

**ZONING BOARD OF APPEALS
December 4, 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, December 4, 2013.

Members Present: Michael Muir, Chairman
Richard Mayo, Dennis Miko, Richard Puskar, Carl Scarpelli

Also Present: Douglas Wenz, Zoning Enforcement Officer

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.

With a quorum being present the Chairman called the meeting to order at 7:30 p.m.

Acceptance of 2014 Meeting Dates

MOTION MADE (Scarpelli), seconded (Puskar) and unanimously carried (Muir, Mayo, Miko, Puskar, Scarpelli), to accept the proposed 2014 meeting dates, as presented.

Election of Officers

Office of Chairman

MOTION MADE (Scarpelli) and seconded (Puskar) nominating Michael Muir for the office of Chairman. There being no further nominations, Commissioner Muir unanimously elected Chairman of the Zoning Board of Appeals.

Office of Vice-Chairman

MOTION MADE (Scarpelli) and seconded (Muir) nominating Richard Puskar for the office of Vice-Chairman. There being no further nominations, Commissioner Puskar unanimously elected Vice-Chairman of the Zoning Board of Appeals.

Office of Secretary

MOTION MADE (Puskar), seconded (Muir) nominating Carl Scarpelli for the office of Secretary. There being no further nominations, Commissioner Scarpelli unanimously elected Secretary of the Zoning Board of Appeals.

PUBLIC HEARING

Application ##13-35 – Anallansy Betancourth
97 Shelton Road

Variance of Art. I, Sec. 5.2.1 with respect to construction of a fence on top of a proposed stone wall, along the front property line, having a combined height of 5.5' and a 6' privacy fence along the N/E property line exceeding the maximum height allowable (4').

The presentation was conducted by the property owner, Scott Davis. The proposed project involves construction of a 2'6" stone wall (currently in progress) to be topped with a 3' picket fence. A six foot stockade fence is being proposed for the N/E side of the property.

Mr. Davis informed that additional height is needed on the northeast side to block the traffic noise generated from Shelton Road. The fencing along the front property line was mainly for aesthetic purposes. The property owner made note that several neighbors have indicated their support of the proposal.

A letter from the Town Engineer stating that the applicant must provide confirmation that the fencing will not affect the line of sight or be located in the Town's right of way, was submitted for the record.

Mr. Davis advised that the line of sight would not be impeded, as the fencing is located eight feet from the curbside.

Public Comment

Carmine DeFeo of 15 Woodcrest Avenue questioned whether the proposal has met legal hardship requirements.

A letter in opposition from Michael and Carmelina Parente, advising that the proposed height does not conform to the character of the Nichols community, was read for the record.

Application #13-36 – Kelly Carling
6 Whippoorwill Lane

Variance of Art. III, Sec. 1 with respect to construction of a 491 sq. ft. one-story addition, existing sunroom to be removed, 37' from the rear property line, at its closest point.

Ms. Carling came forward with revised plans to her previous application (#13-31) that was denied by this Board. The applicant reported that the plans were re-drawn based on the feedback she received at the time of her original proposal.

The submitted plans showed that only a rear variance is now required. The angle of the structure has been moved to meet side setback requirements. Mr. Carling advised that for privacy purposes a row of arborvitaes would be planted along the rear lot line.

An analysis of the property, generated by a licensed appraiser, concluded that the proposed construction creates no negative impact to this home or the surrounding neighborhood. This document was submitted into the record by the applicant.

Ms. Carling was advised of the drainage and sediment control requirements attached to this project as indicated in the correspondence submitted by the Town Engineer, dated December 2, 2013.

Further correspondence from Daniel Pekera, an abutting property owner, also spoke to the need for drainage controls.

This concluded the public hearing.

REGULAR MEETING

Pending Applications

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

Application #13-35 – Anallansy Betancourth
97 Shelton Road

MOTION MADE (Puskar) and seconded (Miko) to approve Application #13-35.

Vote: In Favor (0) - Opposed (5): Muir, Mayo, Puskar, Miko, Scarpelli

Application #13-35 unanimously DENIED for the following reason.

There was no merit to the application in terms of a hardship, as defined under CGS 8-6 and Art. VI, Sec. 1.2 of the Zoning Regulations of the Town of Trumbull.

Application #13-36 – Kelly Carling
6 Whippoorwill Lane

MOTION MADE (Scarpelli), seconded (Puskar) and unanimously carried (Muir, Mayo, Miko, Puskar, Scarpelli) to approve Application #13-36, as presented and plans submitted.

The revised plan has allowed for an acceptable minor deviation of the setback requirements.

There being no further business to address a motion was made by Commissioner Puskar and seconded by Commissioner Scarpelli to adjourn. The December 4, 2013 meeting of the Zoning Board of Appeals adjourned at 8:00 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, January 8, 2014 (second Wednesday of the month) at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Administrator/Clerk

