

ZONING BOARD OF APPEALS
January 7, 2015

A regularly scheduled meeting of the Zoning Board of Appeals was held in the Council Chambers of the Trumbull Town Hall on Wednesday, January 7, 2015.

Members Present: Richard Puskar, Chairman
Richard Mayo, Carl Scarpelli and alternates
Brian Reilly and 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 7:30 p.m.

In the absence of Commissioner Elbaum and Commissioner Miko, alternates Brian Reilly and Joseph Rescsanski were designated the fourth and fifth voting members for tonight's meeting.

PUBLIC HEARING

The public was informed that Application #15-01 (Peter V. Gelderman, Esq., Agent for 14 Mohawk, Drive, LLC) has been withdrawn, as it was determined that no variances were required.

Requests for a continuance of the Public Hearing were addressed.

MOTION MADE (Mayo), seconded (Rescsanski) and unanimously carried to continue the Public Hearing for Application #15-05 (Paul Landru, Agent for Jan & Nancy Nagel, 161 Pinewood Trail) until the next regularly scheduled meeting (February 4, 2015).

MOTION MADE (Mayo), seconded (Rescsanski) and unanimously carried to continue the Public Hearing for Application #15-06 (Dorin Cobanu, 150 Stonehouse Road) until the next regularly scheduled meeting (February 4, 2015).

Application #15-02 – Joseph Nero
620 Edison Road

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 381 sq. ft. single story addition 13.9' from the W/S property line and a two-car, 278 sq. ft., garage 22.6' from the front lot line and 14' from the W/S lot line.

The presentation was conducted by the project architect, Robert Tobin.

The submitted plan showed the garage being moved 12' further into the front yard to provide room for the proposed accessory apartment in the rear. The plan showed the proposed addition as part of the apartment's footprint.

It was noted that the construction would be aligned with the existing structure. The applicant's representative advised that the lot's configuration, along with the on-site swimming pool, provides no feasible alternative other than the proposed location.

Mr. Tobin informed that the property owner adjacent to the proposed construction has indicated his support for the project.

Application #15-03 – Robert & Maureen McMenamey
24 Heritage Drive

Variance of Art. III, Sec. 1 with respect to construction of a 6'x42' covered porch 44' from the front lot line, including stairs.

Maureen McMenamey came forward. The house is located on a corner lot with no impact being shown to the street side of Wendover Road. It was noted that the proposed location of the stairs could interfere with the use of the existing circular driveway.

Application #15-04 – Patrick & Deborah McGuigan
28 Lillian Drive

Variance of Art. I, Sec. 4.3.1 and Art. II, Sec. 1 with respect to construction of a 16.5'x22' single story addition 11.3' from the W/S lot line, at its closest point.

The presentation was conducted by the applicant, Patrick McGuigan. The submitted plans were reviewed and Mr. McGuigan made note that the home adjacent to the W/S is located approximately 70' from his house. Mr. McGuigan concurred that a rear location would create less impact but the submitted design is aesthetically more preferable and more in keeping with the character of the neighborhood.

Upon inquiry, the applicant indicated agreement to having a row of trees established to screen the new construction from the adjoining property.

Application #15-07 – Ninety-Five Corporate Drive Trumbull, LLC
95 Corporate Drive

Variance of Art. I, Sec. 5.2.2 to construct a 12' high wooden sound barrier fence along the rear portion of the property.

David S. Bjorklund, project engineer and Robert Scinto, property owner came forward.

An application for an 18,300 sq. ft. addition received approval at the December meeting. At that time, at the request of the adjoining residential property owners, a condition to establish a visual and sound barrier buffer was placed on the variance.

Tonight's application addresses the required buffering. The submitted plans showed the proposed 12' high fencing to be positioned along the same boundary, as the existing fence.

Upon inquiry, Mr. Bjorklund indicated that in the event a walking trail is constructed a gate will be installed in the portion of the fence adjacent to the parking lot.

Public Comment

In addressing the concerns of Alan Wittstein, 23 Caldron Drive and Michael Gasper, 10 Quartz Lane Mr. Scinto agreed to the following.

If a walking trail is established, no trees were to be removed. A request was made and Mr. Scinto agreed to extend the fence around the turnaround.

Application #15-08 – Manuel DaSilva, Agent for John Lazaro
5218 Main Street

Variance of Art. I, Sec. 4.2, 4.3.1 and Art. III, Sec. 1 with respect to construction, on a corner lot, of a 15'x7' porch entryway 28' from the street side (Edison Road), including stairs and 15' from the E/S lot line; two additions totaling 54 sq. ft., to expand the pre-existing non-conforming office, with N/S portion constructed 35' from the street side (Edison Road) and increase roof line to 26.5'.

Manual DaSilva came forward with a modified plan of the proposal denied at last month's meeting. Mr. DaSilva advised that the alternate plans were worked on together with staff and that the Town Planner has indicated that she is satisfied with the modifications as proposed.

