

New Fairfield Zoning Board of Appeals
New Fairfield, Connecticut 06812
SPECIAL MEETING MINUTES
July 21, 2021

The New Fairfield Zoning Board of Appeals (ZBA) held a Special Meeting followed by a business session on **Wednesday, July 21, 2021** at 7:00 p.m. **at the Company A Firehouse, 302 Ball Pond Road, New Fairfield.** Secretary Joanne Brown took the Minutes.

ZBA members in attendance: Joe DePaul, Chairman; John Apple, Vice Chairman; Vinny Mancuso and Alternates Ann Brown and Bob Jano

ZBA Members not in attendance: Dan McDermott and John McCartney

Town Officials in attendance: Evan White

Chairman Joe DePaul called the Meeting to order at 7:00 p.m. and introduced the Board Members. Joe DePaul gave a brief overview of how the meeting would be conducted. Secretary Joanne Brown read the Agenda. Joe DePaul made a motion to add a discussion on holding upcoming meetings in person or via Zoom to the agenda, July 2nd, approved 5-0.

Continued Application # 24-21: Chung and McQuade, 35 Lakeshore North, for variances to Zoning Regulations 3.2.5A, 3.2.6A Front Setback to 18.75', 3.2.6B Side Setbacks to 14.2', 3.2.6C Rear Setback to 17.6', 3.2.8, 3.2.11, 7.1.1.2A&B and 7.2.3A,B&E for the purpose of demolishing an existing house and constructing a new house. Zoning District: R-44; Map: 40; Block: 6; Lot: 46-51.

Peter Coffin, Doyle & Coffin Architecture, returned to the board with a revised proposal lowering the height of the roof and addition to the existing ridge and increasing the view with the cut-out deck. Mr. Coffin noted that the revised plan incorporated a flat roof rather than a pitched roof, lowering the height by 13'. Neighbor Austin Wheeler, 32 Lakeshore, appreciated the revisions and the net gain of view. Joe DePaul asked about removal of the large oak tree. Bruce Hickey stated that the tree was on First Light's property and noted that they would not remove it. A brief discussion ensued over existing and proposed setbacks. Joe DePaul asked the Board for comments. Bob Jano noted that the design of the house does not fit in with the Knolls. The board noted that the new proposal was not changing anyone's views. Joe DePaul asked if there were any additional comments from the public. None given. Peter Coffin stated that they worked hard to come to a compromise position. The Board entered into the Business Session. Vinny Mancuso noted that the applicant came down in height as requested. Ann Brown stated that the proposal was significantly improved. Joe DePaul made a motion to grant a front setback to 18.8', a north-side setback to 16' and a rear setback to 19.7' to allow reconstruction of a house per the revised plans as submitted noting a decrease in nonconformity; the hardship being the size and shape of the lot, July 2nd, approved 5-0. Variance granted.

Application # 29-21: Olivet, 18 Indian Hill Lane, for variances to Zoning Regulations 3.0.6B Swimming Pools, 3.2.5A&B, 3.2.6C Rear Setback to 42', 3.2.11, 7.1.1.1A&B and 7.2.3A&B for the purpose of installing a 21' above-ground swimming pool. Zoning District: R-44; Map: 23; Block: 21; Lot: 11.

No one was present for the application. John Apple made a motion to move Application # 29-21 to the back of the agenda, July 2nd, approved 5-0.

Application # 30-21: Ross, 19 North Beach Drive, for variances to Zoning Regulations 3.2.5A&B, 3.2.6B Side Setbacks to 13' and 11.29', 3.2.6C Rear Setback to 22', 3.2.8, 3.2.11, 7.1.1.2A&B and 7.2.3A,B&E for the purpose of adding 6'x12' of decking to an existing structure. Zoning District: R-44; Map: 40; Block: 4; Lot: 27&28.

Lawrence and Karen Ross approached the Board with their proposal to square off an existing deck with a 6'x12' addition to extend the deck over an existing concrete patio. Joe DePaul questioned the position of the existing stairs. Vinny Mancuso saw no problems with the application. Joe DePaul asked the public for comment. None given. The Board entered into the Business Session. Joe DePaul made a motion to grant side setbacks to 13' and 11.29' and a rear setback to 22' to allow construction of a 6'x12' deck addition per the plans as submitted noting no increase in nonconformity; the hardship being the narrow shape of the lot, July 2nd, approved 5-0. Variance granted.

