

New Fairfield Zoning Board of Appeals New Fairfield, Connecticut

MINUTES September 16, 2021

The New Fairfield Zoning Board of Appeals (ZBA) held a public hearing followed by a business session at 7:00 p.m. on Thursday, September 16, 2021, **via Zoom Web Conference (Meeting ID: 92229291768)**. Secretary Joanne Brown took the Minutes.

ZBA Members in attendance: Joe DePaul, Chairman; John Apple, Vice Chairman Vinny Mancuso; John McCartney; Dan McDermott and Alternates Ann Brown and Bob Jano.

Town Officials in attendance: None.

Assistant Network Broadcast Coordinator, Quintin Flower, from the Town of New Fairfield, gave an overview of how the Zoom Web Conference would proceed. 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 as presented, duly 2nd, approved 5-0.

Continued Application # 33-21: 95 Louise's Lane LLC, 7 Lake Drive North, for variances to Zoning Regulations 3.2.5A&B, 3.2.6A Front Setback to 24.5', 3.2.6B Side Setback to 11.9', 3.2.6C Rear Setback to 5', 3.1.1.1, 7.1.1.2A&B and 7.2.3A,B&E for the purpose of constructing a two-bedroom residence. Zoning District: R-44; Map: 15; Block: 1; Lot: 8.

Joe DePaul noted that the applicant requested a continuance because they do not have septic and well placement approval from the Health Department and First Light. Vinny Mancuso made a motion to continue Application # 33-21 to the October meeting, duly 2nd, approved 5-0. Application continued.

Application # 37-21: Logiudice, 54 Lake Drive North, for variances to Zoning Regulations 3.0.4C,E&F Minor Accessory Buildings & Structures, 3.0.9A,B,C,D&E, Pergolas, 3.2.5A&B, 3.2.6B Side Setback to 1', 3.2.6C Rear Setback to 1' (shed) and 5.5' (pergola), 3.2.7, 3.2.8, 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of constructing an open 20'x20' pergola over an existing deck and constructing an 8'x10' shed. Zoning District: R-44; Map: 15; Block: 1; Lot: 83-84.

No one was present for the application. John McCartney made a motion to move Application # 37-21 to the end of the agenda, duly 2nd, approved 5-0.

Application # 38-21: Dapolite, 6 Lakeshore South, for variances to Zoning Regulations 3.2.5A&B, 3.2.6B Side Setbacks to 11' and 7.2', 3.2.6C Rear Setback to 28.6', 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 on the same footprint. Zoning District: R-44; Map: 45; Block: 3; Lot 32.

Michael Dapolite returned to the board requesting an additional 1.8' rear setback on a previously granted variance after it was determined that the previous variance did not accommodate the reserve septic location. Mr. Dapolite gave a brief history of the proposal. The house was originally located on the same footprint. The Health Department asked him to push the house back 13' to accommodate a future septic. Joe DePaul noted that the existing chimney was still standing. Mr. Dapolite stated that it was his grandfather's house, and he would like to reuse the stones for the new chimney. Joe DePaul asked the public for comment. None given. The board entered into the Business Session. John McCartney commended the applicant on reusing his grandfather's stones for the chimney. Joe DePaul made a motion to grant a front setback to 41.2', side setbacks to 7.2' and 11' and a rear setback to 28.6' to allow construction of a single-family house per the plans as submitted; the hardship being the narrow shape of the lot, duly 2nd, approved 5-0. Variance granted.

While in the Business Session, Vinny Mancuso made a motion to accept the Minutes as read, duly 2nd, approved 4-0-1, John Apple abstaining.

Application # 39-21: Jameson and Socquet, 101 Pine Hill Road, for variances to Zoning Regulations 3.1.6A Front Setback to 45.5', 7.1.1.2A&B and 7.2.3A,B&E for the purpose of constructing a vertical expansion over an existing master bedroom to create a 6'x21' clerestory. Zoning District: R-88; Map: 9; Block: 1; Lot: 6.2.

Applicant Linda Jameson and Architect, Daniel Lamb, presented their proposal for a master bedroom vertical expansion to construct a 6'x21' clerestory. Ms. Jameson noted that the existing ceilings are 7' and the room has small windows which makes it feel very oppressive. The clerestory will add 4' to the height of the roof and will not exceed the zoning height regulations. Joe DePaul asked the public for comment. None given. The board entered into the Business Session. Vinny Mancuso saw no issues with the application. Joe DePaul made a motion to grant a front setback to 45.5' to allow construction of a clerestory over the master bedroom per the plans as submitted; the hardship being the irregular shape of the lot, duly 2nd, approved 5-0. Variance granted.

Application # 40-21: Zerrenner, 21 Deer Lane, for variances to Zoning Regulations 3.2.5A&B, 3.2.6A Front Setback to 20.3', 3.2.8, 3.2.11, 7.1.1.2A&B and 7.2.3A,B&E for the purpose of constructing a two-story addition to an existing house. Zoning District: R-44; Map: 44; Block: 6; Lot: 15.

Corrine Zerrenner presented her proposal to construct a two-story addition to the north side of the existing house. Joe DePaul noted his concern that the measurements on the

survey were not accurate since the house was at an angle and asked the applicant if she would like to continue the application to verify the dimensions. John Apple questioned the position of the existing shed on the property. Ms. Zerrenner stated that the shed was on the property when she purchased the house 3 years ago. Joe DePaul stated that he did not like to grant a variance when an applicant is in violation of the Zoning Regulations. Mr. DePaul stated that moving the shed to make it compliant with the regulations would be a contingency of the variance. The board suggested that the applicant continue the application to get the exact setback needed for the northeast corner of the addition. Vinny Mancuso made a motion to continue Application # 40-21, July 2nd, approved 5-0. Application continued.

No one was present for Application # 37-21; the application remained unopened.

Vinny Mancuso made a motion to adjourn the meeting at 7:34 p.m., July 2nd, approved 5-0.