



**ZONING BOARD OF APPEALS**  
**Regular Monthly Meeting Minutes**  
**January 5, 2016**  
**7:00 pm**  
**Mallory Town Hall**

**DRAFT**

**Commissioners present:** Samantha Addonizio, Will Jones, Kathy Fazzone and Alternates Richard Lenihan, Kenrick Gubner, and Brooke O'Dwyer

**Absent:** Rick Hudson

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

**Public:** Michael Carpanzano, and Jared Bonner

**Call to Order:**

Chair, S. Addonizio Called the Meeting to Order at 7:02 p.m.

**Public Hearing 1**

**Case 655- Ferriss, Janice, 10 Anderson Road East (aka Map- 33, Lot- 25) Requesting a variance of Section 331.5 Minimum Setback Requirements to allow a Front Yard Setback of 24.5 feet from 50 feet, - for erection of a 12 foot x 12 foot prefabricated gazebo in the footprint proposed and shown on an A-2 survey map entitled : "Property Survey Prepared for Janice Orton Ferriss, 10 Anderson Road East, Town of Sherman, Fairfield County, CT, dated October 29, 2014, Revised December 31, 2014 Last Revised November 18th, 2015 for Gazebo location. Prepared by PAH, INC Land Surveyors. Zone A**

The Legal Warning was read into record which was published in the Citizen News December 23, 2015 and in the Spectrum January 1, 2016. Three abutting neighbors were sent notification by certified mail, all three slips were signed and returned. Alternates B. O'Dwyer and R. Lenihan were elevated to voting status. Chair S. Addonizio reviewed the file contents. This application was received post facto, the gazebo exists in place. Two Commissioners confirmed they were able to visit the property and view the area where the gazebo sits. The applicant was not present. Abutting neighbor, Jared Bonner spoke in reference to the proposed application. Mr. Bonner stated he felt over the past few years great efforts have been made improve the property. He stated he does not object to the current location of the gazebo and didn't see how it could be placed anywhere else on the property. There is limited accessibility to the rear and side portions of the property. Correspondence was read into record from property owner Karissa Bonner in favor of the application to allow the gazebo in the front yard, where it currently exists. The Commission had questions for the homeowner, such as where the current and reserve septic areas exist, as well as the slope percentage overall of the rear yard. The case was continued to the February meeting, the applicant will be asked to attend or have an agent in her place. Photographs were requested additionally to show the slope of the rear yard.

**W. Jones Moved to Continue Case # 655 Ferriss, Janice, 10 Anderson Road East (aka Map- 33, Lot- 25) Requesting a variance of Section 331.5 Minimum Setback Requirements to allow a Front Yard Setback of 24.5 feet from 50 feet, - for erection of a 12 foot x 12 foot prefabricated gazebo in the footprint proposed and shown on an A-2 survey map entitled : "Property Survey Prepared for Janice Orton Ferriss, 10 Anderson Road East, Town of Sherman, Fairfield County, CT, dated October 29, 2014, Revised December 31, 2014 Last Revised November 18th, 2015 for Gazebo location. Prepared by PAH, INC Land Surveyors. Zone A, to be heard February 2, 2016 at 7:00 pm at Mallory Town Hall.**

**Seconded by: K. Fazzone**

**Vote: For: Unanimous**

## Public Hearing 2

**Case 656- Cooney, Niall & Valladares, Jennifer- 29 Ledgewood Drive (aka Map- 72, Lot-17)-**  
Requesting a variance of Section 332.5 Minimum Setback Requirements, Side Yard Setback - from 25 feet to 17.6 feet to allow construction of a second story addition within the footprint of the existing non-conforming primary dwelling, a variance of Section 384, Non-Conformity Other Than Use, to allow an increase in the existing non-conforming dwelling, setback from property line, Section 332.5 Minimum Setback Requirements, Side Yard Setback - from 25 feet to 5.6 feet to allow the modification of an existing non-conforming patio, and Section 384, Non-Conformity, Other Than Use, to allow an increase in the footprint of the existing non-conforming patio, setback from property line, as indicated on an A-2 survey entitled: "Proposed Zoning Location Map, prepared for Niall Cooney & Jennifer Valladares, Deer Run Shores Section "B", Lot 10, Area Easterly of Ledgewood Drive to Record Map Line for "440"= 16,863 S.F. / 0.3871 Ac. 28 Ledgewood Drive, Town of Sherman, County of Fairfield, State of Connecticut. Date: September 21, 2015, Last Revised December 8, 2015, Sheet ZL.1" prepared by Arthur H. Howland & Associates. Zone B

