

New Fairfield Zoning Board of Appeals
New Fairfield, Connecticut 06812
MINUTES
April 16, 2020

The New Fairfield Zoning Board of Appeals (ZBA) held a public hearing followed by a business session on **Thursday, April 16, 2020** at 7:00 p.m. **via Zoom Web Conference** (Meeting ID: 515 454 819). 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: Evan White, Zoning Enforcement Officer.

Network Administrator Paul Gouveia from the Board of Education, 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. Secretary Joanne Brown read the Agenda. Vinny Mancuso made a motion to adopt the agenda as presented, duly 2nd, approved 5-0.

Application # 12-20: Welte, 12 Keplers Way, for variances to Zoning Regulations 3.2.5A&B, 3.2.6C Rear Setback to 20', 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of constructing a new single family home. Zoning District: R-44; Map: 45; Block: 5; Lot: 15 & 16.1.

Barbara LoBuglio, agent for Theodore Welte, sent an email to the ZBA on April 15, 2020 withdrawing the application.

Application # 13-20: Stisser & Edward, 3 Woods Road, for variances to Zoning Regulations 3.2.5A&B, 3.2.6A Front Setback to 25.2', 3.2.6B Side Setbacks to 14.1' and 5' for the purpose of raising a dormer. Zoning District: R-44; Map: 45; Block: 1; Lot 13.

Caren Carpenter presented the application for a vertical expansion to raise an existing dormer from 5'2" to 7.8' with a metal roof and no change in the building footprint. Joe DePaul noted a change in the direction of a stairway shown on the plans. Ms. Carpenter explained that the existing stairs encroached on the neighbor's property but were destroyed during the Macrobust of 2018. The applicant would like to redirect the stairs toward the rear of the property which will eliminate the encroachment and decrease nonconformity. Joe DePaul questioned the sliding glass doors shown on the drawing and enquired whether they exited to an existing deck. Ms. Carpenter replied that the sliders would lead to an on-grade terrace.

ZEO, Evan White, noted that the change in direction of the stairway was not included in the application. This change needs to be advertised for a side yard variance. Evan White indicated that the applicant could either replace the stairs in their current location or proceed with the application as is or request a continuance to re-advertise the variance including the stairway change. A brief discussion ensued over whether a change in the direction would necessitate a continuance. Vinny Mancuso noted his support of the ZEO's comments and suggested that the application be continued and re-advertised. John McCartney noted that the applicant has the right to rebuild what was previously there and suggested that the board vote on the dormer and the applicant return with a separate application for the stairway. Joe DePaul disagreed and stated that he did not want to lose an opportunity to decrease nonconformity and remove the encroachment. Bob Jano noted that the application was for the dormer and suggested that the board waive the fee for the applicant to return for the stairway. Vinny Mancuso disagreed. Joe DePaul suggested the application not be rushed and be continued until next month. Evan White reiterated that if the building is altered, the application must be continued, modified to include the change and correctly advertised. John McCartney made a motion to continue Application # 13-20, July 2nd, approved 5-0.

Vinny Mancuso made a motion to enter into the Business Session, July 2nd, approved 5-0. Vinny Mancuso made a motion to accept the February Minutes as presented, July 2nd, approved 4-0-1, Vinny Mancuso abstaining. Vinny Mancuso made a motion to adjourn the meeting at 7:30 p.m., July 2nd, approved 5-0.