Application # 31-21: New Fairfield Public Schools, 54 Gillotti Road, for variances to Zoning Regulations 1.5.11 Fences and 3.0.4C,D,E&F Minor Accessory Structures for the purpose of relocating three (3) storage containers behind the Middle/High School adjacent to the pool with a 10' surrounding fence for a visual buffer. Zoning District: R-88; Map: 23; Block: 16; Lot: 11.

Rich Sanzo, Director of Business Operations for the Board of Education, gave a brief overview of the proposal to relocate 3 storage containers to the rear of the Middle School/High School adjacent to the pool. The Fire Marshall and Office of Emergency Management were both in agreement with the new placement. There are currently 4 storage containers. One is used by the Office of Emergency Management for equipment for the emergency shelter; another is used by Post Grad, another by the Falcons football team and another shared container. The shared container will be eliminated, and the older container will be replaced with a new container. Joe DePaul questioned why the containers could not be pushed up against the wall. Fire code states that the containers must be 12' away from the walls. John Apple noted that the applicant was doing what the Board has asked. Joe DePaul asked when the containers were to be moved. Mr. Sanzo explained that with the school construction, excavation for utilities would prevent the containers from being moved until the work was completed. The containers will be moved to the construction area by the west driveway entrance which will be closed for construction of the new High School. A brief discussion ensued over the fencing and whether a chain link with slats or wooden fence would be used. The chain link fence would be a better option for maintenance. Joe DePaul asked the public for comment. None given. The Board entered into the Business Session. Joe DePaul was not happy with the open-ended timeframe to move the containers to their permanent position. Joe DePaul made a motion to grant a variance to allow the relocation of 3 storage containers behind the Middle School/High School to include 10' fencing around the

containers per the plans as submitted, noting that they are to be moved to temporary storage by September 1, 2021; the hardship being the slop of the lot, duly 2nd, 4-0-1, Ann Brown abstaining.

Application # 32-21: Berrie, 3 Candlewood Road, for variances to Zoning Regulations 3.2.6A Front Setback to 30', 3.2.11, 7.1.1.2 and 7.2.3A&B for the purpose of adding an overhang (portico) to the corner of the house. Zoning District: R-44; Map: 39; Block: 1, Lot: 2.2.

Stanley Berrie presented his application to construct an overhang to the corner of the house, not going closer to the road or side. A front setback to 30' would not increase nonconformity. The Board saw no issues with the application. Joe DePaul asked the public for comment. None given. The Board entered into the Business Session. Joe DePaul made a motion to grant a front setback to 30' to allow construction of a roof overhang per the plans as submitted noting no increase in nonconformity; the hardship being the narrow shape of the lot, duly 2nd, approved 5-0. Variance granted.

Application # 29-21: Olivet, 18 Indian Hill Lane, for variances to Zoning Regulations 3.0.6B Swimming Pools, 3.2.5A&B, 3.2.6C Rear Setback to 42', 3.2.11, 7.1.1.1A&B and 7.2.3A&B for the purpose of installing a 21' above-ground swimming pool. Zoning District: R-44; Map: 23; Block: 21; Lot: 11.

No one was present for the application. The application remained unopened.

The Board entered into the Business Session. Vinny Mancuso made a motion to accept the Minutes as presented, duly 2nd, approved 5-0.

Joe DePaul brought up the discussion on having in-person meetings versus Zoom meetings and wanted to get the Board's opinion on the subject. John McCartney via email noted that he would like the Board to return to Zoom meetings. Joe DePaul stated that he believed it was easier to see plans in person but noted that Zoom meetings also had many benefits especially if one was out of town. A brief discussion over whether hybrid meetings were mandatory ensued with Evan White. Joe DePaul noted that, as Chairman, he has the responsibility to decide what type and when meetings are held. Mr. DePaul asked the Board for their opinion. Bob Jano noted that he would like to meet in person. Ann Brown and John Apple both stated either meeting was fine but, if hybrid meeting were mandatory, then to only have a Zoom meeting. Vinny Mancuso stated in person or Zoom. The Board agreed that they would continue with in-person meetings. If hybrid meetings became mandatory, the Board felt that they should return to Zoom meetings only.

Vinny Mancuso made a motion to adjourn the meeting at 7:57 p.m., duly 2nd, approved 5-0.