

**TOWN OF POMFRET
ZONING BOARD OF APPEALS
MINUTES – REGULAR MEETING
MONDAY, JANUARY 30, 2006 AT 7:00 PM
POMFRET TOWN HALL**

In Attendance: Board Members – Jim Robbins, Liz Cartier, Gary Kendall, Robert Bitondi, Richard Galante. Staff – Ryan Brais. Others present – Tony Amaral
Board Members not present: Bruce Shay, Bill Hull, Barry Jessrun

- I. Regular Meeting** – Meeting was opened at 7:05 by Jim Robbins. Quorum present was noted.
1. Welcome New Members – Jim welcomed Bob Bitondi as a new member.
 2. Seat Alternates - Bob Bitondi was seated for Bill Hull. Liz Cartier was seated for Bruce Shay.
 3. Citizen’s Comments – Tony Amaral was present to ask if he had any options regarding the recent P&Z denial of his application for a zone change. Jim Robbins made a motion to add Tony Amaral to the agenda for discussion purposes only under Other Business. Richard Galante seconded. All in favor.
 4. Items to Add to Agenda – Gary Kendall made a motion to add election of officers to agenda. Seconded by Liz Cartier. All in favor.
 5. Approve minutes of September 19, 2005 – Gary Kendall made a motion to accept the minutes as written. Seconded by Liz Cartier. All in favor. Richard Galante abstained, not present at meeting.
- II. New Business**
1. Correspondence – none
 2. 2006 Meeting Schedule – February was discussed due to President’s Day holiday. Jim Robbins made a motion to approve schedule with 3rd Monday of month dates, except February change to February 23, 2006. Liz Cartier seconded. All in favor.
 3. ZBA Budget Review - Discussion of budget for 2006. Richard Galante made a motion to submit same dollar amounts in same line items as 2006 for fiscal year 2007. Gary Kendall seconded. All in favor.
- III. Old Business** – None
- IV. Other Business**
1. Tony Amaral, Discussion – Mr. Amaral asked if he had options with the ZBA regarding the recent denial of his application to the Planning and Zoning Commission for a zone change. He asked if he could appeal and if he would need an attorney. Ryan Brais clarified that the decision can’t be appealed to the ZBA. An applicant can ask for relief to the ZBA, an appeal would go to the courts. The ZBA can’t grant a use variance. Jim Robbins explained that the ZBA can only hear cases with regard to the

Zoning Regulations the way they are written. To appeal a decision an applicant would need to go to an attorney.

2. Election of Officers – Jim Robbins asked to open discussion. Liz Cartier made a motion to nominate Jim Robbins as Chairman. Richard Galante seconded. Jim accepted the nomination. Richard Galante made a motion to nominate Bruce Shay as Vice Chairman. Liz Cartier seconded. Bruce has notified Board that he would accept the nomination. Jim Robbins asked for any other nominations or discussion. Richard Galante stated that he felt Tom Pahl started the Board well and that Jim has expertise in the area and has done a good job. Jim Robbins asked for a motion to close nominations. So moved by Richard Galante. All in favor. Jim Robbins asked for a vote on the motion on the floor for Chairman and Vice Chairman. All in favor.
3. Agenda Items for Next Meeting – Liz Cartier asked that the discussion regarding a ZBA Attorney be on the next agenda.

V. **Adjournment** – Jim Robbins stated he would entertain a motion to adjourn. So moved by Gary Kendall. Meeting adjourned at 7:35 PM.

Respectfully submitted,

Bonnie Ryan, clerk

Date approved_____