

**ZONING BOARD OF APPEALS  
REGULAR MEETING MINUTES  
November 27, 2023**

The Brooklyn Zoning Board of Appeals held a regular meeting on Monday November 27, 2023, at 6:30 p.m. at the Clifford B. Green Memorial Meeting Center, 69 South Main Street, Brooklyn, CT in person as well as virtually via ZOOM on the following:

**Members Present:** Bruce Parsons, Adam Brindamour, Stephen Mylly, William McNamara

**Members Absent:** Lou Brodeur – Stephen Mylly noted that Mr. Brodeur resigned from the ZBA. His resignation was accepted at the October 26<sup>th</sup> Board of Selectmen’s meeting.

**Staff Present:** Terry Mahanna, Recording Secretary, Margaret Washburn, Zoning Enforcement Officer.

**Also Present:** Paul Archer, Archer Surveying; Edward Berthiaume (applicant); Kelley Berthiaume (applicant); Andrew Kausch; 4 additional attendees in audience.

**Call to Order:** The meeting was called to order at 6:30 p.m.

**Seating of Alternates:** None.

**Public Commentary:** None.

**Approval of Minutes:** William McNamara made a **motion** to approve the Regular Meeting Minutes from October 16, 2023 as written, Adam Brindamour seconded this motion. Motion passed unanimously by vote 4-0-0.

**Public Hearing:**

1. ZBA 23-002 Edward & Kelley Berthiaume, 17 Sunset Drive Extension, Map 22, Lot 18-13, 1.33 Acres, R-30 Zone: Requesting a variance of section 3.B.5.2.1 of the Zoning Regulations from the minimum front yard setback of 50 feet to 35 feet to construct a 35-foot x 6-foot front porch.

Paul Archer represented Edward & Kelley Berthiaume: Mr. Archer indicated that the applicants purchased their home in 1987; it was built in 1986. At that time, the front yard setback was 35-feet. The front yard setback has since changed to 50-feet, making the house itself a non-conforming entity.

Bruce Parsons indicated that he does not understand why the setback changed, and why the property would not be grandfathered in.

Andrew Kausch spoke in favor of the applicants mentioning that it has been their dream to add on a porch and because of the regulations they had no option than to come for a variance. Because of this, they have now endured a hardship.

Adam Brindamour asked when the setback changed. Mr. Archer thought it was in the 90s. Margaret Washburn mentioned that she has access to the old regulations and can get an answer if needed.

Edward Berthiaume indicated that they are at the end of a cul-de-sac and none of their neighbors are against improving the property. All abutters were noticed.

At 6:40 pm Mr. Parsons declares the public hearing closed.

**Unfinished Business:**

1. ZBA 23-002 Edward & Kelley Berthiaume, 17 Sunset Drive Extension, Map 22, Lot 18-13, 1.33 Acres, R-30 Zone: Requesting a variance of section 3.B.5.2.1 of the Zoning Regulations from the minimum front yard setback of 50 feet to 35 feet to construct a 35-foot x 6-foot front porch.

A **motion** was made by William McNamara to grant the variance, seconded by Stephen Mylly. The reason for granting the variance is that the property became nonconforming when the zoning regulations were changed to increase the front yard setback. Motion passed unanimously by vote 4-0-0.

**New Application Received:** None.

**Other Business:**

1. 2024 ZBA meeting dates: Stephen Mylly made a **motion** to adopt the revised meeting dates presented. Motion passed unanimously by vote 4-0-0.
2. Bruce Parsons made an addition to the agenda: As a result of losing the ZBA Vice Chair, he moved for Stephen Mylly to be named vice chair until the term expires. A **motion** was made by Adam Brindamour to name Mr. Mylly as vice chair, seconded by William McNamara. Motion passed unanimously by vote 4-0-0.
3. Public Act 21-29: Required Training for each member of a Zoning Board of Appeals

Bruce Parsons provided a certificate indicating he has taken all required training.

Adam Brindamour mentioned that he will have the required training completed by the end of the year.

4. Discussion regarding potential shift from paper meeting packets to digital information sharing:

The commission and staff discussed the potential to shift from paper to digital information to include: the presenting of plans on the Zoom screen and using the whiteboard feature in Zoom and creating a split screen. Some members mentioned they like having some printed materials to take notes during the meeting. William McNamara mentioned that it is his practice to do his due diligence prior to the meeting. There was a consensus that it makes sense to have some print outs, such as plans, agendas and minutes.

5. Conflict of interest: The commission held a brief discussion around remaining unbiased in a small town and recusing when there might be a conflict. For the record, William McNamara vehemently

denied being biased in the Jolley case. Stephen Mylly voiced concern over being named a litigant and that coming up in a recent Bank inquiry.

**Communications:**

Budget Update – Margaret Washburn provided a copy of the budget report for October.

**Adjourn:** Meeting closed at 7:06pm motioned by Stephen Mylly and seconded by William McNamara. Motion passed unanimously by vote 4-0-0.

Terry Mahanna, Recording Secretary