

Town of North Canaan  
Zoning Board of Appeals  
January 20, 2021, via zoom technology

Present: Brian Allyn, Sr. Chairman, Sally Green, John Jacquier, Scott Zinke, Matt Freund

Chairman Allyn called the meeting to order: 7:23 pm. A quorum was determined for the meeting.

**Mr. Zinke made a motion to accept the minutes from the December meetings. Mr. Jacquier seconded the motion. Motion was approved.**

New Business: Janelli property, 76 Church Street, North Canaan – variance request

Dr. Bruce Janelli addressed the board with an explanation of the situation which brought him to the appeals board. He initially bought the property in 1990. The property is zoned commercial/residential. He turned the first floor of the house into his medical practice, which he used until 2018. The upstairs remained living space, although he chose not to live there or rent it out. He recently went to the Zoning Board to get permission to turn the first floor back into living space. He was denied because according to the ZEO the law regarding lot size made the property non-compliant so he had to come to the appeals board for a variance. When he purchased the building, Tony Ghi stated he would not be able to use the upstairs for medical space as it was not handicap accessible. They are looking to return this to all living space to enable his daughter and family to move into it. There was a brief discussion regarding Table 2 of the regulations and also regarding the grandfathering terminology. Dr. Janelli stated there is no way to expand the property because there is no property to buy adjacent to it. The commission discussed the property and alternatives.

**Mr. Freund made a motion to allow a variance with the rationale that half of the house is already residential and the applicant is looking to make the entire house residential. Mr. Zinke seconded the motion.** There was further discussion including comments on a possible public hearing. **Mr. Freund amended his motion to allow a variance with the rationale that half of the house is already residential and the applicant is looking to make the entire house residential contingent on receiving legal advice as to whether a public hearing must be done. Mr. Zinke seconded the motion with the amendment. Through a show of hands motion was approved.**

Chairman Allyn will speak with town attorney and get back in touch with Dr. Janelli within 2 weeks.

No other business to come before the board:

**Mr. Freund moved to adjourn the meeting. Mr. Jacquier seconded the motion. Motion was approved.**

**Meeting adjourned 7:44pm**

Respectfully submitted,



Avrslea A Odell  
Recording Secretary