Town of Marlborough
Zoning Board of Appeals Meeting

Marlborough Town Hall

April 11, 2012 **7:00 PM**

1. CALL TO ORDER Chairman John Valentine called the meeting to order at 7:07 in the large conference room at the Marlborough Town Hall.

2. ROLL CALL Present at the meeting were Chairman John Valentine, Secretary Alan Miller, Regular Members Dick Proch, Al Donze and John Grasso. Alternate Bob Jackson was present, but Chris Lawson was absent.

Chairman John Valentine explained the procedures of the how the ZBA meeting is run; once the hearings are opened the applicant and the public can participate in the discussion, but when it is closed only the members of the ZBA can discuss these applications further. He also reminded the members that if it was not brought up in the Public Hearings it cannot be brought up and discussed in deliberations.
Mr. Miller read the Public Notice for 05-12 into the record.
Mr. Valentine explained he wanted to read a letter into the record before he opened the Public Hearing for application 05-12. The letter was written by Matthew J Willis, an attorney for the town of Marlborough, dated April 9, sent to the ZBA. *A copy of the letter is attached to these minutes.* Mr. Valentine explained that this letter outlined why the application was not correct, and verified that there was no applicant or representative here to discuss this application. The members of the board had a lengthy discussion as to whether the board was obliged to take action, or could take no action based on the incorrect or incomplete application.

A motion was made by Alan Miller to deny Application #ZBA-05-12 based on the fact that the application was filled out incorrectly, and an incorrect property owner applied for the application. Seconded by Al Donze.

VOTE: FOR; UNANIMOUS: APPLICATION DENIED.

James Pasternak of 11 West Rd was present to add a letter to the record, Peter Hughes recommended that he write this letter. The Board did not feel they could accept this letter after the application had been denied.

3. PUBLIC HEARINGS

a. Application #ZBA -05-12 – Seth Rosenblit Successor Trustee of the Ellen Rosenblit Revocable Trust and Robert Backlund, 14 Coolidge Road West Hartford, CT (property owner) , Robert Elliott, Esq. (applicant) for property located at Lot 35A-Front & Lot 35A-Rear West Road - are seeking variance of Article Three A.1, Minimum Requirements, Article Three A.3 Conformity of Buildings & Land, Article Three A.5 Reduction of Lot Areas or Minimum Required Yards, Article Three A.9 Minimum Required Yards, Article Six D.2.a Front Yard Setback, Article Six D.2.b Side Yard Setback, & Article Six D.2.c Rear Yard Setback for property

located at Lot 35A-Front & Lot 35A-Rear West Road and land of James Pasternak 111 West Road in order to construct a driveway.

4. OLD BUSINESS Four members of the ZBA attended the all boards meeting, and were happy to report that it sounds as if signs will now be posted identifying pending applications. Mr. Jackson said it was suggested at the meeting that the Board that was voting on the application be identified on the posted sign.

5. NEW BUSINESS

a: Application #ZBA -05-12 – Seth Rosenblit Successor Trustee of the Ellen Rosenblit Revocable Trust and Robert Backlund, 14 Coolidge Road West Hartford, CT (property owner) , Robert Elliott, Esq. (applicant) for property located at Lot 35A-Front & Lot 35A-Rear West Road - are seeking variance of Article Three A.1, Minimum Requirements, Article Three A.3 Conformity of Buildings & Land, Article Three A.5 Reduction of Lot Areas or Minimum Required Yards, Article Three A.9 Minimum Required Yards, Article Six D.2.a Front Yard Setback, Article Six D.2.b Side Yard Setback, & Article Six D.2.c Rear Yard Setback for property located at Lot 35A-Front & Lot 35A-Rear West Road and land of James Pasternak 111 West Road in order to construct a driveway.

6. OTHER BUSINESS

7. APPROVAL OF MINUTES

A motion was made by John Grasso to approve the March minutes with the following corrections:
Page1, John Valentine, not John Grasso, is the Chairman, Dick "Proch" not "Porch" and "and Alternates Bob Jackson and Chris Lawson" should replace the other way it was written, change to "four" not "4", strike "and" add "of", "move this construction" not "remove", strike "raised" and leave "asked", Page 2 : Add ...Mr Miller the Public Notice for "read Application #ZBA-04-12" into the record, 80,000 sq feet (not 80) and 50,000 not 50, "... map # 1 is keep the lot with existing house (remove "keeping that") conforming, Page 3: strike the sentence "Mr. Miller says how is the fact...considered a hardship". Dick Proch seconded.

VOTE: FOR; UNANIMOUS: MOTION APPROVED

8: ADJOURNMENT

A motion was made by Alan Miller to adjourn the meeting at 7:36, seconded by Dick Proch.

VOTE: FOR; UNANIMOUS: MOTION APPROVED

Respectfully Submitted:

Lauren Griffin
Board Clerk