

ZONING BOARD OF APPEALS
MEETING MINUTES OF MAY 2, 2024

The Zoning Board of Appeals held a meeting on Thursday, May 2, 2024 at 3:00 pm. Executive Session started at approximately 2:45 pm. This meeting was held both in person as well as a hybrid manner.

Audio Recording of this meeting can be found here: <https://fairfieldct.org/government/fairtv>

MEMBERS PRESENT: Brian Avallone, Chairman, Katie O'Grady, Vice Chairperson, Joseph Schwartz, Christine Hogan

MEMBERS ABSENT: Jane G. Nishball, Secretary

ALTERNATE MEMBERS PRESENT: Harold Zawadski, Alternate, sat in place of Jane G. Nishball.

EXECUTIVE SESSION

1. Approval of Minutes of Thursday, April 4, 2024: Katie O'Grady *moved* and Christine Hogan *seconded* to approve the minutes as presented. *Motion passed unanimously.*
2. Approval of Secretary's Fees: Christine Hogan *moved* and Harold Zawadski *seconded* to approve the secretary's fees as presented. *Motion passed unanimously.*

Executive Session started at approximately 2:50 p.m.

GENERAL DOCKET:

1. **184 Figlar Avenue, Map 126, Parcel 375. Petition of Sumin and Kiersten Chou for a variance of the Zoning Regulations Section 5.2.4 to reduce the street line setback from 30', currently 25.7', proposing 29.7'. Permission to construct a 2nd floor addition with attic over existing 1st floor. Premises: A Zone**

Kiersten Chou, owner presented the application; Bill Leavy (architect) also spoke.

Their home is pre-existing, non-conforming as it sits on the lot due to the street line setback. They would like to build directly on top of the foundation for structural reasons.

GRANTED: Katie O'Grady moved and Harold Zawadski seconded to approve the proposed application. Motion passed unanimously.

2. **176 Hurd Street, Map 182, Parcel 1755. Petition of Timothy F. Wagner for a variance of the Zoning Regulations Section 5.2.5 to increase the lot coverage from 30%, currently 31.6%, proposing 33.5%. Permission to construct a new front porch. Premises: B Zone.**

Timothy Wagner owner, presented.

He would like to put a porch on the front of his house. His lot is pre-existing, non-conforming. The square and frontage are under on the lot; they need a 60 ft. square and only have 50 ft.

GRANTED: Katie O'Grady moved and Harold Zawadski seconded to approve the proposed application. Motion passed unanimously.

3. 145 Millspaugh Drive, Map 147, Parcel 219. Petition of Carlos and Kevin Paucar for a variance of the Zoning Regulations Section 5.2.4 to reduce the second street line on a corner lot from 22', currently 19.5', proposing 19.5'. Permission to construct a 2 story and 2nd floor additions. Premises: A Zone.

Carlos Paucar presented. Their property is currently non-conforming. He would like to extend the northeast corner of the property front to match up and make it into a perfect rectangle and build the second floor on top of that. The setback is the hardship that he is facing.

GRANTED: Katie O'Grady moved and Harold Zawadski seconded to approve the proposed application. Motion passed unanimously.

4. 254 Puritan Road, Map 139, Parcel 150. Petition of David and Stephanie Salomon for a variance of the Zoning Regulations Section 5.2.5 to increase lot coverage from 20%, currently 20%, proposing 23.3%. Permission to construct an elevated deck to a FEMA compliant home. Premises: A Zone.

Stephanie Salomon owner presented.


They wish to construct a 17'x16' deck (272 sq. ft.) off the back side of the house over the existing patio. There will be no stairs or roof to the patio, just a porch.

Their property is bound by FEMA flood zone regulations. It was rebuilt in 2013 as a FEMA compliant dwelling. The home was constructed at an elevation of 14.6 feet. Unlike areas that are not in the flood zone, mechanical platforms and front and rear elevated porches with an extra 4-5 feet of stairs are not counted toward lot coverage. They currently have an at grade patio that does not count toward the allowed lot coverage, but is already counted toward the impervious area for drainage requirements. They would like to construct a deck over the existing patio and not add any additional stairs.

Although being in a flood zone is not a textbook hardship, they believe that covering a patio that is existing and not creating any additional impervious coverage would allow their elderly parents the ability to enjoy the outdoors without going up and down 15 stairs to do so.

DENIED: Harold Zawadski moved and Katie O'Grady seconded to approve the proposed application. Motion denied 3~2 (Christine Hogan and Joseph Schwartz opposed).

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


Jane Gitlin Nishball, Secretary


Jodi Karagianes, Clerk

BRIAN AVALLONE, CHAIRMAN

JANE GITLIN NISHBALL, SECRETARY

JODI KARAGIANES, CLERK