

New Fairfield Zoning Board of Appeals New Fairfield, Connecticut

SPECIAL MEETING MINUTES June 17, 2024

The New Fairfield Zoning Board of Appeals (ZBA) held a Special Meeting public hearing followed by a business session at 7:00 p.m. on Monday, June 17, 2024, in the Community Room of the New Fairfield Public Library. Secretary Joanne Brown took the Minutes.

ZBA Members in attendance: Joe DePaul, Chairman; John Apple, Vice Chairman; Christine Garabo and Alternates Ann Brown and Vinny Mancuso.

ZBA Members not in attendance: Jennifer Hilderbrand, Olivia Micca and Alternate Peter Hearty.

Town Officials in attendance: None.

Chairman Joe DePaul called the meeting to order at 7:00 p.m. The Chairman introduced the members of the Board. Secretary Joanne Brown read the agenda. Vinny Mancuso made a motion to accept the agenda, duly 2nd, approved 5-0.

Continued Application # 08-24: Bothwell and Scott, 10 and 10A Fawn Crest Drive, for variances to Zoning Regulations 3.0.2A Table of Zoning Requirements-Residential Districts, Existing Lots, and Divisions into Four (4) Lots or Less, 3.1.5B, 7.1.2.2 Vacant Lots Not in Validated Subdivision or Recorded Approved Subdivision and Resubdivision, 7.2.1 General, 7.2.2 Non-conforming Use of Land, 7.3. Accessways and 7.2.3A&B Requirements for Accessways for the purpose of allowing use of a shared accessway to construct two single-family houses. Zoning District: R-88; Map: 18; Block: 1; Lot: 5 & 5.1.

The ZBA received a letter via email from Attorney Matthew Ranelli withdrawing the application.

Continued Application # 10-24: Main, 92 Shortwoods Road, for variances to Zoning Regulations 3.1.6A Front Setback to 33', 7.1.1.1A&B and 7.2.3A,B&E for the purpose of constructing a roof over an existing deck. Zoning District: R-88; Map: 14; Block: 1; Lot: 8.

Ann Brown recused herself from the application. Roseanne and Jeff Main returned to the board with their daughter, Katie Main, licensed engineer. The applicants stated that they did not obtain a recent A2 Survey due to the cost. A lengthy conversation ensued over the history of the property, first split, and donation of land to the New Fairfield Land Trust. Joe DePaul noted that it was his understanding that the applicants reached a compromise with the ZBA in 2006 to obtain a variance for a vertical expansion and now wanted to breach the deal to ask for more. The applicant denied that was the case. Katie Main said it was her

understanding that the construction time was an issue in the previous variance. John Apple suggested that the applicant get an A2 Survey because the GIS Map was unclear and confusing. Joe DePaul explained that the board needed an exact measurement from an A2 Survey should the board consider granting the variance. Katie Main discussed the zoning regulations and noted the safety issues for a roof over the deck. The board agreed that the applicant should provide an A2 Survey. John Apple noted that the applicant could have the application voted on, withdraw or continue until next month. The applicant would like to continue until next month. Vinny Mancuso made a motion to continue, duly 2nd, approved 4-0. Application continued.

Continued Application # 12-24: Beck, 14 Great Meadow Road, for variances to Zoning Regulations 1.5.11 Fences, 3.1.3A,B,C&D, 3.2.5A&B, 3.2.6B Side Setback to 6.1', 3.2.6C Rear Setback to 0', 3.2.7, 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of constructing an oversized fence and the parking of a commercial vehicle in excess of ten thousand pound gross vehicle weight rating (GVWR). Zoning District: R-44; Map: 10; Block: 6; Lot: 6-8.

The applicant asked for a continuance until next month. John Apple made a motion to continue Application # 12-24, duly 2nd, approved 5-0. Application continued.

Application # 16-24: Ricci, 146 Ball Pond Road, for variances to Zoning Regulations 3.2.5A&B, 3.2.6B Side Setbacks to 7.5' and 9.2', 3.2.8, 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of demolishing an existing house and reconstructing a vertical expansion. Zoning District: R-44; Map: 34; Block: 9; Lot: 2.

Erich Diller, Evolve Design, presented the proposal to reconstruct a family home within the existing footprint with a vertical expansion increasing the ridge height by 7'. The house would have a basement and two other levels. Joe DePaul noted his concern that this would be a big house for the neighborhood and had issue with the 7.5' side setbacks. A brief discussion ensued over the neighbors' view, costs and size. It was determined that the deck would remain the same with the stairs twisting to the side and slightly smaller in size. Joe DePaul questioned if the roof height could be reduced, and the house moved closer to the pond. Mr. Diller explained that there were septic, stormwater, and wetland issues. Joe DePaul asked if the house would have windows on each side. Mr. Diller confirmed that it would. Christine Garabo asked that the neighbors be notified on either side and across the street. Vinny Mancuso noted that he had no issues with the height of the vertical expansion. Ann Brown noted that the houses were larger on the other side of the pond. Joe DePaul noted that this proposal would change the neighborhood. The applicant agreed to continue the application so that the neighbors could be notified. Christine Garabo made a motion to continue Application #16-24, duly 2nd, approved 5-0. Application continued.

Christine Garabo made a motion to enter into the Business Session, duly 2nd, approved 5-0. While in the Business Session, Christine Garabo made a motion to accept the minutes as presented, duly 2nd, approved 4-0-1, Christine Garabo abstaining.

Vinny Mancuso made a motion to adjourn the meeting at 7:56 p.m., July 2nd, approved 5-0.