

New Fairfield Zoning Board of Appeals New Fairfield, Connecticut

MINUTES January 19, 2023

The New Fairfield Zoning Board of Appeals (ZBA) held a public hearing followed by a business session at 7:00 p.m. on Thursday, January 19, 2023, **via Zoom Web Conference (Meeting ID: 954 8084 6427)**. Secretary Joanne Brown took the Minutes.

ZBA Members in attendance: Joe DePaul, Chairman; John McCartney; Christine Garabo and Alternate Bob Jano

ZBA Members not in attendance: John Apple, Vice Chairman; Ann Brown and Alternate Peter Hearty

Town Officials in attendance: Evan White

Chairman Joe DePaul called the meeting to order at 7:03 p.m. Assistant Broadcast Coordinator, Eric Muhlenberg, from the Town of New Fairfield, gave an overview of how the Zoom Web Conference would proceed. Secretary Joanne Brown read the agenda. John McCartney made a motion to adopt the agenda, duly 2nd, approved 4-0.

Continued Application # 46-22: Town of New Fairfield, 4 Brush Hill Road, for variances to Zoning Regulations 3.0.4A,B,D,E,F&G Minor Accessory Building and Structures, Side Setback to 1' for the purpose of constructing a 20'x20' storage shed. Zoning District: B/C; Map: 24; Block: 18; Lot: 2-4.

Kevin Hearty returned to the board with photos and revised dimensions of the shed as requested by the board last month. The revised shed is 14'x10', white with a speckled roof and similar in size to the existing shed on Consolidated field. Joe DePaul asked that the black hinges be replaced by either white or silver hinges. The applicant agreed to replace the hinges. A brief conversation regarding the placement of the shed ensued. It was determined that the shed will be placed centered in the middle of the 4 pine trees 5' from the existing tree line with no removal or trimming of any trees. It was agreed that two 5' green giant trees are to be planted 6' apart on either side of the shed as a buffer. Joe DePaul asked that Evan White oversee the placement of the shed. Joe DePaul asked the public for comment. None given. The board entered into the Business Session. Bob Jano questioned the hardship. Christine Garabo noted that there was nowhere else to place the shed and that equipment could be stored to maintain the fields. Joe DePaul noted that the shed was better than some alternatives that he has seen in town. John McCartney noted that the shed was good for the town and girls' softball. Joe DePaul made a motion to grant a variance to allow construction of a 14'x10' white shed to be placed in the center of the 4 existing pine trees, 5' from the

tree line, noting that the hinges would be replaced with either white or silver hinges and two 5' green giants be planted on either side of the shed; the hardship being that there is already a shed on the property required for the town water system, duly 2nd, approved 4-0. Variance granted.

While in the Business Session, Bob Jano made a motion to accept the minutes as presented, duly 2nd, approved 3-0-1, Christine Garabo abstaining.

Application # 51-22: Roscoe, 3 Woods Road, for variances to Zoning Regulations 3.0.4A-G Minor Accessory Buildings & Structures Side Setback to 2.6' and Rear Setback to 12.5' (shed), 3.0.10 Mechanical Equipment Side Setbacks to 5.10' (AC unit) and 6.6' (Propane Tanks) and Rear Setback to 36' (Propane Tanks), 3.2.5A&B, 3.2.7, 3.2.8, 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of installing an AC Condenser, Propane Tanks and Shed. Zoning District: R-44; Map: 45; Block: 1; Lot: 13.

Robert and Connor Roscoe presented their proposal to install an AC unit and propane tanks on the property. Mr. Roscoe noted two letters of support from neighbors at 1 and 5 Woods Road. Joe DePaul questioned if the shed request had been withdrawn. Connor Roscoe stated that in a prior discussion at the site, he was mistaken when he said that the shed was going to be withdrawn. Joe DePaul stated that he did not look carefully at the site since he thought the request for the shed was withdrawn and would like to look at the property again before voting on it. Mr. DePaul suggested that the application be bifurcated into two applications, # 51-22A (AC Unit and Propane Tanks) and # 51-22 B (Shed). The applicant agreed to bifurcate the proposal and continue the shed proposal until next month.

Joe DePaul produced a photo of the property. It was noted that the AC unit would be placed on the cement landing and the propane tanks be placed under the raised walkway. Bob Jano questioned if the propane position was legal. Evan White said the placement was legal and not near sources of ignition. The existing trees would block the neighbor's view of the propane tanks and AC unit. Joe DePaul asked the public for comment. None given. The board entered into the Business Session. Joe DePaul noted that the applicant was not increasing nonconformity. Joe DePaul made a motion to grant a side setback to 5'10' to allow installation of an AC unit and propane tanks per the plans as submitted; the hardship being the narrow size of the lot, duly 2nd, approved 4-0. Variance granted. John McCartney made a motion to continue Application # 51-22B (Shed) until next month, duly 2nd, approved 4-0. Application continued.

Bob Jano made a motion to adjourn the meeting at 7:33 p.m., duly 2nd, approved 4-0.