

Town of North Canaan
Zoning Board of Appeals
Regular Meeting

May 25, 2022 – 7:00pm

RECEIVED FOR RECORD AT NORTH CANAAN, CT
ON 5.26.2022 AT 5:30
ATTEST JEAN A. JACQUIER, TOWN CLERK

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

Chairman Allyn called the meeting to order at 7:13pm and established a quorum

Mr. Jacquier made a motion to approve the minutes of the previous meeting. Mr. Freund seconded the motion. Motion was approved.

Mr. Freund made a motion to amend the posted date for the September meeting from September 27 to September 28. Mr. Zinke seconded the motion. Motion was approved.

15 Lower Road Jaime Santiestaban property owner presented before the commission for a variance for projects denied by the Zoning Enforcement Officer. Mr. Santiestaban explained the projects that he wishes to do which include staircases and a stoop, and a freestanding staircase to the river. The project of the stoop off of the back door was denied because it enlarges the footprint.

Both Mr. Jacquier and Mr. Zinke believe these projects need to be done to address safety issues.

Photographs and plans were presented to the board.

The freestanding staircase would be approximately 6' from the edge of the river. The staircase would be in place of a trail which has been worn down. He would like to make it a safe passage to the river. Mr. Freund stated that he spoke with Mr. Santiestaban and it is not a wetlands issue.

ZEO Martin stated that the setback is 20ft and Mr. Santiestaban's property goes to the center of the river which covers the 20ft setback.

Mr. Zinke made a motion to approve the variance for projects 1-4 on the list given by Zoning Enforcement Officer Martin with the rationale that these are safety issues. Mr. Jacquier seconded the motion. Motion was approved.

Mr. Jacquier cautioned that the river does rise. Mr. Santiestaban stated he doesn't think it will rise to the level of the staircase. He will do the staircase all by hand and will do everything up to code. The trail was worn down by previous owners not anyone currently using it.

Mr. Zinke stated that he feels project #5 the freestanding staircase is also a safety issue even if it expands on the non-conformity. Mr. Jacquier believes that because it is free standing from the home it does not impact the non-conformity.

Mr. Jacquier made a motion to approve the variance for project #5 the free-standing staircase to the river with the rationale that it is a safety issue. Mr. Zinke seconded the motion. Discussion ensued regarding being up to code – which would be up to the building inspector. Further discussion regarding a landing at the bottom of the staircase. Mr. Freund amended the motion to include a 6x8ft landing at the bottom of the staircase. Ms. Green seconded the motion. Vote was taken for the

approval of the amendment. Amendment passed. Vote for the approval of the amended motion. Motion approved.

Nothing further to come before the board.

Mr. Zinke made a motion to adjourn the meeting. Mr. Jacquier seconded the motion. Motion was approved.

Meeting adjourned at 7:45pm

Respectfully submitted

Ayrslea A Odell

Recording Secretary