

**Minutes of
ZONING BOARD OF APPEALS
December 7, 2009**

MEMBERS PRESENT

Mrs. Yanicelli, Chairman and Secretary Pro Tem
Ms. Miller
Mr. Moylan
Mr. Ziotas

MEMBERS ABSENT

Mr. Barfuss, Secretary

ALTERNATES PRESENT

Mr. Engel
Mr. Ramirez
VACANCY

ALTERNATES ABSENT

Also in Attendance:

Steve Kleppin, Town Planner/Sr. Enforcement Officer

MEETING OPENED

At 7:30 p.m.

Chairman Yanicelli explained to those members of the public present how the proceedings would be conducted, and that discussion and possible decision on each public hearing item would be held after the public hearing on each item.

PUBLIC HEARING

The Chairman then called the Public Hearing to order in the Town Hall Board Room and read the call, as follows:

LEGAL ADVERTISEMENT

Also published in the New Canaan News
NEW CANAAN ADVERTISER, NEW CANAAN, CONN., THURSDAY, DECEMBER 3, 2009 23A

STATE OF
CONNECTICUT
TOWN OF NEW CANAAN
ZONING BOARD
OF APPEALS
NOTICE IS HEREBY
GIVEN that the ZONING
BOARD OF APPEALS of the
Town of New Canaan will
hold a Public Hearing on
Monday, December 7, 2009 in

the Board Room of the Town
Hall at 7:30 p.m. to hear the
following application:
1. Upon application of
Joseph D. and Sarah M. Burke,
owners, 76 Oak Street, for a
Variance of Section 3.5.E.3 to
allow a shed to remain in its
current location, for property
in the B Residence Zone (Map
N Block 63 Lot 919).

HANDICAP ACCESS
DURING MEETING:
Please notify the Planning
& Zoning office in advance
if wheelchair accessibility is
required.
FRANK BARFUSS,
Secretary
November 20, 2009
11-25
12-3

1. Joseph D. and Sarah M. Burke, owners, 76 Oak Street

Upon application of Joseph D. and Sarah M. Burke, owners, 76 Oak Street, for a Variance of Section 3.5.E.3 to allow a shed to remain in its current location, for property in the B Residence Zone (Map N Block 63 Lot 919).

Sarah and Joseph Burke presented their application and stated that the shed was constructed sometime after 2006 and is approximately 45 inches from the Socci property, 82 Oak Street, and approximately 46 inches from another property's fence. The only other location on the property is occupied by a patio. There is no room in the front yard. The Burkes confirmed that when the shed was built, no town agency was consulted. Mr. and Mrs. Socci were present and spoke in opposition to the shed, saying that it was built without a permit and did not meet requirements.

The Public Hearing was closed on this Item.

Mr. Engel was seated for this application.

Upon motion of Mr. Ziotas, second of Mr. Moylan, the Board voted 3-2 to deny the application; Ms. Yanicelli and Ms. Miller opposed the motion.

2. 117 Elm Place, LLC, owner, 117 Elm Place

This application was withdrawn.

REGULAR MEETING

Jeb Walker was present for a brief Organizational Meeting to nominate a Chairman and Secretary for the ZBA. Upon motion of Mr. Moylan and second of Mr. Engel, the Board nominated Carroll Yanicelli as Chairman for the ZBA and Frank Barfuss as Secretary of the ZBA. There remains a vacancy for Republican Alternate, as Vincent Socci has resigned.

3. Approve Minutes of November 2, 2009 Meeting

The Board unanimously voted to approve the minutes of the November 2, 2009 Meeting.

4. Other matters as may properly come before the Board.

- a. The January 12, 2010 NEMO “Roles and Responsibilities of Land Use Commissions” Workshop has been cancelled and will be rescheduled.
- b. It was announced that long-time Board member Vincent Socci has resigned from the Board.

Adjournment

There being no further business to come before the meeting, the Board unanimously voted to adjourn at 8:09 p.m.

Carroll Yanicelli, Chairman and Secretary Pro Tem

LEGAL ADVERTISEMENT

Also published in the New Canaan News

NEW CANAAN ADVERTISER, NEW CANAAN, CONN., THURSDAY, DECEMBER 17, 2009 11A

TOWN OF NEW CANAAN
ZONING BOARD
OF APPEALS
NOTICE IS HEREBY
GIVEN that the ZONING
BOARD OF APPEALS of the
Town of New Canaan after
a Public Hearing held on
Monday, December 7, 2009

duly adopted the following
resolution. Approved applications
become effective upon
the filing of a copy thereof in
the office of the Town Clerk.
RESOLVED, application of
Joseph D. and Sarah M. Burke,
owners, 76 Oak Street, for a
Variance of Section 3.5.E.3

to allow a shed to remain in
its current location, for property
in the B Residence Zone
(Map N Block 63 Lot 919) is
denied.
FRANK BARFUSS,
Secretary
December 11, 2009
12-17