The Legal Warning was read into record which was also published in the Citizen News December 23, 2015 and in the Spectrum January 1, 2016. Three abutting neighbors were sent notification by certified mail, all three slips were signed and returned. Alternates K. Grubner was elevated to voting status, and R. Lenihan remained at voting status. Chair S. Addonizio reviewed the file contents. No correspondence was received in reference to this application. Agent M. Carpanzano was present to speak on behalf of the applicant. Mr. Carpanzano presented a color coded version of the previously submitted A-2 survey which better explained existing areas of the patio and where walkways and other structures will be shifted closer to the existing dwelling reducing the overall non-conformity by 98 square feet. Several photographs were also discussed which depicted the exterior of the dwelling where improvements are proposed. The intent for the exterior improvements are to establish a larger buffer between the abutting properties. Also proposed is a second story which will increase the existing 1,561 square foot dwelling by adding height to the existing second story. The highest point of the roof currently is 22 ft. 6 inches in height, the proposed change will bring the highest point of the roof to 32 feet. The proposed change will add 750 square feet to the second story and bring the dwelling to an overall total of 2,200 square feet of habitable space. Mr. Carpanzano presented the Commission with floor plans that were included with the application. The dwelling is in a pre-existing non-conforming location and does not meet current setback Regulations, to increase the second floor height will increase non-conformity. An existing garage sits before the dwelling which is taller than the proposed house height, there will not be additional obstruction of view of the lake to neighboring properties.

**K. Gubner Moved to close the Public Hearing for Case 656- Cooney, Niall & Valladares, Jennifer- 29 Ledgewood Drive (aka Map- 72, Lot-17).**  
**Seconded by: R. Lenihan**                      **Vote: For: Unanimous**

### Deliberation

**Case 656- Cooney, Niall & Valladares, Jennifer- 29 Ledgewood Drive (aka Map- 72, Lot-17)-**  
This 1,561 square foot pre-existing non-conforming dwelling exists on .42 of an acre. The property slopes downward toward Candlewood Lake. The Commission commended Mr. Carpanzano on the creativity involved with the proposed addition by keeping with-in the existing footprint as well as reduction on non-conformity with the proposed exterior plan. They agreed there are significant limitations on how this home could be expanded due to the size of the property. The Commission discussed the consistency of the proposed addition with the surrounding lake community properties.

K. Grubner Moved to Approve as proposed Case 656- Cooney, Niall & Valladares, Jennifer- 29 Ledgewood Drive (aka Map- 72, Lot-17)- Granted variance of Section 332.5 Minimum Setback Requirements, Side Yard Setback - not to exceed 17. 6 feet to allow construction of a second story addition within the footprint of the existing non-conforming primary dwelling, granted variance of Section 384, Non-Conformity Other Than Use, to allow an increase in the existing non-conforming dwelling, setback from property line, Section 332.5 Minimum Setback Requirements, Side Yard Setback - not to exceed 5.6 feet to allow the modification of an existing non-conforming patio, and Section 384, Non-Conformity, Other Than Use, to allow an increase in the footprint of the existing non-conforming patio, setback from property line, as indicated on an A-2 survey entitled : "Proposed Zoning Location Map, prepared for Niall Cooney & Jennifer Valladares, Deer Run Shores Section "B", Lot 10, Area Easterly of Ledgewood Drive to Record Map Line for "440"= 16,863 S.F. / 0.3871 Ac. 28 Ledgewood Drive , Town of Sherman, County of Fairfield, State of Connecticut. Date: September 21, 2015, Last Revised December 8, 2015, Sheet ZL.1" prepared by Arthur H. Howland & Associates.  
Seconded by: R. Lenihan Vote: For: Unanimous

#### Approval of Minutes

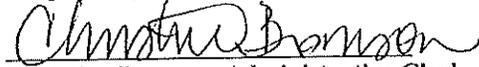
Minutes of October 6, 2015 Regular Monthly Meeting

K. Gubner Moved to Approve the Minutes of Regular Monthly Meeting  
October 6, 2015 as written.  
Seconded by: W. Jones Vote: For Unanimous

#### Adjournment

K. Gubner Adjourned the Meeting at 8:50 pm.

Respectfully submitted,



Christine Branson, Administrative Clerk  
January 12, 2016