

**Minutes of  
ZONING BOARD OF APPEALS  
March 4, 2019**

**MEMBERS PRESENT**

Mrs. Edmonds, Chairman  
Mr. Mahoney, Secretary  
Mr. Bilus  
Ms. Rozel

**MEMBERS ABSENT**

Mr. Tashjian

**ALTERNATES PRESENT**

Ms. Cardon  
Ms. Walsh  
Vacant

**ALTERNATES ABSENT**

Also in Attendance:

Lynn Brooks-Avni, Town Planner, AICP  
Kevin Moynihan, First Selectman

**MEETING OPENED**

At 7:00 p.m.

**PUBLIC HEARING**

The Chairman then called the Public Hearing to order and read the call, as follows:

**LEGAL ADVERTISEMENT**

Thursday, February 28, 2019 | **New Canaan Advertiser** | A7

<p><b>STATE OF CONNECTICUT</b></p> <p><b>TOWN OF NEW CANAAN</b></p> <p><b>ZONING BOARD OF APPEALS</b></p> <p>NOTICE IS HEREBY GIVEN that the ZONING BOARD OF APPEALS of the Town of New Canaan will hold a Public Hearing on Monday, March 4, 2019 in the Board Room at Town Hall, 77 Main Street at 7:00 p.m. to hear the following application(s): 1. 429 Ponus Ridge – Zoning Variance – Upon application of Sean M. and Kelly L. McDevitt, owners, for a Variance of Section(s) 3.5 to allow a 20 ft. rear setback where a 35 ft. rear yard setback for accessory buildings/structures is required in the Two Acre Zone (Map 25, Block 11, Lot 3).          Laura Edmonds, Chairman          Dated: February 21, 2019</p>
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1. **429 Ponus Ridge** – Zoning Variance – Upon application of Sean M. and Kelly L. McDevitt, owners, for a Variance of Section(s) 3.5 to allow a 20 ft. rear setback where a 35 ft. rear yard setback for accessory buildings/structures is required in the Two Acre Zone (Map 25, Block 11, Lot 3).

Ms. Walsh was seated for Mr. Tashjian. The Applicant’s architect, Mr. Keedle presented the proposal to the Board. Mr. Keedle reminded the Board members that there had been an earlier application which had been heard at the November 5, 2018 ZBA meeting. At that meeting the Board members had requested that the Applicant consider revising the design so that potentially fewer variances would be requested. Mr. Keedle showed the Board the revised design, the relocated generator and equipment as well as the repositioned pool.

There was a brief discussion of the shed that is over the property line. There was also a discussion of the neighbor, a renter who was opposed to the original application; however, the property owner, New Canaan Country School wrote a letter in support. The Board members also noted that in the previous application there were at least three additional variances that would have been required. The Board members noted that the Applicant’s current application was much improved.

The Application was closed on 3/4/19. There were no members of the public at the meeting. Thus there were no comments made by the public either in favor or against the application. Mr. Keedle referenced the letter submitted by New Country School in favor of the application.

The Public Hearing was closed on this item.

Mr. Mahoney made a motion to approve the variance due to the fact that a literal enforcement of the Zoning Regulations would result in a unique hardship due to a significant amount of wetlands on subject parcel, the location of the septic and the location of the driveway to 433 Ponus Ridge Road; Mr. Bilus seconded the motion. The vote was unanimous in favor of granting the variance to allow a 20 ft. rear yard setback where a 35 ft. rear yard setback for accessory buildings/structures is required in the Two Acre Zone (Map 25, Block 11, Lot 3).

### REGULAR MEETING

2. Approve Minutes of February 4, 2019 Meeting.

Mr. Bilus made a motion to approve the minutes as amended; seconded by Ms. Walsh and unanimously approved.

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

None.

4. Adjournment.

Meeting adjourned at 7:40 p.m.

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LAURA EDMONDS, CHAIRMAN

### LEGAL ADVERTISEMENT

A10 | New Canaan Advertiser | Thursday, March 14, 2019

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, March 4, 2019 duly adopted the following resolution(s). Approved applications become effective upon the filing of a copy thereof in the office of the Town Clerk. 1. RESOLVED, 429 Ponus Ridge – Zoning Variance – that the application of Sean M. and Kelly L. McDevitt, owners, for a Variance of Section(s) 3.5 to allow a 20 ft. rear setback where a 35 ft. rear yard setback for accessory buildings/structures is required in the Two Acre Zone (Map 25, Block 11, Lot 3) is approved. Laura Edmonds, Chairman Dated March 4, 2019