

**ZONING BOARD OF APPEALS**  
**April 3, 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, April 3, 2013.

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

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 located in the Trumbull Town Hall.

A quorum being present, the Chairman called the meeting to order at 7:35 p.m.

In the absence of Commissioner Puskar and Commissioner Vitrella, alternates William Malmstedt and Dennis Miko were designated, as the fourth and fifth voting members for tonight's meeting.

**PUBLIC HEARING**

A request for a continuance of the Public Hearing for Application #13-08 (Greater Bridgeport Board of Realtors, 843 & 847 White Plains Road), until the next regularly scheduled meeting (May 1, 2013), was presented.

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried (Muir, Malmstedt, Miko, Preusch, Scarpelli) to continue the Public Hearing for Application #13-08, as requested.

Application #13-06 – Scott Farguharson, Agent for  
Gerald and Sandra Weiner  
137 Whitney Avenue

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to increasing the existing non-conforming use to construct a 24'x14' one-story addition 34' from the front property line.

Scott Farguharson, of Baybrook Remodelers, presented the proposal on behalf of the property owners.

The construction plans were reviewed, along with the submitted photographs of the site area.

Mr. Farguharson informed that the hardship relative to this property was threefold. The existing home, with the exception of the rear, is located within the regulated setbacks, which prevents any further construction within zoning requirements. As the septic system is located in the backyard, the required setbacks for this system preclude any construction there. Thirdly, due to the Pequonnock River running along the north and east side of the property, an application to IWWC was required. The Inland Wetlands and Watercourses Commission has approved the proposed construction at the location specified.

Letters, in support of the application, from Bruce and Pamela Silverstone, 121 Whitney Avenue and David and Jennifer Lamon, 130 Whitney Avenue were submitted by Sandra Weiner.

Application #13-07 – Scott Farguharson, Agent for  
Edgar Perez and Beatriz Montijo  
310 Broadway

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to insufficient yard requirements to construct a 34.5'x16.4' two-story addition 22' from the rear property line and 48' from the front property line.

Scott Farguharson came forward representing the property owners. Photographs of the site area were submitted for the record and the submitted plans were reviewed.

Mr. Farguharson described the lot, as being long and shallow, with a depth of only about 106' at the house location. In 1982 part of the property was released to the State for construction of the highway and the home now lies almost entirely within the front and rear setbacks.

The applicant's representative noted further that the lot is pre-existing non-conforming, as to lot area and square. In addition, the State also has access to part of the property.

This concluded the public hearing.

### **Regular Meeting**

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

Application #13-06 – Scott Farguharson, Agent for  
Gerald and Sandra Weiner  
137 Whitney Avenue

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried (Muir, Malmstedt, Miko, Preusch, Scarpelli) to approve Application #13-06, as presented and plans submitted.

The Chairman noted that a legal hardship has been established.

Application #13-07 – Scott Farguharson, Agent for  
Edgar Perez and Beatriz Montijo  
310 Broadway

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried (Muir, Malmstedt, Miko, Preusch, Scarpelli) to approve Application #13-07, as presented and plans submitted.

The established legal hardship was so noted.

There being no further business to discuss a motion was made by Commissioner Scarpelli and seconded by Commissioner Miko to adjourn.

The April 3, 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, May 1, 2013 in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog  
Clerk of ZBA

