



**ZONING BOARD OF APPEALS**  
Special Meeting  
October 22, 2013  
7:00 pm  
Mallory Town Hall

**FINAL**

**Commissioners present:** Joseph Chiaramonte, Samantha Addonizio, Will Jones, Kathy Fazzone, and Rick Hudson

**Absent:** Dale Baird, and Alternates: Lucy Pollack and Gary Smolen

Zoning Enforcement Officer, Ron Cooper and Christine I. Branson, ZBA Administrative Clerk were also in attendance.

**Commissioner J. Chiaramonte acted as Chairman in the absence of D. Baird**

**Chairman J. Chiaramonte called the meeting to order** at 7:02 p.m. at Mallory Town Hall.

**Continuance:**

**Case # 638**

**Carpanzano, Michael– 9 Cedar Lane, Sherman, CT ( a.k.a. Map 73, Lot 24)** requesting a variance of Section 321.3 “Lot Width” with reference to Section 321.5 “New Building on Existing Lot”, and with reference to Section 332.4 “Minimum Lot Dimensions”, in accordance to the plan submitted and entitled “Proposed Sanitary Disposal Sanitary Disposal System Plan For Michael Carpanzano, Area: 4.2557 Acres, Cedar Lane, Sherman, Connecticut”. Dated: October 11, 2013, Revised: October 14, 2013. Zone B

Commissioner K. Fazzone recused herself from the hearing. Commissioner S. Addonizio stated on record she has listened to the recordings of the previous Meeting of October 1, 2013 and reviewed the file scan previous to this hearing. Commissioner W. Jones stated on record he has reviewed the file scan previous to this hearing. Atty. N. Marcus spoke on behalf of his client and referred to a letter he had written to the Commission regarding his interpretation of the regulations cited for this case. ZEO Cooper, spoke in reference to Section 321.3 of the Regulations and how this lot is configured.

**Business**

**Carpanzano, Michael– 9 Cedar Lane, Sherman, CT ( a.k.a. Map 73, Lot 24)** The ZBA briefly discussed the hardship created by the non-conforming configuration of the lot, and recognizes the lot was created prior to the adoption of Section 321.3 which requires a lot to be 200’ wide.

**Commissoner S. Addonizio Moved** to approve variance of Section 321.3 “Lot Width” in accordance with submitted boundary survey map entitled, “ Boundary Survey, for Ingrid Bhatia & Charles Sanchez, Cedar Lane, Sherman, CT”, By David A White, Registered Land Surveyor, New Fairfield, CT, Date: April 5, 2005 (filed 4/8/05-10:55am . Map No. 1871, 643A) and in accordance to the plan submitted and entitled “Sanitary Disposal System Plan For Michael Carpanzano, Area: 4.2557 Acres, Cedar Lane, Sherman, Connecticut”. Revised: October 14, 2013  
**Seconded by** Commissioner W. Jones **Vote: For: Unanimous** (Chiaramonte, Addonizio Jones, Hudson)

**Public Hearing:**

**Case # 639**

**Johanson, Donna Rhodes – 40 Spring Lake Road, Sherman, CT ( a.k.a. Map 22, Lot 20)** requesting a variance of Section 331.5 “Minimum Setback Requirements” from a 50’ 0” required front yard setback to a 31’0” setback and variance from Section 384 “Non-Conformity, Other than Use” to construct stairs for access to the side of the dwelling in accordance to the A-2 Survey plan submitted and entitled “Zoning Location Survey Map Prepared For Donna Rhodes Johanson, 40 Spring Lake Road, Sherman, Connecticut” . Revised October 6, 2013 Zone A

Commissioner W. Jones recused himself from the Public Hearing. The Commission at the last ZBA Meeting of October 1, 2013 approved a variance for an addition to the side of the existing dwelling, but the stairs were not included in the original measurement. Mrs. Johanson spoke on behalf of her application requesting a variance of Section 331.55 “Minimum Setback Requirements” to allow construction of stairs for access to the addition on the side of the dwelling. The Commission reviewed a revised set of plans entitled “Zoning Location Survey Map Prepared For Donna Rhodes Johanson, 40 Spring Lake Road, Sherman, Connecticut” Revised October 6, 2013 depicting correct measurements from the stairs, bringing the original variance from 35’ to 31 feet from the required front yard setback. The only change to the plans was the measurement from the corner of the stair in relation to the front yard.

**Business:**

**Case # 639**

**Johanson, Donna Rhodes – 40 Spring Lake Road, Sherman, CT ( a.k.a. Map 22, Lot 20)** following a brief discussion, recognizing this request is reasonable and adds logical functionality to the addition by creating access from outside.

**Commissioner R. Hudson Moved** to approve variance of Section 331.5 “Minimum Setback Requirements” from a 50’ 0” required front yard setback to a 31’0” setback and variance from Section 384 “Non-Conformity, Other than Use” to construct stairs for access to the side of the dwelling in accordance to the A-2 Survey plan submitted and entitled “Zoning Location Survey Map Prepared For Donna Rhodes Johanson, 40 Spring Lake Road, Sherman, Connecticut” . Revised October 6, 2013

**Seconded by** Commissioner K. Fazzone **Vote: For: Unanimous** (Chiaromonte, Addonizio Fazzone, Hudson)

**Adjournment:**

**Commissioner R. Hudson Moved** to Adjourn the Meeting at 7:50 p.m.

Respectfully submitted by:



Christine I. Branson

October 29, 2013

\*APPROVED AS FINAL AT THE DECEMBER 3, 2013 RMM