

New Fairfield Zoning Board of Appeals
New Fairfield Connecticut 06812
MINUTES
Meeting
August 15, 2013

The New Fairfield Zoning Board of Appeals (ZBA), held a public hearing followed by a business session at 7:00 pm. on Thursday, August 15, 2013, in the New Fairfield Library located at 2 Brush Hill Road. Secretary Laurie Busse took the minutes.

ZBA members in attendance: Joe DePaul, Chairman, Jack Michinko, Peter Hearty, Vinny Mancuso

ZBA members absent: John Apple, Vice Chairman and Alternate John McKee

Town Officials in attendance: None

Chairman Joe DePaul called the meeting to order at 7:02 pm, introduced the Board members, and explained the meeting process and voting procedures of a 4 member Board. Joe DePaul gave the definition of a recusal.

Secretary Laurie Busse read the Agenda. Joe DePaul made a motion to adopt the Agenda as presented, duly 2nd, approved 4-0. Secretary Laurie Busse read the Call of the Meeting.

Continued Application # 21-13: Anthony L. Grasso, 54 Bigelow Road, for variances to zoning regulations for the purpose of constructing a garage and front porch

Peter Hearty made a motion to bring Continued Application # 21-13 to the floor, duly 2nd, approved 4-0.

The owner's agent Cristian Busnel of BBS Design approached the Board. The secretary indicated that a letter of authorization from the property owner was not in the file. Mr. Busnel stated he had one, but did not have a copy with him and will get one to her tomorrow. Mr. Busnel has addressed the Board's concerns of making a conforming lot nonconforming. To address the Board's concerns on increased nonconformity the entire project has been redesigned. The garage will be pushed back away from the front setback so as not to require a variance and the family room has been reconfigured. The front porch is now shallower and the stairs have been relocated to the side of the home. The proposed front porch setback including overhangs will not exceed 70'. The Board indicated the applicant did a good job of addressing their concerns. The lot is just under 2 acres in a 2 acre zone. The home will increase from 1,600sqft to approximately 2,800sqft, noting the garage does not count as living space.

Joe DePaul asked for any further public comment—none heard.

Peter Hearty made a motion to enter the Business Session, duly 2nd, approved, 4-0.

In the Business Session the Board discussed there is no increase in nonconformity. The applicant did a good job of addressing the Board's concerns.

Joe DePaul made a motion to grant a front setback to 70' for the purpose of constructing a garage addition, a rear addition and a front porch. The hardship is the unusual amount of ledge on the property; duly 2nd, approved 4-0. Further stipulating this variance does not increase nonconformity.

Minutes: Peter Hearty made a motion to approve the Minutes to the July 18, 2013 meeting as presented, duly 2nd, approved 3-0-1. Vinny Mancuso abstained.

Application # 23-13: Steven and Kim Mayhew, 26 Deer Run, for variances to zoning regulations for the purpose of raising the roofline over the garage.

Peter Hearty made a motion to bring Application # 23-13 to the floor, duly 2nd, approved 4-0.

Mr. and Mrs. Mayhew approached the Board along with their agent, Jim Casale. The garage is across the street from their home and was constructed completely within the Candlewood Isle Association's right of way. They propose to raise the roofline of the garage by approximately 6'. The existing height is 16' and the peak of the proposed height is 22' 6". The reason being is the pitch of the 2nd story is not steep enough and water sits on the roof and leaks into the garage. They are proposing to use the 2nd story as an exercise room. Currently this garage has a bathroom and a kitchen. Per the Inland/Wetlands stipulations they are removing the plumbing; and the septic system used by the garage will be eliminated. There will be no increase in nonconformity, there will be no change to the footprint on the ground, and there will be no hardship on the neighbors as they own the property across the street. Discussion followed on the unusual location of the garage.

Joe DePaul asked for any further public comment—none heard.

Peter Hearty made a motion to enter the Business Session, duly 2nd, approved 4-0.

In the Business Session the Board discussed that although the garage is completely within the Town's right of way and setbacks are not being requested, this is still a classic vertical expansion with no increase in nonconformity and no change to the footprint on the ground. Tom Gormley, ZEO had sent an email to the Board indicating that he spoke with Town Counsel on this matter and setbacks are not required. The applicants will remove the kitchen and the plumbing. The septic system to the garage will be eliminated.

Joe DePaul asked for any further public comment—none heard.

Jack Michinko made a motion to enter the business session, duly 2nd, approved 4-0.

Joe DePaul made a motion to grant a vertical expansion not to exceed 22' 6" at the peak. The hardship is the unusual location of the garage being located in the Candlewood Isle Association's right of way, duly 2nd, approved 4-0.

Application # 24-13: Michael D. & Maureen G. D'Angelo, Trustees, 59 Ball Pond Road, for variances to zoning regulations for the purpose of relocating the entry porch and rebuilding the roof overhangs.

Joe DePaul read an email into the meeting from Michael DAngelo dated August 12, 2013 indicating due to conflicting schedules they will not be able to attend tonight's meeting and would like their application to remain unopened.

Jack Michinko made a motion to adjourn the meeting at 7:35pm, duly 2nd, approved 4-0.