

ZONING BOARD OF APPEALS
January 2, 2013

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, January 2, 2013.

Members Present: Michael Muir, Chairman
David Preusch, Richard Puskar, Carl Scarpelli, Joseph Vitrella and alternate
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 7:32 p.m.

PUBLIC HEARING

Application #13-01 – Scott Farguharson, Agent for
Scott & Sarah Millinger
121 Pinewood Trail

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 22'x34' garage 13' from the front property line, as well as, a second floor addition to an existing structure located 34' from the front property line and 9.5' from the S/S property line.

Scott Fargularson appeared representing the homeowner.

Mr. Fargularson began his presentation with the submission of photographs of the site area. The submitted plans indicated the proposed second floor addition to mirror the existing footprint. The original layout included a garage which has since been enclosed due to run-off issues. To address the on-going water problems, tonight's proposal includes raising the front grade approximately four feet.

The applicant noted that the lot is non-conforming consisting of .3 acres with only 80' of road frontage. The stated hardship was the fact of the undersized lot with the existing terrain creating additional difficulties.

The Chairman made note that the application, as submitted, did not contain the required elevations. It was also noted that there were components to the proposal that were not consistent with the site plan. The required elevations were then brought forward and reviewed by Mr. Fargularson.

Upon inquiry as to existing viable alternatives, the applicant indicated that there were no feasible alternatives available due to the small lot area and the regulated wetland area located in the rear.

The Commission advised the applicant of the safety issues that are attached to a garage being located so close to the road. Comment was also made that the proposal, as submitted, appeared to be inconsistent with the character of the neighborhood.

Application #12-23 – The Silverman Group
126 Monroe Turnpike

Variance of Art. II, Sec. 4.2.7 and Art. XIII, Sec. 6.2 with respect to construction of a, directly illuminated, 7'4"x10' multi-tenant ground sign totaling 73.33 sq. ft. exceeding the maximum size allowable. HEARING CONTINUED FROM DECEMBER 5, 2012.

Attorney Raymond Rizio conducted the presentation on behalf of the applicant. Photographs of the site area, as well as a comparison survey pertaining to the existing signage along Monroe Turnpike were submitted.

Modified plans, replacing those originally submitted, were presented and reviewed. The proposal replaces the existing signage with a new seven tenant identification sign. The proposed new signage was described as being of a brick and colonial like design keeping in character with the building.

Attorney Rizio advised that the current sign is very small and difficult to see from the road. He also indicated that what is being proposed would be modest in size compared to what currently exists on Monroe Turnpike.

The applicant's representative indicated that the topography and safety issues create a hardship for compliance with zoning standards. Due to the high volume of traffic on major roadways it is essential to be able to identify tenants prior to entering the site. Mr. Rizio also indicated that strict enforcement of the regulations on this particular issue is not consistent with the Town's Master Plan.

Several Commissioners indicated that slowing down on a busy roadway to identify the tenants is a hazard in itself and that it would be more prudent to identify the tenants after you have entered the property.

Attorney Rizio reiterated the current sign, which indicates only the address does not work. There is no negative effect to any adjacent properties and that the proposal would safely identify the tenants for those traveling on Rte. 111.

This concluded the Public Hearing.

REGULAR MEETING

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

Application #13-01 – Scott Farguharson, Agent for
Scott & Sarah Millinger
121 Pinewood Trail

MOTION MADE (Vitrella), seconded (Scarpelli) to approve Application #13-01, as presented.

Vote: In Favor: 0 - Opposed (5): Muir, Preusch, Puskar, Scarpelli, Vitrella

Application #13-01 DENIED (0 to 5) for the following reasons.

1. The proposal, as submitted, is not in conformance with the neighboring properties.
2. There is a safety issue created as a result of the garage being located so close to the road.

Application #12-23 – The Silverman Group
126 Monroe Turnpike

MOTION MADE (Scarpelli), seconded (Vitrella) to approve Application #12-23, as presented.

Vote: In Favor: 0 - Opposed (5): Muir, Preusch, Puskar, Scarpelli, Vitrella

Application #12-23 DENIED (0 to 5) for the following reasons.

1. The applicant 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.
2. Public safety is endangered by the installation of this type of tenant directory signage on Monroe Turnpike.

There being no further business to discuss a motion was made by Commissioner Puskar and seconded by Commissioner Scarpelli to adjourn. The January 2, 2013 meeting of the Zoning Board of Appeals adjourned at 8:50 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, February 6, 2013 in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Clerk of the Zoning Board of Appeals