



TOWN OF SHERMAN  
ZONING BOARD OF APPEALS  
MEETING MINUTES

Tuesday, March 2, 2021 7:00 pm

MALLORY TOWN HALL, 9 ROUTE 39 NORTH, SHERMAN, CT 06784

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**Members Present:** K. Gubner, K. Fazzone, J. Bonner, and A. Chiaramonte

**Members Absent:** W. Jones

**Also:** C. Branson, Board Administrative Clerk

**Invited & Audience:** N. Volkmar, B. Hoag, S. Addonizio- Butts, B. Butts, R. Devine, D. Schlesinger, S. McQuaide, J. Einreich, and J. Moscowitz.

**CALL TO ORDER:** Chair, K. Gubner Called the ZOOM Meeting to Order at 7:01 pm

**PUBLIC HEARING I:**

**ZBA Case # 717- 17 Deer Run Trail (Map- 69, Lot- 27) Barbara Hoag-** Requesting Variance of Zoning Regulation, Section 332.5- Minimum Setback Requirement, Side Yard- From 25' to 0.5' to allow the placement of a generator in the exact proposed footprint location shown on submitted A-2 survey entitled "Proposed Zoning Location Survey, Prepared For Barbara Hoag, 17 Deer Run Trail, Sherman, CT." Dated: November 9, 2020. Last Revised: December 29, 2020. Prepared by: CCA, LLC. Zone B.

Chair, K. Gubner opened the Public Hearing for ZBA Case # 717. Clerk, C. Branson read the Legal Warning into record. Legal Notice was posted on the Town Website February 18, 2021. A total of five abutters were sent certified Legal Notice on February 18, 2021. No correspondence was received. Clerk, C. Branson stated the contents of the application file. Included with the application packet, were letters of support from abutting neighbors as well as a letter of support from the Chair of Deer Run Trails HOA, P. Werme. Mrs. Barbara Hoag was present to speak on behalf of her application. Mrs. Hoag explained the request for variance to allow the installation of a generator in a non-conforming location, stating hardship based on difficult topography and proximity of the home to the 440' line.

**J. Bonner Moved** to Close the Public Hearing for ZBA Case # 717- 17 Deer Run Trail (Map- 69, Lot- 27) Barbara Hoag.

**Seconded by: K. Fazzone**

**Vote: For: Unanimous**

**DELIBERATION I:**

**ZBA Case # 717- 17 Deer Run Trail (Map- 69, Lot- 27) Barbara Hoag-**

The Board discussed the difficult topography of this property, the proximity of the home to the 440' line as well as the proposed location for the generator. After a brief discussion the following action took place:

**A.Chiaramonte Moved** to Approve ZBA Case # 717- 17 Deer Run Trail (Map- 69, Lot- 27) Barbara Hoag- Requesting Variance of Zoning Regulation, Section 332.5- Minimum Setback Requirement, Side Yard- From 25' to 0.5' to allow the placement of a generator in the exact proposed footprint location shown on a submitted A-2 survey entitled "Proposed Zoning Location Survey, Prepared For Barbara Hoag, 17 Deer Run Trail, Sherman, CT." Dated: November 9, 2020. Last Revised: December 29, 2020. Prepared by: CCA, LLC. Zone B.

**Seconded by: J. Bonner**

**Vote: For: Unanimous**

**J. Bonner Moved** to Amend the Agenda to rearrange the order of the Public Hearings to allow ZBA Case #719 to be heard before ZBA Case # 718.

**Seconded by: K. Fazzone**

**Vote: For: Unanimous**

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### **\*PUBLIC HEARING III:**

**ZBA Case # 719-** 19 Holiday Point Road (Map- 76, Lot- 22), Sharon McQuaide- Reference to Zoning Regulation, Section 324.3 B Generators, Air Conditioners and Noise Generating Equipment. Reference to Zoning Regulation, Section 332.5 Minimum Setback Requirement, Front Yard Set-Back – for installation of a generator shown in the exact footprint on submitted A-2 survey entitled; “Proposed Zoning Location Survey Prepared for John Ehrenreich & Sharon McQuaide, 19 Holiday Point Road, Sherman, CT” Dated: 01/15/2021. Prepared by: CCA, LLC. Zone B.

Chair, K. Gubner opened the Public Hearing for ZBA Case # 719. Clerk, C. Branson read the Legal Warning into record. Legal Notice was posted on the Town Website on February 18, 2021. A total of four abutters were sent certified Legal Notice on February 18, 2021. No correspondence was received. Clerk, C. Branson stated the contents of the application file. Included with the application packet, there were several photographs depicting the location of the non-conforming home and surrounding topography. John Ehrenreich & Sharon McQuaide were present to speak on behalf of their application. Mr. Ehrenreich stated that the entire dwelling is in a non-conforming location, situated approximately 36’ in front of the 50’ front yard set-back. The topography of the land is very difficult which Mr. Ehrenreich referred to the provided photos. The proposed location of the generator is behind the house, 36’ from the road edge. Mr. Ehrenreich stated the proposed location was the only practical place to set the generator.

**J. Bonner Moved** to Close the Public Hearing for ZBA Case # 719- 19 Holiday Point Road (Map- 76, Lot- 22), Sharon McQuaide.

