

SUBJECT TO DISCUSSION AND REVIEW

ZONING BOARD OF APPEALS

August 6, 2014

A regularly scheduled meeting of the Zoning Board of Appeals was held in the Council Chambers of the Trumbull town Hall on Wednesday, August 6, 2014.

Members Present: Michael Muir, Chairman
Richard Puskar, Richard Mayo, Dennis Miko, Carl Scarpelli and alternates
Brian Reilly, Joseph Rescsanski

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.

PUBLIC HEARING

As the first order of business, the Chairman advised the public of the withdrawal of applications #14-33 (Michael Masanotti, 24 Rocky Hill Road) and #14-37 (James Teixeira, Re-subdivison, Parcels 101 and 103, 44 Endeavor Street).

Application #14-24 – Nicholas and Tara Brophy
65 Hilltop Drive

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 1,203 sq. ft. second story addition over an existing footprint located 11.2' from the E/S property line.
HEARING CONTINUED FROM JUNE 4, 2014.

The applicant Nicholas Brophy appeared.

The submitted plans indicated no proposed changes to the structure's footprint or any increase to the existing non-conforming setback. The applicant advised that the proposed addition would be constructed over a previous addition located in the rear, and would not be visible from the road. Mr. Brophy described the proposal, as being similar in size and design to the existing home styles within the neighborhood.

Application #14-26 – Christopher Greenwood
6057 Main Street

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 329 sq. ft. deck 33.1' from the rear property line, including stairs and 43.3' from the front property line.
HEARING CONTINUED FROM JUNE 4. 2014.

The application was called with no spokesperson coming forward.

Application #14-27 – Herbert Punz
61 Woolsley Avenue

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 329 sq. ft. deck 33.1' from the rear property line, including stairs and 43.3' from the front property line.

The presentation was conducted by the applicant. Mr. Punz informed that the subject lot is undersized, being only 101' wide, and therefore does not allow for compliance with setback requirements. The applicant advised that the proposed side yard location would be the least intrusive to the adjoining property owners. He noted that no negative feedback has been received from his abutting neighbors.

Application #14-28 – Michael and Vimala Ruskowski
659 Booth Hill Road

Variance of Art. III, Sec. 1 with respect to construction of a 22'x35' deck 40' from the rear property line, at its closest point.

Michael Ruskowski came forward and advised that the position of the home precludes construction outside of the regulated area. The applicant noted that the closest home is approximately 100' away and that the rear property line is bordered by a row of dense pine trees. Mr. Ruskowski informed that he has spoken to all adjoining neighbors who have indicated their support of the proposed construction.

Application #14-29 – Dan & Amy Hoak
1821 Huntington Turnpike

Variance of Art. I, Sec. 5.2 with respect to installation of a 6' fence, including a 6' gate, in the side yard area along existing driveway and house exceeding the maximum height allowable.

Mr. Hoak informed that relief from the regulated maximum fence height of 4 feet is requested to implement the security actions required for the safety of his special needs child.

Application #14-30 - William Nyiri, Agent for
Yonitza Guzman
28 Primrose Drive

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 9'x22' garage extension, for a two-car garage, 6' from the E/S property line.

The proposed plans were reviewed by William Nyiri, the construction contractor. The proposal would expand the existing garage to accommodate two cars. Mr. Nyiri advised that the pre-existing non-conforming undersized lot does not permit compliance with setback requirements. The applicant's agent added that there has been no opposition expressed from adjoining property owners.

Several Commissioners noted that by shortening the combined width to 21' a 9' setback could be achieved. This would still allow the property owner to attain a two-car structure and also lessen the

construction's close proximity to the neighboring property. The homeowner's agent indicated agreement to the proposed modification.

Application #14-31 – Robert E. O'Sullivan
121 Cottage Street

Variance of Art. III, Sec. 1 with respect to construction of a 7'2"x23' ramp 10.8' from the E/S property line.

David Salerno, the project contractor, and Robert O'Sullivan came forward.

The original proposal was reviewed and approved by this Board in May. At that time, the steps, and future entry ramp, to the proposed accessory apartment were inadvertently omitted from the submitted survey. The additional variance needed, for the steps and ramp, will increase the approved 17.5' non-conforming setback by 6.7'. The applicant's representative made note of the existing trees screening the subject property line.

Application #14-32 – Kennedy Center, Inc.
2440 Reservoir Avenue/Parcel 130 Booth Avenue

Variance of Art. II, Sec. 4.2.5(a) with respect to lot dimensions; Art. II, Sec. 4.2.5(d) with respect to construction of a 30'x50' garage/storage facility 10' from the N/S property line, at its closest point, 36' from the E/S property line (Booth Avenue) and 63' from Woodside Avenue at its closest point; Art. II, Sec. 4.2.6(a) to permit employee parking in the front yard.

