

**ZONING BOARD OF APPEALS**  
**November 3, 2010**

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, November 3, 2010.

Members Present: Michael Muir, Joseph Vitrella and alternates William Malmstedt, and Dennis Miko

Also Present; Fred Bietsch, Zoning Enforcement Officer

Tonight's meeting was chaired by Commissioner Muir.

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

In the absence of Commissioners John Savino and Carl Scarpellil, alternates William Malmstedt and Dennis Miko were seated as the third and fourth voting members.

**PUBLIC HEARING**

Application #10-35 – Bryan Seres, 50 MacArthur Road

Variance of Art. III, Sec. 1 with respect to increasing the existing non-conformity with construction of a 44'x32' second story addition over existing footprint including a 2' overhang projection 37.6' from the front property line.

The presentation was conducted by the applicant, Bryan Seres. There was no proposed increase to the existing non-conforming side setbacks. The submitted plans indicated a set of front steps, which increased the front setback non-conformity to 34. 20'.

Application #10-36 – Cortland Developers, 45 Twin Circle Drive

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct a 30'x50' dwelling 35' from the front property line.

The applicant's representative, David Bjorklund, appeared requesting a continuance, as he preferred to have the application heard by a full five member voting Board.

MOTION MADE (Vitrella) seconded (Malmstedt) and unanimously carried (Muir, Malmstedt, Miko, Vitrella) to continue Application #10-36 to the December 1, 2010 regular meeting.

Application #10-37 – Cherie D. Silvernail, 9 Paulina Place

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct a 27'x54' dwelling (existing house to be removed) 35.2' from the front property line (including stairs), 10.1' from the S/S property line and 10.1' from the N/S property line.

The project contractor Lou D'Acunto of DBI Development, Norwalk represented the applicant. The proposed plan was to raze the existing structure and replace it with a new home constructed basically within the same footprint.

The submitted plans indicated a small and narrow lot. It was noted that the new home would be situated 2' further away from the N/S setback line but moved 5 additional feet into the front setback area. Mr. D'Acunto informed that moving the house forward would align it with the two neighboring homes.

#### Public Comment

Gene Kisken, 7 Paulina Place and Kathy Pateracki, 13 Paulina Place spoke in favor commenting that the new structure would enhance the surrounding neighborhood.

Application #10-29 - Robert Whitehead, 5206 Madison Avenue

Pursuant to Art. II, Sec. 1.1.2, Par. 3(b) and Art. IV, Par. 2 appeal of violation notice from the Zoning Enforcement Officer, dated July 12, 2010 concerning an unauthorized temporary storage structure and parking of commercial vehicles in a residential zone. HEARING CONTINUED FROM SEPTEMBER 1, 2010.

Attorney Peter Gelderman, representative for Robert Whitehead, approached and asked that the hearing be continued to provide an opportunity to be heard before a full five member voting Board.

MOTION MADE (Miko), seconded (Muir) and unanimously carried to continue Application #10-29 to the December 1, 2010 regular meeting.

This concluded the Public Hearing.

#### **REGULAR MEETING**

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

Application #10-35 – Bryan Seres, 50 MacArthur Road

MOTION MADE (Vitrella), seconded (Malmstedt) and unanimously carried (Muir, Malmstedt, Miko, Vitrella) to approve Application #10-35, as presented and plans submitted.

Application #10-37 – Cherie D. Silvernail, 9 Paulina Place

MOTION MADE (Vitrella), seconded (Malmstedt) and unanimously carried (Muir, Malmstedt, Miko, Vitrella) to approve Application #10-37, as presented and plans submitted.

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

The November 3, 2010 meeting of the Zoning Board of Appeals adjourned at 8:00 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog  
Clerk of the Zoning Board of Appeals