

ZONING BOARD OF APPEALS
October 3, 2012

A regularly scheduled meeting of the Zoning Board of Appeals, of the Town of Trumbull, was held in the Council Chambers of the Trumbull Town Hall on Wednesday, October 3, 2012.

Members Present: Michael Muir, Chairman
David Preusch, Richard Puskar, Carl Scarpelli and alternates
William Malmstedt, Dennis Miko and Richard Mayo

Also Present: Douglas Wenz, ZEO

The following is a brief summary of the meeting. A complete record is on tape, on file in the office of the Zoning Board of Appeals.

A quorum being present, the Chairman called the meeting to order at 7:33 p.m.

In the absence of Commissioner Vitrella, alternate Dennis Miko was designated the fifth voting member for tonight's meeting.

Application #12-12 – Quality Craft Builders, LLC, Agent for
Jonathan & Barbara Wong
21 Sunnycrest Road

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct a 999 sq. ft. addition 15.2' from the W/S property line and 45.2' from the front property line, at its closest point.

David Salerno, the project contractor and the homeowner, Jonathan Wong, spoke to the application.

The submitted plans showed construction of a two-car attached garage, having rooms above, requiring front and side waivers. No proposed increase to the existing roofline was indicated. The applicant informed that the slope of the land in the rear yard along with existing ledge has rendered the proposed location as the only feasible option. Mr. Wong noted that there was no further increase into the front yard setback and that the house line is consistent with the other homes located on this street.

The Chairman informed the applicant that the proposed construction will be subject to the Town's Stormwater Management Policy and Driveway Ordinance. Adherence to those conditions, as confirmed by the Town Engineer, will be required before the issuance of a building permit.

Public Comment

John Sulinsky of 110 Launsbery Road, the abutting property owner to the rear, requested information regarding the impact to his property. Mr. Sulinsky was assured that all construction would be within the side yard with no proposed disturbance to the rear.

Application #12-17 – Philip Georges
37 Church Hill Road

Variance of Art. I, Sec. 5.2.1 with respect to construction of a 6' privacy fence along the E/S property line exceeding the maximum height allowable.

The applicant Philip Georges of 43 Church Hill Road appeared.

Mr. Georges informed that he is the abutting neighbor to the east of 37 Church Hill Road, which serves as a veterinarian clinic. The establishment of the clinic, which was previously a residential home, has brought about noise issues and an increased amount of traffic entering and exiting the driveway located along his property line. Mr. Georges also informed that the parking area in the front yard is within 30' from his bedroom window. A question arose as to the possibility of creating a natural tree lined buffer along the property line. The applicant responded that this alternative was not feasible due to the existing row of cedar trees that the property owner hopes to preserve.

Public Comment

Kathleen Fearon, property owner of 37 Church Hill Road, confirmed that the establishment of the clinic has resulted in traffic and privacy issues to Mr. Georges property.

Application #12-18 – Christopher Lepore
98 Plymouth Avenue

Variance of Art. I, Sec. 4.1.1 and Art. III, Sec. 1 with respect to insufficient yard requirements to increase the existing non-conforming use to construct a covered front porch 43.7' from the front property line.

The applicant, Christopher Lepore, conducted the presentation.

The submitted plans indicated that the proposed porch would not intrude any further into the front setback. The applicant informed that the purpose of the proposed construction was to provide protection from the elements and to add character to the appearance of his home.

Application #12-19 – Gerard Abidor
145 Pinewood Trail

Variance of Art. I, Sec. 4.1.1 and Art. III, Sec. 1 with respect to insufficient yard requirements to increase the non-conforming use to expand the existing garage (for a total of 2 garage spaces) to 8.5' from the N/S property line.

Gerard Abidor came forward.

Mr. Abidor described the proposed location as the only feasible alternative. The applicant informed that the abutting property, to the proposed construction, was vacant land. The parcel is owned by the Pinewood Lake Association and will not be developed for residential use.

The Chairman informed the applicant that the Town Engineer has determined the property to be within a regulated wetland area and that a permit from the Inland Wetlands and Watercourses Commission will be required.

Application #12-20 – Thomas and Lane Whitmoyer
21 Lindberg Drive

Variance of Art. I, Sec. 4.1.1 and Art. III, Sec. 1 with respect to altering a pre-existing non-conforming use into living area.

The applicant, Thomas Whitmoyer, was the presenter.

The submitted plans showed the existing garage to be located 15.1' from the east side property line and 29.8' from the front property line.

Mr. Whitmoyer informed that there was no proposed increase to the existing elevations or footprint. The requested variance was only to alter the garage area into additional living space.

This concluded the public hearing.

REGULAR MEETING

Tonight's applications were considered and the Commission took action, as follows.

Application #12-12 – Quality Craft Builders, LLC, Agent for
Jonathan and Barbara Wong
21 Sunnycrest Road

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried (Muir, Miko, Preusch, Puskar, Scarpelli) to approve Application #12-12, as presented subject to the Town's Stormwater Management Plan and Driveway Ordinance.

The Commission determined that a hardship has been created due to the property's topography. Comment was also made that the proposed construction conforms to the surrounding area.

Application #12-17 – Philip Georges
37 Church Hill Road

MOTION MADE (Puskar) and seconded (Scarpelli) to approve Application #12-17.

Vote: In Favor (0) - Opposed (5): Muir, Miko, Preusch, Puskar, Scarpelli MOTION FAILS
Application #12-17 UNANIMOUSLY DENIED

It was determined that the applicant has failed to identify a legal hardship, as defined under CGS 8-6 and Art. VI, Sec. 1.2 of the Zoning Regulations of the Town of Trumbull.

Application #12-18 – Christopher Lepore
98 Plymouth Avenue

MOTION MADE (Scarpelli), seconded (Puskar) and unanimously carried (Muir, Miko, Preusch, Puskar, Scarpelli) to approve Application #12-17, as presented and plans submitted.

The submitted plan showed no additional encroachment into the front setback area. It was also agreed that the proposed porch would enhance both the home and the neighborhood.

Application #12-19 – Gerard Abidor
145 Pinewood Trail

MOTION MADE (Scarpelli), seconded (Puskar) and unanimously carried (Muir, Miko, Preusch, Puskar, Scarpelli) to approve Application #12-19, as presented subject to the issuance of a permit by the Inland Wetlands and Watercourses Commission.

No feasible alternative for the proposed expansion was identified. The construction poses no negative impact to the adjacent property.

Application #12-20 – Thomas and Lane Whitmoyer
21 Lindberg Drive

MOTION MADE (Miko), seconded (Scarpelli) and unanimously carried (Muir, Miko, Preusch, Puskar, Scarpelli) to approve Application #12-20, as presented and plans submitted.

No negative impact was indicated.

There being no further business to discuss a motion was made by Commissioner Puskar and seconded by Commissioner Scarpelli to adjourn. The October 3, 2012 meeting of the Zoning Board of Appeals adjourned at 8:15 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, November 6, 2012 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Clerk of the Zoning Board of Appeals

