

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

**ZONING BOARD OF APPEALS MEETING MINUTES**  
**NOVEMBER 2, 2010**

Chairman Baird called the meeting to order at 7:03 p.m. at Mallory Town Hall. Commissioners present: Chairman Dale Baird, Joseph Chiaramonte, Lucy Pollack, Samantha Addonizio and Alternate Gary Smolen. Absent were Helen Bray and William Jones. There was no audience member recording or video taping the meeting.

**Public Hearing**

**Case #610: Richard & Kerri Ann Hofer – 8 Route 37 East** – requesting variance of Section 321.6 “Additions or Structural Alterations” to allow the demolition and replacement of a deteriorated shed with a new, larger shed.

Mr. Richard Hofer was in attendance. He stated that he wants to take the existing shed on the property, demolish it, and build a new, larger shed. The shed would be used to store boats, an ATV with trailer, yard tools, etc. Mr. Hofer explained that the non-conformity was due to the fact that there is no residence on the lot. Originally the house next door was part of the property, but sometime in the past it was split up. He also stated that he just rebuilt the other structure (a barn) in almost the same footprint as the old one, but with one of the walls being 6’ further out.

The Commission felt that a non-conforming variance should be considered along with the variance for Section 321.6. A question was also brought up as to how the barn was remodeled without having to go to ZBA. Mr. Hofer stated that he went to Ron Cooper, ZEO, received a zoning application and proceeded to get a building permit. The Commission decided that they need more information on this case.

Commissioner Chiaramonte motioned to continue the public hearing until December 7<sup>th</sup>, 2010. Commissioner Addonizio seconded the motion. All voted in favor (5-0).

**Additional Business**

Chairman Baird spoke with Attorney Fuller regarding site visits. He stated that if two people are at the site at the same time, it is not considered a meeting; but if three people are on site, it is. On the record the commissioner should identify what was observed, when the visit occurred, and any comments that they may have.

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