



**ZONING BOARD OF APPEALS
Regular Monthly Meeting Minutes
January 6, 2015**

FINAL

Commissioners present: Dale Baird, Will Jones, Kathy Fazzino, Rick Hudson, Alternates: Lucy Pollack, Samantha Addonizio, and Gary Smolen

Absent: None

Also in Attendance: Christine I. Branson, ZBA Administrative Clerk

Call to Order:

Chair, D. Baird Called the Meeting to Order at 7:07 p.m.

Alternate L. Pollack was elevated to Voting status

Public Hearing

Case 649- Rosof, Eric M. & Bell, Claire P., 37 Chapel Hill Road, (aka Map-6 Lot-18) Requesting variance of Section 324.3B "Generators, Air Conditioners, Pool Filters and Other Noise Generating Equipment" from 50', 0" maximum distance from the structure principally served to 60', 0", provided the nearest property line is greater than 100' to allow placement of a stand by generator as indicated on an A-2 survey entitled "Zoning Location Survey prepared for Eric M. Rosof & Claire P. Bell, 37 Chapel Hill Road, Town of Sherman, Fairfield County CT" prepared by PAH, Inc- Land Surveyors, dated December 5, 2014. Zone A

E. Rosof and Agent, M. Lord were present to speak to the application. The request for variance is to allow placement of a generator closer to existing pool equipment and propane tank than proximity to the house. The lot size is 5.56 acres. The primary dwelling is located close to the road. The applicant has explored alternate locations for the generator but has met many challenges. There is a stone patio directly to the rear of the home. There is also a driveway beyond the patio. There is a significant amount of wetlands and a large area where there is seasonal run-off on the property. All of these variables push the proposed placement of the generator closer to the existing pool equipment which is still greater than 100 feet from the abutting neighbor. The proposed location is 13 feet greater than the required 50' foot setback, which is why the variance is being requested. The A-2 survey shows a different measurement than was written on the application and warned in the newspaper. The Legal Warning was based on the application for a variance of 60 feet from the principal dwelling, however the survey shows the actual measurement of 63 feet from the dwelling. The Commission asked Mr. Rosof if he wished to modify the placement or to Continue the hearing and re-warn the meeting with the correct measurement of 63 feet. Mr. Rosof stated he would prefer to amend the Legal Warning with the correct measurements.

W. Jones Moved to Continue Case 649 to the February 3rd, 2015 Meeting. The Legal Warning will be amended to a variance request of Section 324.3B to 63 feet from the principal dwelling.

Seconded by: R. Hudson

Vote: For: Unanimous

Business:

Case 649- Rosof, Eric M. & Bell, Claire P., 37 Chapel Hill Road, (aka Map-6 Lot-18)

Continued

K. Fazzone recused herself from Case 650

Public Hearing:

Case: 650- Frattini, Alfred G. & Frances M., 18 Candleview Drive, (aka Map- 69, Lot-72) Requesting variance of Section 332.5 "Minimum Setback Requirements" side yard setback, from 25 feet to 12.4 ft. and variance from Section 332.5 "Minimum Setback Requirements" Front yard setback, from 50 feet to 26.6 ft, to allow placement of a 9', 3" x 10', 3" foot shed, as indicated on an A-2 survey entitled : "Zoning Location Survey prepared for Alfred G. & Frances M. Frattini, 18 Candlewood Drive, Town of Sherman, Fairfield County CT" prepared by PAH, Inc- Land Surveyors, dated October 27, 2014. Zone B

Mr. Frattini was present to speak on behalf of the application. This request for variance is allow placement of a shed at 26feet 6 inches from the the minimum Front Yard Setback of 50 feet required, and 12 feet 4 inches from the Side Yard setback, a minimum of 25 feet required. Mr. Frattini informed the Board he was not aware he needed a permit to place his 9foot, 3 inch by 10 feet 3 inch shed because it is less than 100 square feet. There are no exemptions according to the size of a structure. The lot is .96 acres. Mr. Frattini stated there were several topographical obstacles that led him to place the shed where it exists now. His property has a significant amount of slope, as well as reserve areas septic and a new well will need to be implemented, since the existing well is failing. The Board asked Mr. Frattini if he considered more compliant areas on the property. His response was it would create an inconvenience because it serves as storage for yard equipment. The Board's charge is to identify a hardship that is unique to the land. The Board requested Mr. Frattini consider alternate locations for the shed and continued the case to February, Mr. Frattini agreed.

R. Hudson Moved to Continue Case 650 to the February 3rd, 2015 Meeting.
Seconded by: S. Addonizio Vote: For: Unanimous

Business:

Case: 650- Frattini, Alfred G. & Frances M., 18 Candleview Drive, (aka Map- 69, Lot-72)

Continued

Approval of Minutes:

R. Hudson Moved to Approve Minutes of Regular Monthly Meeting of July 1, 2014 with amendments.
Seconded by: G. Smolen Vote: For: Unanimous

G. Smolen Moved to Approve Minutes of Regular Monthly Meeting of October 7, 2014 with amendments.
Seconded by: R. Hudson Vote: For: Unanimous

Correspondence:

None

Nominating Discussion:

The Board received a letter of resignation from Vice-Chair Joe Chiamonte, effective January 1, 2015. His term was to expire on January 1, 2020. Mr. Chiamonte was a dedicated long time member serving 25 years from September 1989 to January 1, 2015. Chairman D. Baird requested the Board consider moving an Alternate up to full Commissioner. Discussion followed regarding the need to fill not only a full Commissioners vacancy but also the Vice-Chairman position. The Board agreed to Vote at next months' meeting.

Approval of 2015 Schedule of Meetings:

R. Hudson Moved to Approve the 2015 Schedule of Meetings as presented.
Seconded by: W. Jones **Vote: For: Unanimous**

Adjournment:

G. Smolen Moved to Adjourn the Meeting at 9:15 p.m.
Seconded by: S. Addonizio **Vote: For: Unanimous**

Respectfully submitted by:


Christine Branson, ZBA Administrative Clerk
January 13, 2015

APPROVED WITH FINAL AMENDMENTS AT THE MONTHLY MEETING OF FEBRUARY 3RD, 2015