

# Zoning Board of Appeals

## Minutes

March 20, 2012

The following members were present: Grohs, Rayner, Judd, Alt: Harris, Atty: David Royston  
The Board on motion by Harris, seconded by Rayne the minutes of Oct. 18, 2011 was approved.

On motion by Harris, seconded by Rayner, Grohs was elected Chairman and Garner dinger Vice Chairman for the year 2012.

The Board held a hearing on the following case:

12-1 Louis Lerner 15 Grove St. Deep River, Ct. 06417, Owner and Appellant Amber Sarno, Shipman and Goodwin L.L.P., Agent, One Constitutional Plaza, Hartford, Ct. 06103 appeal of the Zoning Enforcement Officer for failure to order a Cease and Desist to Mr. Raymond Galeotti, 16 Grove St. for maintaining at least one trailer that is being used for a storage container on property located at 16 Grove St. Deep River, Ct. 350 feet distant from the intersection of Bridge and Grove Sts. Map 56 Zone IDD Violation of 4.3.7 regulations.

On motion by Judd, seconded by Rayner, the call was approved.

On motion by Grohs, seconded by Judd, Alt. Harris was seated for the absent Garner dinger.

On advice from Atty. Royston, he advised the Board that they must first determine if they had the authority to hear the appeal.

Subsequently Atty Tycz, Attorney for the ZEO gave testimony that the Board lacked authority to hear the appeal. He listed several reasons among which was that the ZEO did not have to issue a Cease and Desist to Mr. Galeotti

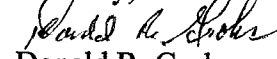
Atty. Sarno, for the Plaintiff stated th at the ZEO should have issued a Cease and Desist and failure to do so was in fact a denial by her office.

Atty. Gallegher for Mr. Galeotti, concurred with Atty. Tycz that the plaintiff missed the 30 day period in which to file an appeal.

Atty Royston clarified the statutes that the ZBA must follow.

On motion by Harris, seconded by Rayner, The Board voted that at this time that inaction by the ZEO is not appellate. The vote was unanimous.

Sincerely,



Donald R. Grohs

Chairman

Adj. 8:40