diesel believed there was space on the property to move the pool and make it compliant.

Mr. Conroy said they could work on the concept some more and suggested that they deny without prejudice and allow them to come back with a more zoning-compliant plan.

**** MR. CONROY MOVED TO DENY APPLICATION (21-1118-03) WITHOUT PREJUDICE.**

**** CHAIRMAN LEVEY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

(21-1118-02)

ROWAYTON ONE ELEVEN, LLC – VARIANCE OF FRONT SETBACK FOR A TRANSFORMER; 35' (33' WITH ALLOWED PROJECTION) CENTERLINE REQUIRED; 25.1' CENTERLINE PROPOSED (SECTION 118-530C & 118-810I) FOR A 5 UNIT RESIDENTIAL BUILDING UNDER CONSTRUCTION IN ROWAYTON AVENUE VILLAGE DISTRICT ZONE. PROPERTY LOCATED AT 111 ROWAYTON AVE

Mr. Conroy said that there had been a news article saying that Fairfield County Bank was a part owner in the new structure. He felt that it was a difficult problem and good shielding was required.

Mr. Brasher said that he didn't think it was a good idea, but there wasn't a better idea. Especially since there may be Eversource requirements that the ZBA is unfamiliar with. Discussion followed.

Chairman Levey suggested that they approve with the condition that there is safety screening around the transformer as required and landscape screening.

**** CHAIRMAN LEVEY MOVED TO APPROVE APPLICATION (21-1118-02) WITH THE FOLLOWING CONDITIONS:**

- **THAT THE TRANSFORMER BE VISUALLY SCREENED WITH LANDSCAPING AS DETERMINED BY THE ZONING STAFF.**
- **SAFETY SCREENING PROVIDED FOR PEDESTRIANS AS REQUIRED BY STATE AND LOCAL CODE.**

**** MR. CONROY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

(21-1118-01)

TRISTRAM PERKINS – VARIANCE OF NUMBER OF STORIES; 2½ ALLOWED, 3½ PROPOSED AND HEIGHT REQUIREMENT; 31’ MAXIMUM TO MIDPOINT ALLOWED, 32.66’ PROPOSED TO ELEVATE AND RECONSTRUCT A SINGLE-FAMILY RESIDENCE IN B RESIDENCE ZONE. PROPERTY LOCATED AT 19 SOUTH BEACH DR.

Mr. Brasher said that this seemed consistent with what had been approved in that neighborhood and he pointed to similar instances.

Chairman Levey agreed with that statement.

Mr. Conroy said he didn’t think they had given a blank card before and freedom to choose between raising and rebuilding.

Chairman Levey suggested that they put a stipulation on their approval that, should they decide to tear down and review new, they come back before the ZBA for review if conditions change.

Mr. Conroy said that, if they stay within the footprint, stay within the number of stories that they had provided, and stay similar to the drawings provided; but it needs to be specified.

Chairman Levey said that they could approve the elevation and renovation of the existing structure and they consider this to be an approval of an entirely new structure to be built on the proposed footprint and within the building envelope and be similar to the provided building plans.

Mr. Hayducky said that, if the building gets rebuilt and is moved in any way, shape, or form, they will need to come before the ZBA for approval.

**** CHAIRMAN LEVEY MOVED TO APPROVE THE ELEVATION AND RENOVATION IN APPLICATION (21-1118-01) AND THE POTENTIAL REBUILDING WITH THE FOLLOWING CONDITIONS:**

- **IF THE BUILDING IS DEMOLISHED AND REBUILT IT WILL REMAIN WITHIN THE PROPOSED FOOTPRINT, WITHIN THE BUILDING ENVELOPE, AND BE SIMILAR TO THE PROVIDED BUILDING PLANS.**

**** MR. CONROY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

(21-1021-03)

(CONTINUED FROM 10/21/2021) JOCELYN SMITH – VARIANCE TO ALLOW PARKING WITHIN THE FRONT SETBACK AND VARIANCE OF FRONT SETBACK; 40’ REQUIRED, 22.2’ PROPOSED FOR ADDITION TO SINGLE FAMILY HOME IN A RESIDENCE ZONE. PROPERTY LOCATED AT 22 HILLANDALE MNR.

