

**New Fairfield Zoning Board of Appeals  
New Fairfield, Connecticut 06812**

**MINUTES  
November 17, 2016**

The New Fairfield Zoning Board of Appeals (ZBA) held a public hearing followed by a business session at 7:00 p.m. on Thursday, November 17, 2016 in the Community Room of the New Fairfield Library, located at 2 Brush Hill Road. Secretary Joanne Brown took the Minutes.

ZBA members in attendance: Joe DePaul, Chairman; Patrick Hearty; Vinny Mancuso and Alternate Ann Brown.

ZBA members absent: John Apple, Vice Chairman and John McCartney.

Town Officials in attendance: None.

Chairman Joe DePaul called the meeting to order at 7:00 p.m. and introduced the Board Members. Joe DePaul explained the meeting process and voting and appeal procedures. Secretary Joanne Brown read the Agenda. Vinny Mancuso made a motion to adopt the agenda, duly 2<sup>nd</sup>, approved 4-0. Secretary Joanne Brown read the Call of the Meeting.

**Continued Application # 26-16:** Berrie, 3 Candlewood Road, for variances to Zoning Regulations 3.25A, 3.2.6A Front Setback to 20', 3.2.6C Rear Setback to 35', 3.2.7 Maximum Building Area, 3.2.11, 7.1.1.1A,B&C and 7.2.3A,B&E for the purpose of adding a bay window, a covered walkway and altering the roofline. Zoning District: R-44; Map: 39; Block: 1; Lot: 2.2-14.

Vinny Mancuso made a motion to hear Application # 26-16, duly 2<sup>nd</sup>, approved 4-0.

Joe DePaul read an email from Mr. Berrie's legal counsel, Anthony Yorio, requesting a continuance to explore alternatives to the application. Vinny Mancuso made a motion to continue Application # 26-16 to next month's meeting, duly 2<sup>nd</sup>, approved 4-0

**Application # 29-16:** Doherty, 5 Manning Street, for variances to Zoning Regulations 3.2.5A&B, 3.2.6A Front Setback to 19'6", 3.2.11, 7.1.1.1.A,B&C and 7.2.3A&B for the purpose of constructing a portico at the front entrance. Zoning District: R: 44; Map: 31; Block: 3, Lot: 3.

Patrick Hearty made a motion to hear Application # 29-16, duly 2<sup>nd</sup>, approved 4-0. Chris Doherty approached the board and explained that his house was originally constructed with the front facing Route 39. Over time, the regulations have changed and the front of the house is presently facing Manning Street. The applicant is requesting a portico over the present

front entrance for safety reasons and protection from the elements. The requested setbacks were discussed. The portico would measure approximately 3' from the house. Joe DePaul stated that the measurements are usually taken from the eaves. Joe DePaul presented several photos of the property and the entrance. The position and height of the portico was discussed. The portico, measuring from the eaves, would measure approximately 2.5'. Joe DePaul noted that there was no one present in the audience for comments. Vinny Mancuso made a motion to enter into the Business Session, duly 2<sup>nd</sup>, approved 4-0. While in the Business Session, the board noted that the portico was for safety purposes and protection from the elements and will improve the entrance to look more like a front entrance, due to the repositioning of the front of the house. Joe DePaul made a motion to grant a front setback to 19'6" for the purpose of constructing a portico per the plans as submitted, noting a very small increase in nonconformity, for safety purposes; the hardship being the odd shape of the lot and the fact that the house was originally designed to face Route 39, duly 2<sup>nd</sup>, approved 4-0. Variance granted.

While in the Business Session, Vinny Mancuso made a motion to adopt the minutes, duly 2<sup>nd</sup>, approved 3-0-1, Ann Brown abstaining.

Patrick Hearty made a motion to adjourn the meeting at 7:12 p.m., duly 2<sup>nd</sup>, approved 4-0.