

**ZONING BOARD OF APPEALS**

Mallory Town Hall  
9 Route 39 North  
Sherman, Connecticut 06784-0039

**ZONING BOARD OF APPEALS MEETING MINUTES  
AUGUST 3, 2010**

Chairman Baird called the meeting to order at 7:05 p.m. at Mallory Town Hall. Commissioners present: Chairman Dale Baird, Vice Chairman William Jones, Joseph Chiaramonte, Alternates Gary Smolen, Helen Bray, Samantha Addonizio and Michele Battaglia, Clerk. Absent was Lucy Pollack. There was no audience member recording or video taping the meeting.

**Public Hearing**

**Case #607: Robert & Paula Petrausch** – 35 Big Trail – requesting variance of Section 332.5 “Minimum Setback Requirements” to allow construction of a house addition, as shown on the plan submitted and entitled “Property Survey prepared for Robert J & Paula G. Petrausch, dated April 27, 2010.

Alternates Addonizio and Bray were seated for this case. Anthony Palladino was in attendance representing the applicant. The applicant was requesting a front yard setback for an addition to make the front bedroom larger. In the past, a portion of the bedroom was taken in order for a new bathroom to be added. When this happened, the bedroom was rendered unusable. Mr. Palladino stated that due to the location of the existing septic, the location of the second bedroom, the deck in the front, and the configuration the home, this is the best place for the addition. Questions were posed as to whether or not the addition could go out the back of the house, if the addition could be built upwards, or if the bedroom could be incorporated at the lower level of the house. Mr. Palladino stated that it would cost too much to go out the back of the house due to the topography of the land, that the house has cathedral ceilings, and due to the age of the applicants, the lower level of the house is not an option. The applicants want a handicap bathroom, and this addition would allow the current bathroom to be updated to handicap status, as well as, give them a larger bedroom.

Commissioner Baird moved to go into business session at 7:40 p.m.

**Deliberations**

**Case #607: Robert & Paula Petrausch:** Commissioner Chiaramonte stated that the bathroom does need to be updated to be code compliant, but that it could be done without the addition. The Board discussed that there are other options for the placement of the bedroom, and that the hardship should be land based, not financially based.

Commissioner Addonizio motioned to grant the variance of Section 332.5 “Minimum Setback Requirements” to allow construction of a house addition, as shown on the plan submitted and entitled “Property Survey prepared for Robert J & Paula G. Petrusch, dated April 27, 2010. Commissioner Chiaramonte seconded the motion. All were opposed (0-5). Variance was denied. Commissioners Baird, Chiaramonte, Jones, Addonizio and Bray all voted.

### **Additional Business**

A resignation letter dated May 5, 2010 from John O’Connor was read into record. The Board discussed the fact that they would like to appoint Samantha Addonizio as a full member, and that an alternate would be needed. A letter reflecting this discussion will be sent to the Board of Selectmen.

The minutes of May 4, 2010 were reviewed/revised by the Board. Commissioner Jones motioned to accept the minutes of May 4, 2010. Commissioner Addonizio seconded. Motion carried unanimously (6-0). Commissioners Baird, Chiaramonte, Jones, Addonizio, Bray and Smolen all voted.

Commissioner Jones motioned to accept the minutes of January 5, 2010 and April 6, 2010. Commissioner Chiaramonte seconded. Motion carried unanimously (6-0). Commissioners Baird, Chiaramonte, Jones, Addonizio, Bray and Smolen all voted.

Commissioner Smolen motioned to accept the by laws adopted July 10, 1984, amended August 3, 2010. Commissioner Addonizio seconded. Motion carried unanimously (6-0). Commissioners Baird, Chiaramonte, Jones, Addonizio, Bray and Smolen all voted.

Commissioner Addonizio motioned for adjournment. Commissioner Smolen seconded the motion and all voted in favor. Meeting was adjourned at 8:20 p.m.