The alternate plans showed the office entryway relocated to the rear and a reduction in the parking area. Also proposed was a narrower one-way driveway to Edison Road and a reduction in the square footage of the covered porch.

Upon inquiry, Mr. DaSilva advised that access to the property would be from Main Street with egress from Edison Road.

Public Comment

Abraham Hoffman, of 147 Edison Road, had concerns that, as the residence would not be owner occupied, maintenance issues might arise.

Application #15-09 – Mark Greengarden
6316 Main Street

Proposed modification of previously approved variance to remove owner occupied condition placed on use.

Raymond Rizio came forward on behalf of the applicant. He informed that the variance issued December 11, 1967, which allowed a portion of the residence to be utilized as a beauty parlor, included a condition that the residential portion of the structure be occupied by the owner Rocco Veltri. Staff indicates the subject condition to be non-enforceable and can no longer be considered a limitation on the property. It was noted that any change in use would require P&Z approval.

The applicant's representative requested that the record be cleaned up to specify that both the residential portion and business portion of the structure is eligible for rental.

Application #15-10 – Dereck Pettway

186 Church Hill Road and Parcel 126 Poplar Street

Division of Property Map, dated 12/02/14, prepared for Dereck Petway

2 lot Subdivision with Street Address of 186 Church Hill Road

Variance of Art. III, Sec. 1 with respect to insufficient lot area Lot A (14,325 sq. ft.), Lot B (16,727 sq. ft.); insufficient road frontage (79.94') Lot B; insufficient front setback (30') Lots A and B and insufficient rear setback (30') Lot A to subdivide and construct dwelling on each lot.

Attorney Raymond Rizio represented the applicant.

The parcels were purchased as two separate lots and were part of different subdivisions. It was noted that, if subdivided, the existing conforming lot (Lot A) located on Church Hill Road would become non-conforming in terms of acreage.

The submitted plans showed that Lot A fronts on three streets (Church Hill Road, Bonita Avenue and Poplar Street). Mr. Rizio advised that access to both lots would be from Poplar Street. There are no proposed entries from Bonita Avenue and noted that the design eliminates the existing curb cut on Church Hill Road. He added that both proposed dwellings would be constructed similar in size and design to the existing homes within the neighborhood.

Pictures of the site area, a map indicating the surrounds lots, which Mr. Rizio noted were almost all non-conforming and a petition in favor were all submitted for the record.

Public Comment

Janet Kramka of 223 Church Hill Road was opposed to the visual aspect of having the rear yards facing Church Hill Road. Mr. Rizio indicated that he would agree to establishing a buffer consisting of a row of 10' to 15' trees along the rear lot lines.

This concluded the Public Hearing.

REGULAR MEETING

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

Application #15-02 – Joseph Nero

620 Edison Road

MOTION MADE (Mayo), seconded (Scarpelli) and unanimously carried to APPROVE Application #15-02, as presented and plans submitted.

Application #15-03 – Robert and Maureen McMenamey
24 Heritage Drive

MOTION MADE (Mayo), seconded (Reilly) and unanimously carried to APPROVE Application #15-03, as presented and plans submitted.

Application #15-04 – Patrick and Deborah McGuigan
28 Lillian Drive

MOTION MADE (Mayo) and seconded (Scarpelli) to APPROVE Application #15-04.

MOTION MADE (Rescsanski), seconded (Mayo) and unanimously carried to amend the original motion to include the following specific condition.

1. W/S property line to be screened with a row of trees, as per the recommendations of the Town Tree Warden.

Vote: Original Motion as Amended – Unanimous MOTION CARRIES

Application #15-07 – Ninety-Five Corporate Drive, LLC
90 Corporate Drive

MOTION MADE (Mayo), seconded (Reilly) and unanimously carried to APPROVE Application #15-07, as presented.

Application #15-08 – Michael DaSilva
5218 Main Street

MOTION MADE (Mayo), seconded (Rescsanski) and unanimously carried to APPROVE Application #15-08, as presented and plans submitted.

Application #15-09 – Mark Greengarden
6316 Main Street

MOTION MADE (Mayo), seconded (Reilly) and unanimously carried to approve Application #15-09, as presented and plans submitted.

Application #15-10 – Dereck Pettway
186 Church Hill Road and Parcel 126 Poplar Street

MOTION MADE (Rescsanski) and seconded (Scarpelli) to APPROVE Application #15-10.

MOTION MADE (Rescsanski), seconded (Reilly) and unanimously carried to amend the original motion to include the following specific condition.

1. Property along Church Hill Road to be buffered with a row of trees, as per the recommendations of the Town Tree Warden.

Vote: Original Motion, as Amended – In Favor (4): Mayo, Reilly Rescsanski, Scarpelli - Opposed (1):
Puskar MOTION CARRIES
Application #15-10 Approved 4-1.

There being no further business to address a motion was made by Commission Scarpelli and seconded
by Commissioner Reilly to adjourn. The January 7, 2015 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,
February 4, 2015 at 7:30 p.m. in the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
ZBA Administrator/Clerk