

Zoning Board of Appeals
Town of Bridgewater
Bridgewater, CT. 06752

December 16, 2008 – Public Hearing
Minutes of Meeting

Members present: Arte Foote, Lee Butala, Ken Lightcap, Ken Esposito, Mariyln Curtin, Eric Shields

Meeting was called to order: 7:25 p.m.

Arte asked if everyone read the minutes from the last meeting? Yes, everyone had. Who wants to make a motion to accept the minutes? Lee made a motion to accept the minutes. Marilyn seconds the motion. Vote is unanimous.

Arte asks for one of the members to read the legal notice. Ken read the legal notice. Arte states that on a quick review the ZBA feels that they have no jurisdiction over this application over the ruling of the selectman. He asks the applicant to explain why she feels that ZBA does. Paul Garlasco comes forward and states that he is representing Ms. Anderson, and that she is his wife. She has given him power of attorney. Eric Shields arrives at 7:32 p.m.

Mr. Garlasco goes on to explain to this board, how the zoning regulations of the Town of Bridgewater delegate to the selectman one of the jobs of issuing a driveway permit. And that under 8-6: Connecticut General of Statues – that any appeal of a decision – whether it's by delegation from the Zoning Commission or if it's decision by say the Zoning Enforcement Officer or if it's an appeal from the Planning and Zoning Commission, it can be brought in front of the Zoning Board of Appeals.

He goes on to explain that as a rule of law in CT. anyone who is aggrieved by a municipal officer, whether it is a selectman or otherwise, must first exhaust their administrative remedies. That meaning the applicant has to first come in front of

ZBA and appeal their decision before go to court. Arte states that he has asked for legal advice from their lawyer, Mr. Michael Zizka. Mr. Zizka couldn't make it to the meeting, and sent a letter to the ZBA and asks that he be read at the meeting.

Arte asks Ken Lightcap to read the letter into the record. After Ken read the letter. Paul Garlasco asked for a copy of letter.

Paul Garlasco then gives this board the history of all that has happen along the way. A few times he is asked how this relevant to the application before this board. Arte Foote tried to explain to Paul Garlasco that any other cases is not relevant to this application.

Another attorney, Mr. Harriera came forward on behalf of the selectman and this board to explain to Mr. Garlasco that there is no jurisdiction for this application.

Arte then ask Paul Garlasco if there was anything else, no was the reply. Arte asks who makes a motion to close the public portion of the hearing?

Ken Lightcap makes a motion to close the public portion of the hearing, Eric Shields seconds the motion. All in favor.

Motion is made by Ken Lightcap to deny this application due to there is no jurisdiction. Ken Esposito seconds the motion. All in favor. Vote is unanimous.

Members voted on the new calendar year schedule, Ken Lightcap made the motion to accept the calendar. Eric Shields seconds the motion. All in favor.

Arte Foote makes a motion to close the meeting, Ken Lightcap seconds the motion. All in favor. Meeting closes: 7:50 p.m.

Respectfully submitted,

Angie Sturges
ZBA Secretary