**Seconded by: K. Fazzone**

**Vote: For: Unanimous**

### **\*DELIBERATION III:**

**ZBA Case # 719-** 19 Holiday Point Road (Map- 76, Lot- 22), Sharon McQuaide-

The Board discussed the difficult topography of this property and the pre-existing non-conforming location of the home in relation to the proposed location for the generator.

**A.Chiaramonte Moved** to Approve ZBA Case # 719- 19 Holiday Point Road (Map- 76, Lot- 22), Sharon McQuaide- Reference to Zoning Regulation, Section 324.3 B Generators, Air Conditioners and Noise Generating Equipment. Reference to Zoning Regulation, Section 332.5 Minimum Setback Requirement, Front Yard Set-Back – for installation of a generator shown in the exact footprint on submitted A-2 survey entitled; “Proposed Zoning Location Survey Prepared for John Ehrenreich & Sharon McQuaide, 19 Holiday Point Road, Sherman, CT” Dated: 01/15/2021. Prepared by: CCA, LLC. Zone B.

**Seconded by: K. Fazzone**

**Vote: For: Unanimous**

### **PUBLIC HEARING II:**

**ZBA Case # 718-** 70 Route 55 West (Map- 34, Lot- 40), Samantha Addonizio- Butts & William Butts- Requesting Variance of Zoning Regulation, Section 331.5 Minimum Setback Requirement, Front Yard- from 50’ to 35’. Requesting Variance, from Section 384 Increase of Non-Conformity, Other than Use, for the construction of an addition, entry way and steps, as shown in the exact proposed footprint location shown on submitted A-2 Survey entitled “Property Survey Prepared For William C. Butts & Samantha Addonizio- Butts, 70 Route 55 West, Sherman, CT. Dated June 11, 2020. Last Revised: January 12, 2021 for proposed addition. Prepared by: PAH, Inc. Land Surveyors, and in accordance with submitted floor plans entitled “Butts Residence”, 70 Route 55 West, Created by: Proctor Architects. Dated: October 13, 2020. Zone A.

Chair, K. Gubner opened the Public Hearing for ZBA Case # 718. Clerk, C. Branson read the Legal Warning into record. Legal Notice was posted on the Town Website on February 18, 2021. A total of three abutters were sent certified Legal Notice on February 18, 2021. No correspondence was received. Clerk, C. Branson stated the contents of the application file. Included with the application packet, were building plans showing the lay-out of the interior renovations and proposed addition as well as several photographs depicting the location of the non-conforming pre-revolutionary home and surrounding topography. Samantha Addonizio-Butts and Bill Butts were present to speak on behalf of their application. Mrs. Addonizio-Butts shared her screen to the Board and presented the proposed renovations and addition floor plans. The Board discussed the 6’ x 16’ entry porch and steps area, where the

Variance is Requested. Mrs. Addonizio-Butts stated they have pushed the proposed addition as far out of the non-conforming area as possible, showing first from a photo of existing conditions, then the building plan showing the second story bumped back several feet. All together the increased non-conforming area is a total of 32 cubic feet.

## DELIBERATION II:

**ZBA Case # 718- 70 Route 55 West (Map- 34, Lot- 40), Samantha Addonizio- Butts & William Butts-**

The Board discussed the history of the property and recognized the applicant's attempts to reduce non-conformity by bumping back the second story of the proposed addition. The Board discussed the minimal increase of non-conforming area. The Board also discussed conditioning the Variance for the 6'x 16' covered entry porch shall remain open and never converted to interior living space.

**A.Chiaramonte Moved** to Approve ZBA Case # 718- 70 Route 55 West (Map- 34, Lot- 40), Samantha Addonizio- Butts & William Butts- Requesting Variance of Zoning Regulation, Section 331.5 Minimum Setback Requirement, Front Yard- from 50' to 35'. Requesting Variance, from Section 384 Increase of Non-Conformity, Other than Use, for the construction of an addition, entry way and steps, as shown in the exact proposed footprint location shown on submitted A-2 Survey entitled "Property Survey Prepared For William C. Butts & Samantha Addonizio- Butts, 70 Route 55 West, Sherman, CT. Dated June 11, 2020. Last Revised: January 12, 2021 for proposed addition. Prepared by: PAH, Inc. Land Surveyors, and in accordance with submitted floor plans entitled "Butts Residence", 70 Route 55 West, Created by: Proctor Architects. Dated: October 13, 2020. Zone A. **CONDITIONS- EXTERIOR COVERED PORCH ENTRY**  
**SHALL NEVER BECOME ENCLOSED LIVING SPACE.**

Seconded by: K. Fazzone Vote: For: Unanimous

**APPROVAL OF MINUTES:** Zoning Board of Appeals Meeting of January 5, 2021

**J. Bonner Moved** to Approve the ZBA Meeting Minutes of January 5, 2021 as written.

**Seconded by: A.Chiaramonte** **Vote: For: Unanimous**

## **ADJOURNMENT:**

**K. Gubner Adjourned the Meeting at 8:29 pm.**

Respectfully submitted:

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Christine Branson, ZBA Board Administrative Clerk

March 11, 2021

**APPROVED AS AMENDED AT THE JULY 6, 2021 MEETING**