

Unapproved

**SALEM ZONING BOARD OF APPEALS
September 24, 2009**

Present: Balavender, G., Alt.
Cole-Chu, L.
Mullin, M.
Nortz, R.

Absent: Bellandese, K.
Diamond, S.
Kozlowski, S., Alt.
Vacancy, Alt.

Guests: None

CALL TO ORDER:

L. Cole-Chu, chairman, called the meeting to order at 7:34 pm.

SEATING OF ALTERNATE(S):

M/S/C (Nortz/Mullin) to seat G. Balavender for S. Diamond. Vote: approved unanimously.

PUBLIC HEARING(S):

None Scheduled

RECEIPT OF APPLICATION(S) TO SET PUBLIC HEARING DATE(S):

There were no applications received for which to set public hearing dates.

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

- 1) **August 27, 2009 - Regular Meeting**

M/S/C (Balavender/Mullin) to approve the minutes of the August 27, 2009 Regular Meeting of the Salem Zoning Board of Appeals as presented. Vote: approved unanimously.

OLD BUSINESS:

- 1) **Such other Old Business as may be proper**

There was no *OLD BUSINESS* this evening.

NEW BUSINESS:

- 1) **Discussion - public hearings, setting protocol, and revised application form (tabled from 8/27/09)**

The Board discussed the revised *Draft 9/24/09* of the Salem Zoning Board of Appeals Application Form (see attached to the filed copy of these minutes).

The current ZBA application form (which was approved on 2/26/09) only provided for a variance application. The 9/24/09 Draft was revised to add a provision for an appeal from the decision of the Zoning Enforcement Officer.

The changes made to the draft this evening only involved that section of the application revised for the addition of an

appeal on page 1 of 3. The section was revised as follows after Board discussions:



APPEAL OF AN ALLEGED ERROR IN THE ZONING ENFORCEMENT OFFICER'S ACTION OR FROM A DECISION OF THE ZEO UNDER SECTION(S) _____

OF THE SALEM ZONING REGULATIONS.

When an applicant enters an appeal charging the Zoning Enforcement Officer (ZEO) with an error or an incorrect decision, a) the ZEO's order and b) a detailed explanation of the claimed error must be attached to this form or the application will be incomplete and therefore will not be heard. (For complete requirements see page 2.)

NOTE:

An applicant has only fifteen (15) days from the date of the ZEO's order or decision in which to file an appeal.

M/S/C (Nortz/Balavender) to approve, as modified this evening, the *Draft 9/24/09* of the Salem Zoning Board of Appeals Application Form. Vote: approved unanimously.

The Board also discussed the role the newly elected ZBA Secretary, M. Mullin, will play when applications are received:

The Secretary will review applications for completeness and explain to applicants what is required as per the State Statutes in regard to an application to the ZBA.

2) Such other New Business as may be proper

There was no other *NEW BUSINESS* this evening.

CORRESPONDENCE/ANNOUNCEMENTS:

There was no *CORRESPONDENCE/ANNOUNCEMENTS* this evening.

ADJOURNMENT:

M/S/C (Balavender/Nortz) to adjourn the meeting at 8:35 pm. Vote: approved unanimously.

D. McTigue, Administrative Assistant/Recording Secretary

L. Cole-Chu, chairman