

ZONING BOARD
OF
APPEALS
Telephone (203) 563-0185
Fax (203) 563-0284



TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

**ZONING BOARD OF APPEALS
REGULAR MEETING
JUNE 15, 2015
7:15 P.M.
TOWN HALL ANNEX - MEETING ROOM A**

PRESENT: Gary Battaglia, Vice-Chairman; Brian Lilly, Secretary; Joshua Cole; Kenny Rhodes, Alternate

ABSENT: Scott Lawrence, Andrew McNee, Libby Bufano (all notified intended absences); Andrea Preston (appeared as applicant)

A. CALL TO ORDER

Mr. Battaglia, acting as Chairman in the absence of Mr. Lawrence, called the meeting to order at approximately 7:18 P.M. He briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals. He noted that since only four members would be seated this evening and four positive votes are required to approve a variance, the applicant has the option of requesting a continuance until the next meeting. The applicant, Ms. Preston, elected to proceed with the hearing this evening.

B. PUBLIC HEARINGS

1. #15-06-15 PRESTON 49 BELDEN HILL ROAD

Mr. Battaglia called the Hearing to order at approximately 7:20 P.M., seated members Battaglia, Cole, Lilly, and Rhodes, and referred to Connecticut General Statutes, Section 8-11, Conflict of Interest. Mr. Lilly read the legal notice dated June 1 and details of the application and the hardship as described on the application. He noted that although the applicant is a current Board member, all voting members present this evening felt that they would not have a conflict of interest.

Present were Andrea Preston, applicant; and Chris Mullen, contractor.

ZBA Minutes – June 15, 2015 - Page 2

Ms. Preston explained that her kitchen was destroyed as a result of ice damming this past winter. She stated that in her discussions with contractors, a recommendation was made to raise the roof in conjunction with the proposed roof repairs, in order to provide a uniform ceiling height in her kitchen. She noted that her roof is located within the front yard setback since her house is pre-existing nonconforming and thus a variance is required to make any changes that would potentially increase its nonconformity outside of its current envelope of construction.

Mr. Lilly observed, and Ms. Preston confirmed, that the entire house is located within the front yard setback. Ms. Preston noted further the proposed propane tank at the rear of the house which would also be located within the front yard setback due to the pre-existing nonconforming nature of the structure.

Mr. Nerney observed for the record that the existing house would block both the expanded roof and the proposed tank from road view.

Mr. Battaglia asked if anyone wished to speak for or against the application.

There being no further comments, at approximately 7:23 P.M. the public hearing was closed.

C. APPLICATIONS READY FOR REVIEW AND ACTION

Mr. Battaglia called the Regular Meeting to order at approximately 7:23 P.M., seated members Battaglia, Cole, Lilly, and Rhodes, and referred to Connecticut General Statutes, Section 8-11, Conflict of Interest.

1. #15-06-15 PRESTON 49 BELDEN HILL ROAD

The Board briefly discussed the application. It was the consensus of the Board that hardship was evident and straight-forward, given the pre-existing nonconforming nature of the property and the fact that the house is located entirely within the front yard setback.

MOTION was made by Mr. Lilly, seconded by Mr. Cole, and carried unanimously (4-0) to **grant** the variance of Section 29-5.D to permit the increase of roof height to an existing structure and to install a propane tank with a front yard setback of 27.6 feet and 36.9 feet, respectively, where 50 feet is required; as per submitted “Improvement Location Map” dated May 20, 2015, and “Existing Kitchen and Roof Line” drawing and “Proposed Roof Framing over Kitchen” drawing, received May 26, 2015; on grounds that sufficient hardship was demonstrated due to the pre-existing nonconforming nature of the structure which is entirely located within the setback, with the caveat that all work be consistent with the aforementioned submitted maps.

D. OTHER BUSINESS

1. Approval of Minutes – May 18, 2015

MOTION was made by Mr. Cole, seconded by Mr. Rhodes, and carried unanimously (4-0) to approve the minutes of May 18, 2015.

E. ADJOURNMENT

MOTION was made by Mr. Lilly, seconded by Mr. Battaglia, and carried unanimously (4-0) to adjourn at approximately 7:27 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary