

**ZONING BOARD OF APPEALS
EXECUTIVE SESSION OF JULY 8, 2010**

The Zoning Board of Appeals Commission of the Town of Fairfield held the Zoning Board of Appeals Public Hearing Meeting on July 8, 2010 in the First Floor Conference Room of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield. The Public Hearing was recorded on disc and is available for review at the Plan and Zoning Department.

PRESENT: James Hamilton, Acting as Chairman, Kevin Coyne, Secretary, Duncan Keith, Donald Cafero, Daphne Dixon, Alternate, Linda Snelham-Moore, Alternate.

ABSENT: Robert Brennan, Chairman

1. **Minutes of June 3, 2010:** James Hamilton *moved* and Linda Snelham-Moore *seconded* to approve the proposed minutes as submitted. *Motion passed unanimously.*
2. **Approval of Secretary's Fee:** Linda Snelham-Moore *moved* and Duncan Keith *seconded* to approve the proposed Secretary's Fee. *Motion passed unanimously.*

This portion of the Executive Session adjourned at 1:59 p.m.

Kevin Coyne, Secretary

Josephine M. Keogh

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MINUTES OF JULY 8, 2010**

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PR ESENT: James Hamilton, Acting as Chairman, Kevin Coyne, Secretary, Duncan Keith, Donald Cafero, Daphne Dixon, Alternate, Linda Snelham-Moore, Alternate.

ABSENT: Robert Brennan, Chairman

GENERAL DOCKET

1. 60 Rowland Road, Map 182, Parcel 201. Petition of Daniel and Kendra Guilfoile for a variance of the Zoning Regulations; Section 5.2.5 to increase the maximum lot coverage from 20%, currently 19.2%, proposing 22.3%. **Permission to construct a deck.**
Premises: A Zone

Kendra Guilfoile, owner, presented the application for a variance of the Zoning Regulations. She is requesting a variance to construct a deck. The existing rear of the house has sliding doors approximately 30 feet off of the ground and a rear platform and stairs. The doors were replaced five years ago due to rot. The remaining existing platform to the rear door is currently cracked and starting to come apart. For safety reasons, they would like to cover the damaged flagstone at the side of the stairs with a pressure treated deck.

Petitions of support from the neighbors were submitted.

GRANTED: Duncan Keith *moved* and Kevin Coyne *seconded* to approve the proposed application. *Motion passed unanimously.*

2. 297 Mill Plain Road, Map 180, Parcel 374. Petition of John Loffredo; Section 5.2.4.3. to reduce the minimum required unattached accessory structure setback from 10 feet, currently 1.4 feet, proposing 1.4 feet. **Permission to reconstruct an existing garage.**
Premises: R-2 Zone

John Loffredo, owner, presented the application for a variance of the Zoning Regulations. He is requesting a variance to reconstruct an existing garage. The existing garage/house was built in 1793. He would like to replace the roof and rafters along with changing the back pitch from 9 to 64 in order to allow for storage.

Petitions of support from the neighbors were submitted.

GRANTED: Donald Cafero *moved* and Daphne Dixon *seconded* to approve the proposed application. *Motion passed unanimously.*

3. 1104 Reef Road, Map 184, Parcel 147. Petition of Glen and Barbara Rega for a variance of the Zoning Regulations; Section 5.2.4 to reduce the minimum required street line setback from 20 feet, currently 7.3 feet, proposing 3.5 feet and Section 5.2.5 to increase the maximum lot coverage from 30%, currently 40.52%, proposing 42.82%.

Permission to construct an open front porch. Premises: B Zone

Barbara Rega, owner, presented the application for a variance of the Zoning Regulations. She wishes to construct an open front porch. The lot is a preexisting non-conforming lot.

Petitions of support from the neighbors were submitted.

GRANTED: Donald Cafero *moved* and Duncan Keith *seconded* to approve the proposed application. *Motion passed 4-1. Duncan Keith voted against the proposed application.*

4. 15 Wheeler Park Place, Map 49, Parcel 102. Petition of David Cox for a variance of the Zoning Regulations; Section 5.2.4 to reduce the minimum required street line setback from 40 feet, currently 34.9 feet, proposing 34.9 feet. **Permission to construct a one and a half (1½) story addition over an existing one (1) story ranch. Premises: R-3 Zone**

Susan and David Cox, owners, presented the application for a variance of the Zoning Regulations. They wish to construct a one and a half (1½) story addition over an existing one (1) story ranch. They stated they are in need of this variance for extra room. They are currently caregivers for their 102 grandmother. They have two teenage daughters and are in need of more space.

Petitions of support from the neighbors were submitted along with photos of the proposal.

GRANTED: Duncan Keith *moved* and Donald Cafero *seconded* to approve the proposed application. *Motion passed unanimously.*

5. 64 Moody Avenue, Map 40, Parcel 161. Petition of John and Karen Hira for a variance of the Zoning Regulations; Section 5.2.4 to reduce the minimum required street line setback from 20 feet, existentially 18 feet, proposing 18 feet. **Permission to renovate existing three (3) season front porch to heated living space. Premises: A Zone**

Karen Hira, owner, presented the application for a variance of the Zoning Regulations. She would like to convert her existing three (3) season front porch to heated living space. She noted she is renovating the existing porch due to rot damage. The porch will be insulated to accommodate interior handicap access. The hardship is due to an undersized lot.

Petitions of support from the neighbors were submitted along with photographs of the proposal.

