

New Fairfield Zoning Board of Appeals
New Fairfield, Connecticut 06812
MINUTES
July 23, 2020

The New Fairfield Zoning Board of Appeals (ZBA) held a public hearing followed by a business session on **Thursday, July 23, 2020** at 7:00 p.m. **via Zoom Web Conference (Meeting ID: 956 0938 9656)**. 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, July 2nd, approved 5-0.

Continued Application # 19-20: Flynn, 5 East Lane, for variances to Zoning Regulations 3.2.5A&B, 3.2.6A Front Setback to 0.2', 3.2.11, 7.1.1.2A&B and 7.2.3A,B&E for the purpose of maintaining a gutter location at front eve from a previously approved variance. Zoning District: R-44; Map: 10; Block: 2; Lot: 2.

Joe DePaul confirmed with ZEO, Evan White that the awning in question was within the setbacks and did not need a variance. Agent Thomas Stalzer returned to the board and gave a quick overview of the discrepancy found after construction of a previously approved variance. A front setback to 0.2' was confirmed. Joe DePaul asked the public for comment. None given. John Apple made a motion to enter into the Business Session, July 2nd, approved 5-0. The board did not have an issue with the application. Joe DePaul made a motion to grant a front setback to 0.2' to legalize construction of a previously approved variance; the hardship being the location of the house which predated zoning regulations, July 2nd, approved 5-0. Variance granted.

Continued Application # 20-20: Terminelle, 21 Fox Run, for variances to Zoning Regulations 3.0.5C Private Detached Garages, 3.2.5A&B, 3.2.6A Front Setback to 20', 3.2.6C Rear Setback to 21', 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of constructing a 26'x26' two-car garage with storage on top and bottom. Zoning District: R-44; Map: 15; Block: 1; Lot: 218.

No one was present for the application. Vinny Mancuso made a motion to move Continued Application # 20-20 to the end of the agenda, duly 2nd, approved 5-0.

Continued Application # 21-20: Jordan, 76 Lake Drive South, for variances to Zoning Regulations 3.2.6A Front Setback to 48.1', 3.2.6B Side Setbacks to 44' and 84.9', 3.2.6C Rear Setback to 34', 7.1.1.2 and 7.2.3A,B&E for the purpose of reconstructing a single family house with detached garage. Zoning District: R-44; Map: 20; Block: 1; Lot: 18-23.

The applicant requested that the application be continued to the August meeting. John McCartney made a motion to continue Application # 21-20 to the next meeting, duly 2nd, approved 5-0. Application continued.

Application # 22-20: Summers, 4 Dick Finn Road, for variances to Zoning Regulations 3.1.5A&B, 3.1.6B Side Setback to 25', 3.1.11 and 7.2.3A&B for the purpose of constructing a 20'x'13'6" deck. Zoning District: R-88; Map: 19; Block: 4; Lot: 3.

William Summers gave a brief overview of the proposal to build a deck parallel to the house. Mr. Summers stated that construction of a private road adjacent to his property created two front yards for him thereby changing the setbacks of his property. Evan White confirmed that the private road, Sunlit Lane, did make the lot have two fronts. No rear setback is needed and the proposal does not increase nonconformity. Joe DePaul asked the public for comment. None given. John Apple made a motion to enter into the Business Session, duly 2nd, approved 5-0. Joe DePaul made a motion to grant a side setback to 25' to allow construction of a deck per the plans as submitted, noting no increase in dimensional nonconformity; the hardship being that the lot has two fronts, duly 2nd, approved 5-0. Variance granted.

While in the Business Session, Vinny Mancuso made a motion to accept the Minutes as presented, duly 2nd, approved 5-0.

Application # 23-20: Hyman, 52 Lake Drive South, for variances to Zoning Regulations 3.2.5A&B, 3.2.6C Rear Setback to 37'5", 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of constructing a vertical expansion. Zoning District: R-44; Map: 20; Block: 1; Lot: 38.

Caren Carpenter, agent for the Hymans, gave a brief overview of the proposal to construct a vertical expansion. The lot is steep and narrow. Ms. Carpenter read a letter into the record of support of the construction from Greg Kaplan, 54 Lake Drive South. A brief discussion ensued over setbacks and the placement of the upper deck. The addition would not have windows facing the neighbors to the north for privacy. Vinny Mancuso questioned the elevation of the roofline. Ms. Carpenter stated that due to the grade, the house did not block any views. Bob Jano also questioned the roof height. Ms. Carpenter stated the height was under 35'. Mr. Jano also noted

his concern over the lack of parking at the property. Ms. Carpenter stated that no bedrooms were being added, just rooms enlarged. Joe DePaul asked the public for comment. None given. John Apple made a motion to enter into Business Session, duly 2nd, approved 5-0. Joe DePaul made a motion to grant a rear setback to 37'5" to allow construction of a vertical expansion per the plans as submitted, noting no increase in nonconformity; the hardship being the irregular size and shape of the lot, duly 2nd, approved 5-0. Variance granted.

Continued Application # 20-20: Terminelle, 21 Fox Run, for variances to Zoning Regulations 3.0.5C Private Detached Garages, 3.2.5A&B, 3.2.6A Front Setback to 20', 3.2.6C Rear Setback to 21', 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of constructing a 26'x26' two-car garage with storage on top and bottom. Zoning District: R-44; Map: 15; Block: 1; Lot: 218.

Evan White noted that the agent for Application # 20-20 experienced some health problems and left a detailed message for the applicant. Vinny Mancuso made a motion to continue Application # 20-20 to the next meeting, duly 2nd, approved 5-0.

Vinny Mancuso made a motion to adjourn the meeting at 7:42 p.m., duly 2nd, approved 5-0.