The project engineer, David S. Bjorklund, conducted the presentation.

Mr. Bjorklund began his presentation with the submission of the original residential subdivision map for this property, which has since been rezoned to I-L2.

The applicant, and property owner, proposes to consolidate the two parcels into one larger lot. The combined parcels will now conform to acreage and frontage requirements but it will still be unable to satisfy setback requirements for the proposed 1,500 sq. ft. structure in the rear corner of the property. The applicant's representative noted further that the consolidation of the two properties will also provide the additional space needed for compliance with parking requirements.

Mr. Bjorklund assured that there would be no negative impact to any residential area, as the property is bounded on the north by the Merritt Parkway and that Booth Avenue has never been developed. He also made note that Woodside Avenue is also underdeveloped within proximity of this property.

Application #14-34 – Mark Reale
28 Magnolia Road

Variance of Art. III, Sec.1 with respect to construction of a 24'x24' two-car attached garage 10' from the N/E property line, at its closest point.

The applicant indicated that the proposal is consistent with the neighborhood. Mr. Reale advised that he has received no negative input to his proposed plan from his adjacent property owners.

Application #14-35 – Edvinas and Nijole Ikrata
35 Cottage Street

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 22'x22' detached garage (existing garage to be removed) 2.5' from the E/S property line and 37.9' from the rear property line.

The submitted plan indicated a small lot, less than .25 acres in size. The applicant noted that the proposed construction is no closer to the setback line than that existing and conforms to the other structures within the area.

Application #14-36 – Heather A. Woolbert
111 Pinewood Trail

Variance of Art. III, Sec. 1 with respect to construction of a 12'x25' deck over existing patio 2.1' from the S/S property line at its closest point and 13' from the W/S property line, excluding existing steps.

The applicant's representative, Attorney Raymond Rizio, approached and submitted pictures of the site area. The photographs indicated a property containing a steep slope.

The proposal consisted of expanding the existing patio into a deck within 13' of the waterline. The proposed construction will retain the same line as the patio.

Mr. Rizio indicated the proposal to be consistent with the neighboring homes around the lake and submitted a letter of support from the adjacent property owner.

This concluded the public hearing.

Regular Meeting

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

Application #14-24 – Nicholas and Tara Brophy
65 Hilltop Drive

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried to APPROVE Application #14-24, as presented and plans submitted.

Application #14-26 – Christopher Greenwood
6057 Main Street

MOTION MADE (Puskar), seconded (Miko) and unanimously carried to DENY WITHOUT PREJUDICE Application #14-26 for the following reasons.

1. No representation present.

2. Application determined to be incomplete.

Application #14-27 – Herbert Punz
61 Woolsley Avenue

MOTION MADE (Puskar), seconded (Miko) and unanimously carried to APPROVE Application #14-27, as presented and plans submitted.

Application #14-28 – Michael and Vimala Ruszkowski
659 Booth Hill Road

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried to APPROVE Application #14-28, as presented and plans submitted.

Application #14-29 – Dan and Amy Hoak
1821 Huntington Turnpike

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried to APPROVE Application #14-29, as presented and plans submitted.

Application #14-30 – William Nyiri, Agent for
Yonitza Guzman
28 Primrose Drive

MOTION MADE (Puskar), seconded (Miko) and unanimously carried to MODIFY AND APPROVE Application #14-30, as follows:

1. To mitigate impact to adjacent property owner E/S setback modified to 9’.

Application #14-31 – Robert O’Sullivan
121 Cottage Street

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried to APPROVE Application #14-31, as presented and plans submitted.

Application #14-32 – Kennedy Center, Inc.
2440 Reservoir Avenue/Parcel 130 Booth Avenue

MOTION MADE (Puskar), seconded (Miko) and unanimously carried to APPROVE Application #14-32, as presented and plans submitted.

Application #14-34 – Mark Reale
28 Magnolia Road

MOTION MADE (Puskar), seconded (Miko) and unanimously carried to APPROVE Application #14-34, as presented and plans submitted.

Application #14-35 – Edvinas and Nijole Inkrata
58 Cottage Street

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried to APPROVE Application #14-35, as presented and plans submitted.

Application #14-36 – Heather A. Woolbert
111 Pinewood Trail

MOTION MADE (Scarpelli), seconded (Miko) and unanimously carried to APPROVE Application #14-36, as presented and plans submitted.

There being no further business to discuss a motion was made by Commissioner Puskar and seconded by Commissioner Scarpelli to adjourn. The August 6, 2014 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, September 3, 2014 in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
Administrator/Clerk