GRANTED: Duncan Keith *moved* and Donald Cafero *seconded* to approve the proposed application. *Motion passed unanimously.*

6. 1523 Black Rock Turnpike, Map 77, Parcel 484. Petition of Jill Puzio for a variance of the Zoning Regulations; Section 12.5.15. Permission to allow a take out restaurant in the neighborhood design business district. Premises: NDBD Zone

Jill Puzio presented the application for a variance of the Zoning Regulations. She seeks permission to allow a take out restaurant in the neighborhood design district. She noted there are restaurants and other take out food establishments currently existing in the area.

Petitions of support from the neighbors were submitted.

DENIED: Daphne Dixon *moved* and Duncan Keith *seconded* to approve the proposed application. *Motion denied unanimously.*

7. 261 Knollwood Drive, Map 125, Parcel 97A. Petition of Orise Ann Petrucci for a variance of the Zoning Regulations; Section 5.2.4.3 to reduce the minimum required unattached accessory structure setback from 60 feet, proposing 52.2 feet. Permission to construct a one (1) story shed. Premises: A Zone

Orise Ann Petrucci, owner, presented the application for a variance of the Zoning Regulations. He wishes to construct a one (1) story shed. The shed will be located in the side yard toward the rear right corner of the property that will be parallel to the front face of the existing house for consistency and visual curb appeal.

Topographically this is the only part of the property that will accommodate the structure. She noted she is seeking a variance due to corner angles of the property being skewed and the extreme slope of the yard, it has become necessary to position the shed in such a way that it protrudes into the required 60 feet setback.

Petitions of support from the neighbors were submitted.

GRANTED: James Hamilton *moved* and Kevin Coyne *seconded* to approve the proposed application. *Motion passed 4-1. Donald Cafero voted against the proposed application.*

8. 160 Carter Henry Drive, Map 180, Parcel 270B. Petition of Adam Colvey for a variance of the Zoning Regulations; Section 28.6.15 to reduce the minimum required total number of off street parking spaces from 33 to 6. Permission to establish a martial arts and boxing studio in place of a wholesale business. Premises: CDD Zone

Attorney Christopher Barrato, representing the applicant, presented the application for a variance of the Zoning Regulations. Adam Colberg, Applicant, spoke on behalf of the application.

Attorney Fitzpatrick noted the applicant seeks a variance in order to establish a fitness/martial arts personal training studio. He noted the applicant is a Fairfield resident and Gulf veteran of the US Marine Corps. He would like to apply his fitness and mixed martial arts concept that has been extremely successful in Westport. He would like to invest in his hometown, help continue the revitalization of the downtown area and help its train commuting residents healthy, safe, self confident, fit and stress free.

The proposed center would provide one on one training for individuals, with approximately 2-4 people training at any given time. The applicant seeks expanding the one on one training concept by offering classes after work, between 6 ó 9 p.m., only when train station parking is permitted.

Daphne Dixon recused herself from the proposed application. Linda Snellham-Moore sat in for Daphne Dixon

GRANTED: Duncan Keith *moved* and Linda Shellham-Moore *seconded* to approve the proposed application. *Motion passed unanimously.*

9. 455 Mountain Laurel Road, Map 121, Parcel 54W. Petition of Glenn and Heather Lajeunesse for a variance of the Zoning Regulations; Section 5.2.4 to reduce the minimum required rear property line setback from 40 feet, currently 41.1 feet, proposing 38 feet. **Permission to construct a rear two story addition. Premises: AA Zone**

Heather Lajeunesse, owner, presented the application for a variance of the Zoning Regulations. She is seeking permission to construct a rear two story addition. They will extend their kitchen and family room over the existing wood deck. The addition will include a new bedroom, a den and the expansion of one bedroom.

Petitions of support from the neighbors were submitted.

Kevin Coyne recused himself from the proposed application. Linda Snellham-Moore sat in for Kevin Coyne

GRANTED: Duncan Keith *moved* and Linda Shellham-Moore *seconded* to approve the proposed application. *Motion passed unanimously.*

10. 1100 Kings Highway, Map 79, Parcel 184. Petition of Lar Associates for a variance of the Zoning Regulations; Section 29.10. **Permission to permit the placement of a sign on a portion of the building the tenant does not occupy and to allow a sign above the ground floor. Premises: DCD Zone**

Attorney William Fitzpatrick, representing the owner, presented the application for a variance of the Zoning Regulations. Elaine Esposito, Manager for Westport National Bank, spoke on behalf of the application.

Attorney Fitzpatrick noted the applicant is a long standing tenant at the LAR office building. The space occupied by the bank branch office is located on the first floor at the easterly end of the building and includes a drive-through window.

The name of the building is being changed from LAR Building to the Westport National Bank Building. The existing LAR Building identification sign is located at the westerly end of the building. It is the intent of the applicant to locate the new building identification sign on the westerly end of the building, above the existing LAR Building sign. The existing LAR Building sign will be removed from the building.

The applicant is requesting a variance to permit the placement of a sign on a portion of the building not occupied by the tenant, above the ground floor level. The proposed signage consists of green letters attached to the building facade. The letters will not be internally illuminated, but will utilize gooseneck lighting.

Approval of this application permits the replacement of the existing property identification sign with similarly sized signage, located on the same wall as at present, and utilizing the name of the primary tenant of the building.

Attorney Fitzpatrick presented photographs for the record.

GRANTED: Daphne Dixon *moved* and Duncan Keith *seconded* to approve the proposed application. *Motion passed 4-1. Daphne Dixon voted against the proposed application. unanimously.*

There being no further business to come before the Commission, Chairman Brennan adjourned the meeting at 3:40 p.m.

Kevin Coyne, Secretary

Josephine M. Keogh

JAMES HAMILTON, ACTING AS CHAIRMAN

KEVIN COYNE, SECRETARY

JOSEPHINE M. KEOGH, CLERK