

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

**MINUTES  
July 17, 2014**

The New Fairfield Zoning Board of Appeals (ZBA) held a public hearing followed by a business session at 7:00 p.m. on Thursday, July 17, 2014 in the New Fairfield Library located at 2 Brush Hill Road. Secretary Joanne Brown took the Minutes.

ZBA members in attendance: Joe DePaul, Chairman; Jack Michinko; Vinny Mancuso and Alternate John McKee.

ZBA members absent: John Apple, Vice Chairman; Patrick Hearty.

Town Officials in attendance: None.

Chairman Joe DePaul called the meeting to order at 7:03 p.m. and introduced the Board Members, He explained the meeting process and voting and appeal procedures. Joe DePaul gave the definition of a recusal.

Secretary Joanne Brown read the Agenda. Joe DePaul 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 #13-14:** Oulvey, 30 Lake Drive North, for variances to zoning regulations for the purpose of constructing a 2 story addition.

Vinny Mancuso made a motion to hear Application #13-14, duly 2<sup>nd</sup>, approved 4-0.

A letter from Peter Young, agent for the applicant, was read into the record withdrawing their application and thanking the board for their time.

**Application #15A-14:** Gabrielescu, 54 Ridge Road (CI), for variances to zoning regulations for the purpose of adding a shed to the property.

Vinny Mancuso made a motion to bring Application #15A-14 to the floor, duly 2<sup>nd</sup>, approved 4-0.

The applicants, Gayle and Mack Gabrielescu, explained to the board the placement of their existing shed in the front yard. They stated that when they called Town Hall they

were told that they did not need a permit to put up a shed. The applicants stated that it was not their intention to be non-compliant. The applicants discussed the location of the shed in relationship to the front of the house, the road, and the layout of their backyard. Pictures of the property were presented to the board to show the slope of the property. The Chairman requested an As-built septic plan which was provided. The applicants stated that the need for storage for yard equipment was due to a lack of space in their basement. A letter from Mark Kaufman of the Barnyard, manufacturer of the shed, was read into the record and presented to the board. The letter advised the applicants not to dismantle the shed, as this would void any warranty on the shed. The letter also stated that the shed could not be moved to another location in the yard due to the narrow pass to the backyard. The shed was built offsite and brought to the owner constructed. The applicants reported that their neighbors at 56 Ridge Road had no objections to the shed. The applicants discussed staining the shed to match the house.

Joe DePaul stated that the regulations do not allow sheds in the front yard and that regulations are in place for a reason. The board questioned the applicant as to where the shed could be moved to in the backyard.

Vinny Mancuso agreed with the Chairman that sheds should not be allowed in the front yard. Dismantling the shed to relocate it to a conforming area of the yard was discussed but the applicants said that the slope in the backyard, along with the septic tank placement, did not allow the shed to be moved.

Joe DePaul asked if there were any public comment. None was given. John McKee asked if a backhoe could be brought in to level some of the backyard providing a flat area of placement of the shed. He again asked the applicants to consider dismantling the shed and placing it in the backyard.

Vinny Mancuso motioned to go into the Business Session, July 2<sup>nd</sup>, 4-0. Joe DePaul discussed that the board had very rarely approved a shed to be located in a front yard. Vinny Mancuso agreed with the Chairman.

Joe DePaul made a motion to grant a variance to permit a shed in the front yard, with the hardship being the narrow shape and steepness of the property, July 2<sup>nd</sup>. The vote, 0-4; variance denied.

Vinny Mancuso made a motion to adopt the minutes from the June 18, 2014 meeting, July 2<sup>nd</sup>, 3-0-1. John McKee abstained.

**Application # 15-14:** Gabrielescu, 54 Ridge Road (CI) for the purpose of constructing a deck.

Vinny Mancuso made a motion to hear Application # 15-14, July 2<sup>nd</sup>, approved 4-0. Mr. Gabrielescu explained the details of the deck, noting that a rear yard setback was not needed. A variance of 10' 6" side setback was needed on both sides. There is no increase in non-conformity. The deck stairs will be located on the left side so no variance is required for the stairs. The deck will be 4' off the ground and uncovered. Joe DePaul asked for public comment, none given.

Vinny Mancuso made a motion to enter in the Business Session, July 2<sup>nd</sup>, approved 4-0. Joe DePaul noted no increase in non-conformity. Joe DePaul made a motion to grant (2) two side yard setback variances of 10' 6" to construct a 13'x29' deck, noting no rear variance needed. The hardship being the narrowness and steep slope of the property. Vinny Mancuso 2<sup>nd</sup> the motion, approved 4-0. Variance granted, subject to the plans as modified.

John McKee made a motion to take a 5 minute break, July 2<sup>nd</sup>, approved 4-0.

Vinny Mancuso made a motion to re-open the meeting, July 2<sup>nd</sup>, approved 4-0.

**Application #14-14:** Connolly, 6 Candlewood Knolls Road, for variances to zoning regulations for the purpose of constructing a 2<sup>nd</sup> story addition and a deck.

Jack Michinko made a motion to bring Application #14-14 to the floor, July 2<sup>nd</sup>, approved 4-0.

Joe Coelho of J.C. Contracting, acting as agent for the applicants explained that the existing footprint would remain the same. The applicant is asking for a 2<sup>nd</sup> story vertical expansion, not building the deck as originally planned. The Applicant is requesting a side variance to 12', a front variance 6.3' and a rear variance of 47.9'. The roof height will be less than 23'. There is no neighbor in the rear yard and the proposed application does not block any lake views. John McKee asked if a letter was needed from Candlewood Knolls. Joe Coelho responded that one was not needed because there were no neighbors involved.

Joe DePaul asked for public comment. None given.

Vinny Mancuso made a motion to enter into the Business Session, July 2<sup>nd</sup>, approved 4-0.

The board discussed that this would be a straight vertical expansion.

Joe DePaul made a motion to grant a variance for a 2<sup>nd</sup> story family room, ½ bath and deck subject to the revised plans as submitted. Roof on the left side of plans to remain, no increase in non-conformity, the hardship being the narrow shape and steepness of the lot. Vinny Mancuso 2<sup>nd</sup>, approved 4-0. Variance granted.

**Application # 17-14:** Bartlett, 4 Ansonia Road, for variances to zoning regulations for the purpose of adding a dormer on the roof.

Vinny Mancuso made motion to bring Application #17-14 to the floor, July 2<sup>nd</sup>, approved 4-0.

John Bartlett made it known that there was an error in the advertisement regarding the dormer. It was advertised as adding a dormer, where it should have read modifying the existing dormer. Joe DePaul suggested that they continue the application to next month to have the application correctly advertised. Mr. Bartlett explained that the existing bathroom was too small. The applicant would not be changing the square footage of the room, just filling in the void space of the dormer. The applicant proposes changing the roof line from a dormer to a shed roof, with the inside walls remaining, no change to the square footage of the room and no change in plumbing.

Vinny Mancuso made a motion to continue Application #17-14, July 2<sup>nd</sup>, approved 4-0.

Vinny Mancuso made a motion to adjourn the meeting at 7:59 p.m., July 2<sup>nd</sup>, approved 4-0.