

ZONING BOARD OF APPEALS

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

**ZONING BOARD OF APPEALS MEETING MINUTES
SEPTEMBER 7, 2010**

Chairman Baird called the meeting to order at 7:07 p.m. at Mallory Town Hall. Commissioners present: Chairman Dale Baird, Joseph Chiaramonte, Samantha Addonizio, Lucy Pollack, Alternates Gary Smolen, Helen Bray, and Michele Battaglia, Clerk. Absent was William Jones. There was no audience member recording or video taping the meeting.

Public Hearing

Case #608: Patrick and Katherine Alagna – 10 Briarwood Drive – requesting variance of Section 331.5 “Minimum Setback Requirements” to allow construction of a garage, as shown on the plan submitted and entitled “Plot Plan, Lot 5, Briarwood, prepared for Patrick Alagna, dated November 1, 1996”.

Alternate Smolen was seated for this case. The applicant, Patrick Alagna was in attendance. Mr. Alagna explained that he wants to construct a garage along the northerly side of his property. Due to the septic being on one side of the house, the well on the other, and an old stone wall running the length of the property, this is the only feasible spot for the garage. The garage would be approximately 30’ x 36’ and look like a barn to blend into the landscape. A question was raised as to whether the garage could be placed near the cul-de-sac, or next to the septic expansion area. Mr. Alagna stated that it was too wet down near the cul-de-sac and in order to put it next to the expansion area, the health department would need to get involved. Also, he expressed his desire to preserve the old stone wall and is trying to leave the property intact as it was originally.

Commissioner Baird moved to go into business session at 7:24 p.m.

Deliberations

Case #608: Patrick and Katherine Alagna: The Committee stated that the applicant is doing a good job by trying to keep the stone wall intact but felt that there are other options for the placement of the garage. They also stated that this is not a hardship based on the definition of a hardship; that the hardship goes with the land, and the stone wall does not constitute a hardship.

Commissioner Chiaramonte motioned to grant the variance of Section 331.5 “Minimum Setback Requirements” to allow construction of a garage, as shown on the plan submitted and entitled

“Plot Plan, Lot 5, Briarwood, prepared for Patrick Alagna, dated November 1, 1996”.
Commissioner Smolen seconded the motion. All were opposed (0-5). Variance was denied.
Commissioners Baird, Chiaramonte, Pollack, Addonizio and Smolen all voted.

Additional Business

The minutes of August 3, 2010 were reviewed/revise by the Board. Commissioner Bray motioned to accept the minutes of August 3, 2010. Commissioner Addonizio seconded. Motion carried unanimously (6-0).

Commissioner Chiaramonte motioned for adjournment. Commissioner Smolen seconded the motion and all voted in favor. Meeting was adjourned at 7:40 p.m.

FINAL