

ZONING BOARD OF APPEALS
Mallory Town Hall
9 Route 39 North
Sherman, Connecticut 06784-0039

ZONING BOARD OF APPEALS MEETING MINUTES
OCTOBER 4, 2011

Chairman Baird called the meeting to order at 7:10 p.m. at Mallory Town Hall. Commissioners present: Chairman Dale Baird, Joseph Chiaramonte, William Jones, Kathy Fazzino, and Alternates Lucy Pollack and Helen Bray. Absent were Samantha Addonizio and Gary Smolen. Michele Battaglia, clerk was also in attendance. There was no audience member recording or video taping the meeting.

Public Hearing

Case #616 Continued: Linda Risberg – 3 Echo Lane North – requesting variances of Section 332.5 “Minimum Setback Requirements” of the Sherman Zoning Regulations for the front yard setback and Section 213 of the Sherman Zoning Regulations for the rear yard setback to the 440’ contour.

Commissioners Baird, Chiaramonte, Pollack and Bray were seated for this case. Commissioners Fazzino and Jones recused themselves. Mr. Michael Mazzucco, P.E. was in attendance representing the applicant. He stated that since the last meeting they have decreased the footprint of the house by decreasing the garage by 3 feet along the northern side and reduced the ridge height. They also removed the three season porch, bringing the lot coverage down from 13.8% to 12.4%. A 4’ x 8’ front covered porch was added. The closest setback to the front property line is 29’. Architect Chad Nehring was in attendance. He submitted into record a crawlspace plan, 1st floor plan, 2nd floor plan, roof plan, and two plans showing the house elevations. Mr. Nehring discussed the fact that it is only a two bedroom house with a one car garage and that they could not build in the existing footprint due to the existing footprint being below the 440 line. Mr. Jeffrey Sienkiewicz, attorney for Linda Risberg stated that the health department indicated that the land is approved for a two bedroom house only; that the existing house is below the 440 line now and that the new house would be less of a non-conformity; and that no matter what anyone does with the property, a variance is going to be needed. Commissioner Chiaramonte motioned to close the public hearing. Commissioner Pollack seconded the motion and all voted in favor.

Deliberations

Case #616: The Commission stated that having architectural plans helped in visualizing what the house will look like on the property. They discussed the fact that the house has been reduced from the original plans submitted and that no matter what is proposed for the property, a variance

would be needed. Commissioner Chiamonte motioned to approve the variances as requested and as per Exhibit 1 and Exhibit 2. Commissioner Pollack seconded the motion and all voted in favor (4-0).

Commissioners Fazzone and Jones rejoined the meeting.

Case #617: Gani Lekaj – 17 Hillside Drive - requesting variance of Section 332.5 “Minimum Setback Requirements” of the Sherman Zoning Regulations for the front yard setback to construct a deck.

Commissioners Baird, Chiamonte, Pollack, Fazzone, Jones and Bray were seated for this case. Mr. Gani Lekaj and Mr. Azim Lekaj were in attendance. Mr. Gani Lekaj stated that he wanted to build a 14' x 20' deck off the north side of the house and they are asking for a front yard setback of 48'-3" from 50'. He stated that only a small triangle portion of the deck is non-compliant and due to the placement of the existing door, the deck could not be made smaller. Commissioner Jones motioned to close the public hearing. Commissioner Chiamonte seconded the motion and all voted in favor.

Deliberations

Case #617: The Commission discussed the fact that the request is for such a small variance and that the door placement limits the ability to make the deck smaller. Commissioner Pollack motioned to approve the variance according to the plan submitted. Commissioner Fazzone seconded the motion and all voted in favor (5-0).

Commissioner Pollack motioned to approve the minutes of September 6, 2011 as amended. Commissioner Baird seconded the motion and all voted in favor.

Commissioner Fazzone motioned for adjournment. Commissioner Jones seconded the motion and all voted in favor. Meeting was adjourned at 8:40 p.m.