

**ZONING BOARD OF APPEALS**  
**May 1, 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, May 1, 2013.

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

Also Present: Jamie Brätt, Director of Planning and Development

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 7:42 p.m.

**PUBLIC HEARING**

Application #13-09 – Kizysztof Ciszewski  
79 Bassick Road

Variance of Art. I, Sec. 4.2.3 and Art. III, Sec. 1 with respect to insufficient yard requirements to construct a 2,681 sq. ft. two-story dwelling over existing foundation 44.5' from the front property line, 12.4' from the W/S property line and 17.7' from the E/S property line.

Kizysztof Ciszewski and Carl Thorsen of William Raveis Realty conducted the presentation.

The submitted plans indicated no further increase to the existing non-conforming setbacks.

Mr. Thorsen advised that the applicant has recently purchased the property and proposes to construct a new dwelling to replace the existing one-story home, which is in disrepair. All new construction will be contained within the current footprint but the pre-existing non-conforming use has been increased with the addition of the second floor.

Application #13-08 – Greater Bridgeport Board of Realtors  
843 & 847 White Plains Road

Variance of Art. II, Sec. 2.1.3.5 to construct a 2,900 sq. ft. two-story office building, in a Professional Office Overlay Zone, exceeding the maximum size allowable. HEARING CONTINUED FROM APRIL 3, 2013

Attorney Raymond Rizio came forward representing the applicant. A handout, which included a copy of the subject regulation and the field cards relative to these two properties, was submitted for the record.

The subject location consists of two parcels with a single family home situated on each. Mr. Rizio advised that the combined square footage of the two dwellings, to be demolished, is 3,200 sq. ft.

The applicant's representative indicated that the required legal hardship has been satisfied as Sec. 2.1.3.5 fails to provide size limitations in instances where two lots have been combined with two structures on site.

A picture of the proposed office building was viewed. Mr. Rizio maintained that there are no negative aspects to the plan and described the proposed building as being consistent with the neighborhood and the Master Plan.

The Chairman disagreed commenting that he found the proposal to be inconsistent with the spirit of the regulations. It was his interpretation that the purpose of the regulation was to permit the construction of new professional office structures within the same scale, as the abutting properties. The proposal before us will merge the two parcels into one lot and the size of the proposed structure far exceeds the maximum square footage allowable, as it is defined under the regulation.

#### Public Comment

Susan Coyle, associate of the Greater Bridgeport Board of Realtors, spoke in favor commenting that the proposal would bring additional business to the area and enhance the neighborhood visually, as well.

Tom Whelan, the owner of the two subject properties, noted the positive effect the project would have to Trumbull's tax base.

The following spoke in opposition citing traffic, safety and other negative impacts to this residential area: Brian McEntee, speaking on behalf of John Kucej, property owner of 64 Berkshire Avenue; Nicholas Cacchione, 18 Alice Place; Sophia Odendahl, 815 White Plains Road; Sylvia Artia, 12 Alice Place; Bill Wakeman, 5 Alice Place.

A letter in opposition submitted by Barbara Ferrucci of 8 Burton Avenue was noted for the record.

Attorney Rizio responded that the application before the Board tonight is a conservative proposal for a one acre combined property located in a Professional Overlay Zone.

This concluded the Public Hearing

#### **REGULAR MEETING**

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

Application #13-09- Kizysztof Ciszewski  
79 Bassick Road

MOITON MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella) to approve Application #13-09, as presented and plans submitted.

It was agreed that the proposal posed no negative impact and would enhance the neighborhood, as well.

Application #13-08 – Greater Bridgeport Board of Realtors  
843 & 847 White Plains Road

MOTION MADE (Vitrella) and seconded (Scarpelli) to approve Application #13-08.

In Favor (2): Puskar, Vitrella - Opposed (3): Muir, Preusch, Scarpelli MOTION FAILS

Application #13-08 DENIED (3-2) for the following reasons.

1. 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.
2. The proposal, as presented, does not conform to the intent of the regulation.

Those voting in favor commented that they considered the project suitable for this main corridor within a Professional Office Overlay Zone.

Prior to adjournment, Commissioner Muir advised that the Zoning Enforcement Officer has requested that the submission of an as-built, upon completion of construction, be included as part of any variance approval. This will allow him to verify that the terms of the variance have been complied with.

MOTION MADE (Puskar), seconded (Scaprelli) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella) that prior to the issuance of a Certificate of Occupancy, an as-built, completed by a licensed surveyor, shall be submitted to the ZBA office verifying that the terms of variance, as it was granted by the Commission, have been complied with.

There being no further business to discuss a motion was made by Commissioner Vitrella and seconded by Commissioner Scarpelli to adjourn. The May 1, 2013 meeting of the Zoning Board of Appeals adjourned at 9:00 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, June 5, 2013 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog  
Clerk

