



**Town of Canaan**

Zoning Board of Appeals Regular Meeting Minutes – **APPROVED**  
September 27, 2022

**Present:** Craig Dillon, as Meeting Chair in David Cooper’s absence  
Brian Lossow  
Patricia Liddle  
Heather O’Grady

**Absent:** David Cooper  
Spee Braun

**Others Present:** Jillian Kasow, Zoning Board of Appeals Clerk; Audience: 7

**I. Meeting Call to Order**

- Meeting Chair Craig Dillon called the Regular Meeting of the ZBA to order at 6:58 p.m.

**II. Case 2022-04, Zoning Ordinance Variance, Adrian and Elizabeth Zackheim, 96 Shaker Ridge Drive, Tax ID 50.00-02-13 RA2**

- Constructors of pool were instructed to build as close to line as legally permissible. Constructors advised they would allow an additional 15 feet. Pool was constructed first. Shed contractor came later and found out that no permit for the pool was applied for. Hence the application for a permit for both the pool and the shed was applied after work was completed.
- Applicant is applying for an area variance for both pool and shed.
- Motion to accept application by Brian Lossow, Heather O’Grady seconds. All in favor.

Craig Dillon, Meeting Chair	Aye
Brian Lossow	Aye
Patricia Liddle	Aye
Heather O’Grady	Aye

- Next is public hearing, must notify all property abutters. One line abuts state line—previous notification of neighbors across state line likely as a courtesy but not required. ZBA will check on whether the Massachusetts property must be notified and advise the applicant. Public Hearing will be at the October 25 ZBA meeting.

**III. Case 2022-05, Zoning Ordinance Variance, Appeal Number 2021-02, Bridget Vasquez, 97 Luke Hill Road, Tax ID 50.1-1-34 RA2**

- Seeking to construct garage near newly build house.
- Clarification: Two walls of the retaining wall will be part of the structure.
- Clarification: Already 100 feet from water, do not need another DEC permit. Meeting Chair clarifies state requirements still apply even if ZBA approves. Applicants advised to contact DEC to confirm.
- Clarification: Garage dimensions will be 14x40ft.

- No other questions.
- Motion to accept application by Heather O’Grady, Brian Lossow seconds. All in favor:

Craig Dillon, Meeting Chair	Aye
Brian Lossow	Aye
Patricia Liddle	Aye
Heather O’Grady	Aye

- Public hearing will be at October 25 ZBA meeting.

**IV. Public Hearing, Appeal 2022-03, Applicant Dan Dutton, Tax ID No. 60.-1-21**

- Reading by Meeting Chair of the public hearing notice at beginning of the meeting.
- Meeting Chair confirms that Applicant has no further information to add.
- Clarification: Applicant has certificate of inspection from Ag Mkts and DOH and a letter of acceptance of the road cut by DOT. Applicant is waiting for the actual permit from DOT. Copies will be provided to add to the board’s record.
- Comment by Meeting Chair: more of a store than a permanent farm stand, not an issue but this will be addressed in the decision if special permit is approved.
- Clarification: Applicant clarifies also that Planning Board needs answer from County prior to PB action; otherwise PB was in agreement on the plan.
- Meeting Chair confirms approval for a local decision has been received from County and distributed to both ZBA and PB. County approval did have some recommendations. These were reviewed and discussed by the board, and it was determined that all items have been already recognized and addressed in the application.
- Clarification: is a DBA used? Everything here is under Shady Acres Farm Market LLC. This is a DBA and the business is also under Applicant’s name.
- Closing of public hearing moved by Craig Dillon, and seconded by Heather O’Grady. Carried as follows:

Craig Dillon, Meeting Chair	Aye
Brian Lossow	Aye
Patricia Liddle	Aye
Heather O’Grady	Aye

Motion is approved. Fee will be \$25.

- Deliberation: members agree that the application is complete and there is no issue regarding approval. Chair will need to draft final decision.
- Move to approve special permit contingent on approval by Planning Board and addition of documents to file as stated above. Moved by Craig Dillon, seconded by Brian Lossow. Carried as follows:

Craig Dillon, Meeting Chair	Aye
Brian Lossow	Aye
Patricia Liddle	Aye
Heather O’Grady	Aye

Motion is approved. Fee is \$25 and was paid by applicant.

**V. Minutes Review/Approval**

- The minutes of the August 30, 2022 meeting were approved by a motion made by Pat Liddle and seconded by Brian Lossow. The vote carried, as follows:

Craig Dillon, Meeting Chair	Aye
Brian Lossow	Aye
Patricia Liddle	Aye
Heather O'Grady	Aye

**VI. Meeting Adjourned**

Meeting was adjourned at 7:23pm, motion by Pat Liddle and seconded by Brian Lossow, all in favor.

Submitted by Jillian Kasow, Clerk