

**New Fairfield Zoning Board of Appeals
New Fairfield Connecticut 06812
MINUTES
Meeting
July 19, 2012**

The New Fairfield Zoning Board of Appeals (ZBA), held a public hearing followed by a business session at 7:00 pm. on Thursday, July 19, 2012, in the New Fairfield Library located at 2 Brush Hill Road. Secretary Laurie Busse took the minutes.

ZBA members in attendance: Joe DePaul, Chairman, John Apple, Vice Chairman, Jack Michinko, Peter Hearty, and Vinny Mancuso

ZBA members absent: Alternate John McKee

Town Officials in attendance: Maria Horowitz, Certified Zoning Enforcement Officer

Chairman Joe DePaul called the meeting to order at 7:08 pm, introduced the Board members, and explained the meeting process and voting procedures. Joe DePaul gave the definition of a recusal.

Secretary Laurie Busse read the proposed Agenda. Joe DePaul asked if there were any changes or amendments to the Agenda—None Heard. Vinny Mancuso made a motion to adopt the Agenda as read, duly 2nd, approved 5-0. Secretary Laurie Busse read the Call of the Meeting.

Application # 21-12: Candlewood Knolls Community, 1A North Beach Drive, for variances to zoning regulations for the purpose of erecting a free standing sign.

Peter Hearty made a motion to bring Application # 21-12 to the floor, duly 2nd, approved 5-0.

Ellen Fitzgerald, Marie Ox, and Steven Hicks approached the Board. They explained they are on the Board of Directors for the Candlewood Knolls Association. The plans are to erect a sign that is 3' high X 1 ½' wide. The sign will be down in the Knolls Association property and will be in addition to the existing sign on Route 39. The purpose of the sign is to give direction to EMS vehicles and visitors. It can be very confusing even to longtime residents as to the difference between Candlewood Knolls, Candlewood Crest, and Candlewood Isle. There is a guard on duty, but only on the weekends. Maria Horowitz, CZEO, agreed the sign would help to identify the Candlewood Knolls community from other Candlewood communities.

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

John Apple made a motion to enter the business session, duly 2nd, approved 5-0.

In the business session the Board discussed they have no issues with the location of the sign. It enhances the community and helps to distinguish the Knolls community.

Joe DePaul made a motion to grant the Variance for zoning regulation 6.3.8E1 for the size of the sign per plans submitted. The hardship is for the safety of the community and helps direct people driving into the area; duly 2nd, approved 5-0.

Minutes: Peter Hearty made a motion to accept the Minutes to the June 21, 2012 meeting as presented. Duly 2nd, approved 3-0-2, John Apple and Vinny Mancuso abstained.

Application # 22-12: Philip Kraska, 34 Windmill Road, for variances to zoning regulations for the purpose of legalizing a 2nd story garage addition on a previously approved Variance.

Joe DePaul read a letter from Philip Kraska dated July 19, 2012 stating that he would not be able to attend tonight's meeting and would like the application to remain unopened until the August 16 meeting.

Application # 23-12: Richard and Salvatrice Mohl, 8 Hillview Drive West, for variances to zoning regulations for the purpose of constructing a covered front porch.

Peter Hearty made a motion to bring Application # 22-12 to the floor, duly 2nd, approved 5-0.

Richard and Salvatrice Mohl approached the Board and explained their plans to construct a front porch with a roof. The porch will increase nonconformity by 4'. The Board stated their position on increasing nonconformity and looked for other locations for the front porch and reducing the size of the 1' overhang. The property is long and narrow and slopes over by the driveway. The septic system is located on the other side. A lengthy discussion followed, the existing landing to the stairs extends out 7' and the location of the proposed porch is on the portion of the house that jogs back. The survey submitted shows the setbacks from the closer portion of the home, therefore the increase in nonconformity is not that great. The porch will extend the line of the existing entrance to the home. Maria Horowitz stated the porch is less than 2' from the ground and not within the zoning regulations, it is the overhang to the porch that would increase nonconformity, noting the overhang would not extend past the existing landing. The stairs will be relocated to the side of the home.

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

Vinny Mancuso made a motion to enter the Business session, duly 2nd, approved 5-0.

In the Business session the Board discussed the slope and odd shaped lot.

Joe DePaul made a motion to grant a front setback to 34.9' for the purpose of constructing a covered porch subject to the plans as submitted. The hardship is the unusual size and shape of the lot, duly 2nd, approved 4-1. Joe DePaul was opposed.

Peter Hearty made a motion to adjourn the meeting at 7:53pm, duly 2nd, approved 5-0.