Call to Order: Chair S. Addonizio-Butts Called the Meeting to Order at 7:10 p.m. 

Alternates B. O'Dwyer and K. Gubner were elevated to Voting status for the duration of the Meeting.

Continuation of Public Hearing:

Continuation of Case 679: Fortunato, Sebastian Ben Jr. & Malone, Dawn-17 Hillside Drive (M-75, L-13):
Requesting a Variance of Section 384 Non-Conformity Other Than Use, to allow construction of a 14’ x 20’ deck roof that includes a 3’ x 1’ section in a non-conforming location. Requesting a Variance of Section 332.5 Minimum Setback Requirements for a Front Yard Setback from fifty (50’) feet to forty seven (47’) feet to allow construction of a roof and screened enclosure on two sides with one walled side over an existing 20’ x 14’ deck in accordance with submitted building plans marked as "Exhibit A" and in the exact footprint submitted on an A-2 survey entitled, "Property Survey prepared for Sebastian Ben Fortunato, Jr. & Dawn Malone, 17 Hillside Drive, Town of Sherman, Fairfield County, CT", Dated September 14, 2017 Revised October 5, 2017. Prepared by PAH, Inc. Land Surveyors. Zone B.

Chair S. Addonizio Butts and W. Jones, Jr. stated on record that they were not present for the opening of the Public Hearing of this case on November 7, 2017, however they have listened to the recording of that meeting and feel they are able to act upon the continuation of this Case tonight. Chair Addonizio Butts Opened the Continuation of the Public Hearing. Vice Chair R. Hudson read the Legal Notice into record. The Legal Notice was published in the Town Tribune on October 19, 2017 and October 26, 2017. Four abutting neighbors were notified by certified mail. No correspondence was received. Ms. Addonizio Butts reviewed the application file which included an A-2 Survey entitled "Property Survey prepared for Sebastian Ben Fortunato, Jr. & Dawn Malone, 17 Hillside Drive, Town of Sherman, Fairfield County, CT", Dated September 14, 2017 Revised October 5, 2017. Prepared by PAH, Inc. Land Surveyors, three dimensional building plans entitled "Fortunato Residence, 17 Hillside Dr., Cover Sheet # A00, Dated 10/2017, and hand drawn building plans showing the proposed activity (marked as Exhibit A’). The hardship letter was read into record. The hardship Mr. Carpanzano sited was the dwelling was built previous to the adoption of the current Setback Regulations causing a pre-existing non conformity. In the file was a Denied Zoning application, dated October 26, 2017 stating the reason for denial being a portion of the proposed activity was (3 feet) within the front yard setback. Also included in the file was an Agent letter signed by the homeowner allowing Michael Carpanzano the ability to speak on the applicant's behalf. The Clerk provided a copy in the application file of a Variance granted for the existing 20’ x 14’ deck which was approved on October 4, 2011. The current application for Variance is to place a roof and enclose two side walls with screen and include the existing wood privacy wall over the 14’ x 20’ existing deck. Mr. Carpanzano provided new photos by email earlier today of the deck showing the existing wood privacy wall, which was questioned at the last meeting. Mr. Carpanzano pointed out on the A-2 survey the footprint of non-conforming 3’ x 1’ section of the deck that is located behind the chimney. The Board discussed the location of an access door which exists in the non-conforming location. The proposed roof would create a 3’ x 1’ increase of non-conforming volume within the front yard set-back. There was no further discussion from the Board or the Agent.
R. Hudson Moved to Close the Public Hearing for Case 679: Fortunato, Sebastian Ben Jr. & Malone, Dawn- 17 Hillside Drive (M-75, L-13) to December 5, 2017 beginning at 7:00 pm.

Seconded by: W. Jones

Vote: For: Unanimous

Deliberation of Public Hearing:

Case 679: Fortunato, Sebastian Ben Jr. & Malone, Dawn- 17 Hillside Drive (M-75, L-13)

The Board discussed the 3’ x 1’ portion of increased non-conformity to the of the proposed 14’ x 20’ deck roof footprint. Discussion followed regarding the original Variance granted for the construction of the 20’ x 14’ deck. The Board recognized that the same hardship would exist for the new request due to the position of the dwelling and front yard setback line with the added increase of non conformance by volume. The consensus of the Board was that the request was minimal and in keeping with the other homes in the area. There was no further discussion.

K. Gubner Moved to Approve Case 679: Fortunato, Sebastian Ben Jr. & Malone, Dawn- 17 Hillside Drive (M-75, L-13): Requesting a Variance of Section 384 Non-Conformity Other Than Use, to allow construction of a 14’ x 20’ deck roof that includes a 3’ x 1’ section in a non-conforming location. Requesting a Variance of Section 332.5 Minimum Setback Requirements for a Front Yard Setback from fifty (50’) feet to forty seven (47’) feet to allow construction of a roof and screened enclosure on two sides with one walled side over an existing 20’ x 14’ deck in accordance with submitted building plans marked as "Exhibit A" and in the exact footprint submitted on an A-2 survey entitled, "Property Survey prepared for Sebastian Ben Fortunato, Jr. & Dawn Malone, 17 Hillside Drive, Town of Sherman, Fairfield County, CT ", Dated September 14, 2017 Revised October 5, 2017. Prepared by PAH, Inc. Land Surveyors. Zone B.

Seconded by: K. Fazzone

Vote: For: Unanimous

Approval of Minutes:

Regular Monthly Meeting of November 7, 2017

K. Gubner Moved to Approve the Minutes of Regular Monthly Meeting of November 7, 2017 as written.

Seconded by: K. Fazzone

Vote: For: Unanimous

Discussion of Board Vacancies:

The Board discussed upcoming vacancies due to the results of the recent election as well as an existing vacancy since the resignation of former Chair, D. Baird on March 25th, 2015. R. Hudson submitted a letter requesting the consideration of the ZBA to fill one of the Alternate Vacancies.

Adjournment

K. Gubner Moved to Adjourn the meeting at 9:15 p.m.

Respectfully submitted:

Christine Branson, Administrative Clerk
December 12, 2017

APPROVED AS FINAL AT THE 02/06/2018