Both Chairman Levey and Mr. Conroy said they had no issue with the plan.

**** MR. GAVRIELIDIS MOTIONED TO APPROVE APPLICATION (21-1021-03) AS PRESENTED.**

**** MR. CONROY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

(21-0819-03)

(CONTINUED FROM 10/19/2021) CITY OF NORWALK – VARIANCE OF REAR SETBACK; 223' REQUIRED, 68.45' PROPOSED FOR A NEW SCHOOL IN AAA RESIDENCE ZONE. PROPERTY LOCATED AT 12 KNOWALOT LN.

Mr. Conroy said that they had done what the ZBA had requested that they do and the neighbors are content.

Chairman Levey agreed but said that they needed to add the fifth condition to the list. They reviewed the conditions provided and added the condition that there is a fair and deliberate process to reach an agreement. Discussion followed on the conditions.

**** CHAIRMAN LEVEY MOTIONED FOR APPROVAL OF APPLICATION (21-0819-03) WITH THE FOLLOWING CONDITIONS:**

- 1. TO INCREASE THE EVERGREEN TREE SCREENING ALONG THE WEST PROPERTY LINE TO APPX. 90 TREES IN LOCATIONS TO BE COORDINATED WITH THE NEIGHBORS.**
- 2. POSITIONING OF THE DUMPSTERS TO THE SOUTH OF THE BUILDING NEXT TO THE RECEIVING ENTRANCE, WHICH IS MORE CONVENIENT FOR THE JANITORIAL STAFF AND HAS A FURTHER DISTANCE FROM THE NEIGHBORS.**
- 3. TO RELOCATE THE TENNIS COURTS AND BASKETBALL HOOPS EAST OF THE BUILDING WITHIN THE PARENT DROP-OFF LOOP.**
- 4. TO RELOCATE THE BUILDING 10 FEET FURTHER NORTH THAN THE ORIGINAL PRESENTATION TO THE ZONING BOARD OF APPEALS IN SEPTEMBER 2021.**
- 5. A CONTINUATION OF GOOD FAITH CONSULTATION BY THE SCHOOL COMMUNITY REGARDING THE DEVELOPMENT AND ENACTMENT OF THE PLAN.**

**** MR. CONROY SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE MINUTES

OCTOBER 21, 2021

Please make the following changes:

- Page 2, paragraph 2, line 1: Please change 'A member of the board asked why they could not use a solution' to 'Mr. Diesel asked why they could not use a solution.'
- Page 3, paragraph 6, line 1: Please change 'Mr. Bosale said that they were willing to downside' to 'Mr. Bosale said that they were willing to downsize'

These minutes were held off to be corrected.

OCTOBER 19, 2021

- ** CHAIRMAN LEVEY MOVED TO APPROVE THE MINUTES OF OCTOBER 19, 2021 AS SUBMITTED.**
- ** MR. CONROY SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

ANNUAL ELECTION

A secretary and a Chairman need to be elected. Mr. Diesel nominated Mr. Conroy for the position of Secretary. Mr. Conroy refused. Mr. Brasher said he would be leaving the ZBA in January and was not an option. No one was nominated for secretary.

Mr. Conroy requested to be Chairman. Chairman Levey said he would support it and would take up the position of secretary.

- ** MR. CONROY MOVED TO MAKE MR. CONROY CHAIRMAN AND CHAIRMAN LEVEY SECRETARY.**
- ** MR. BRASHER SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Further discussion followed about appointing alternates to full members and who to bring on as alternates. Chairman Levey and Mr. Conroy discussed Marilyn Altman for promotion from an alternate to a full member of the Board.

ADJOURNMENT

- ** CHAIRMAN LEVEY MOVED TO ADJOURN.**
- ** MR. CONROY SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:50 P.M.