



**CITY OF DANBURY**  
155 DEER HILL AVENUE  
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**ZONING BOARD OF APPEALS**  
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***ZONING BOARD OF APPEALS***  
***MINUTES - Corrected***  
March 25, 2021  
7:00 p.m.

**ROLL CALL:**

Acting Chairman Rodney Moore called the web-based meeting to order at 7:00 p.m. Present were Peter DeLucia, Joseph Hanna, and Juan Rivas. Mr. Moore seated Alternate Peter DeLucia as a full member in the absence of Michael Sibbitt. Staff present: Zoning Enforcement Officer Sean Hearty and Secretary Mary Larkin. Mr. Moore explained the procedures for the hearing with a four-man Board and that the vote would have to be unanimous. Mr. Moore asked Mr. Marcus and Mr. Bedard if they wished to go forward and they agreed. Mr. Moore announced that Application No. 21-02 will be heard. Absent: Richard Jowdy and Michael Sibbitt.

*Motion to hear Application No. 21-02 was made by Joseph Hanna; seconded by Peter DeLucia. Motion passed unanimously with Ayes from Messrs. DeLucia, Hanna, Rivas, and Moore.*

**ACCEPTANCE OF THE MINUTES:**

*Motion to accept the minutes of **February** 25, 2021 was made by Joseph Hanna; seconded by Peter DeLucia. Motion passed with Ayes from Messrs. DeLucia, Hanna, Rivas, and Moore.*

**PUBLIC HEARINGS:**

**#21-02: Bedard, Douglas, 7 Shady Knolls, (J04014), RA-20 Zone,**

Sec. 4.A.3 Reduce minimum front yard setback from 30' to 2.3' to roof overhang; reduce minimum side yard from 15' to 3.5' to roof overhang; reduce minimum rear yard from 35' to 23.2' to roof overhang; increase building coverage from 20% to 37.8%. Sec. 9.C.2(b) Allow pre-existing, non-conforming structure to be extended/expanded.

Neil Marcus, Esq. appeared with his client, Mr. Doug Bedard. Mr. Marcus explained that they had taken the comments and concerns from the Board members into consideration and have submitted a new plan with improvements. Mr. Marcus described the current dwelling as functionally obsolete. The new plan is more conservative, the house was redesigned, and additional side yard and front yard space was created. There will be sufficient area for a code-conforming septic system, and the requested building coverage was reduced. Significant improvements have been made to the design, including the tear-down of the garage. The dwelling will be farther away from Lake Candlewood. Mr. Marcus represented that the neighbors are in favor with this design as well.

The hardship is that this lot is non-conforming in an up-zoned area.

Questions from the Board included concerns from Rodney Moore, who revisited the property, about the extreme slope and rainwater runoff. He was also concerned about the shed. Mr. Bedard said the shed will remain because it is below the 440 line and First Light has accepted that as “grandfathered”. Mr. Bedard further explained that the existing trees would remain, there is abundance of trees in the back of the property, there will be holding tanks for the roof runoff, and there is a buffer area with a loose stone wall and he will replant the vegetation. Mr. Bedard said the civil engineer corrected the typographical error on the original submission, which indicated the septic was designed for a four-bedroom dwelling, and corrected it to a two-bedroom dwelling. Mr. Bedard also indicated that 440 staking has been done by the civil engineer for the septic.

No opposition from neighbors was indicated.

*Motion to go to the voting session was made by Joseph Hanna; seconded by Juan Rivas. All in favor with AYES from Messrs. DeLucia, Hanna, Rivas, and Moore.*

*Motion to approve Application No. 21-02, per plan submitted, was made by Joseph Hanna; seconded by Peter DeLucia. All in favor with AYES from Messrs. DeLucia, Hanna, Rivas, and Moore.*

ADJOURNMENT:

*Motion to adjourn was made by Joseph Hanna; seconded by Peter DeLucia. All in favor with Ayes from Messrs. DeLucia, Hanna, Rivas, and Moore. Meeting adjourned at 7:36 p.m.*

Respectfully submitted,

Mary S. Larkin  
Recording Secretary