



**ZONING BOARD OF APPEALS
Regular Monthly Meeting Minutes**

October 6, 2015

7:00 pm

Mallory Town Hall

FINAL

Commissioners present: Samantha Addonizio, Will Jones, and Rick Hudson, Kathy Fazzino and Alternates Richard Lenihan and Kenrick Gubner

Absent: Alternate Brooke O'Dwyer

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

Public: Carol. Royal

Call to Order:

Chair, S. Addonizio Called the Meeting to Order at 7:04 p.m.

Public Hearing

Case: 653- Royal, Carol dba Strawberry Fields Farm 70 Route 55 West (aka Map- 34, Lot-40)
Requesting variance of Section 332.5 "Minimum Setback Requirements" Front yard setback, from 50 feet to 35 ft, to allow placement of a 30' foot x 20' foot garage, as indicated on an A-2 survey entitled :
"Property Survey prepared for Carol Weld Royal, 70 Route 55 West, Town of Sherman, Fairfield County CT" prepared by PAH, Inc- Land Surveyors, dated December 6, 2012, Last revision September 1, 2015.
Zone A

Board Chair, S. Addonizio opened the Public Hearing. R. Hudson read the Legal Warning into record. The Legal Warning was published in the Citizen News on September 23rd and September 30th, 2015. Certified letters were sent to ten abutting neighbors. One letter was received from T. Cole of 27 Anderson Road East, encouraging approval of the application. Health Approval has been granted. Carol Royal was present to speak to the application. Ms. Royal purchased the property a few years back and has created a fruit and vegetable farm on the 13 acres. The homestead was established in 1775 and is quite close to the road. There is also a good portion of the land that has been determined wetlands. The survey map does not reflect the true positioning of the driveway, nor does it delineate any of the wetlands or out buildings. The Commission discussed the proposed garage and the placement which would be fifteen feet out of compliance of the front yard setback. The survey map shows the corner of the proposed barn being 35 feet from the road edge. There is a spruce tree which Ms. Royal stated she would like to preserve if at all possible sitting directly to the rear of the proposed garage placement. There are plantings along the far edge of the area and drop off occurs after that. The Commission discussed the sited hardship, and while they were sympathetic to the applicant's appeal, the hardship was not particularly created by the land but rather created by the use. The Board requested alternate ideas of placement which would be compliant with the regulations. The purpose of the garage is to house a farm truck, a Kubota and equipment related to farming. The Commission requested Ms. Royal submit a map which shows the various out buildings, wetlands and established planting beds to better understand the limitation. The case was continued to October 20th, 2015 at 7:30 pm.

R. Hudson Moved to Continue Case # 653, Royal, Carol dba Strawberry Fields Farm 70 Route 55 West (aka Map- 34, Lot-40) Requesting variance of Section 332.5 "Minimum Setback Requirements" Front yard setback, from 50 feet to 35 ft, to allow placement of a 30' foot x 20' foot garage to be heard October 20th, 2015 at 7:30 pm at Mallory Town Hall.

Seconded by: K. Gubner

Vote: For: Unanimous

Approval of Minutes

Minutes of September 1, 2015 Regular Monthly Meeting

W. Jones Moved to Approve the Minutes of Regular Monthly Meeting
September 1, 2015 as written.

Seconded by: R. Hudson Vote: For 4, Abstain: 2 (K. Fazzone and R.
Lenihan)

Adjournment

R. Hudson Adjourned the Meeting at 8:10 pm.

Respectfully submitted,



Christine Branson, Administrative Clerk

October 13, 2015

***APPROVED AS FINAL AT THE JANUARY 5, 2016 MEETING**