

ZONING BOARD OF APPEALS
May 5, 2010

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held in the Town Hall on Wednesday, May 5, 2010.

Members Present: Richard Puskar, Chairman
Michael Muir, Joseph Vitrella and
alternates William Malmstedt, Richard Mayo and Dennis Miko

The following is a brief summary of the meeting. The complete record is on tape in the office of the Zoning Board of Appeals.

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

In the absence of Commissioners Savino and Scarpelli alternates William Malmstedt and Dennis Miko were designated as the fourth and fifth voting members for tonight's meeting.

PUBLIC HEARING

Application #10-15 – Mr. & Mrs. Declan Kelly, 11 Nichols Farm Road

Variance of Art. III, Sec. 1, with respect to insufficient minimum yard requirements to construct a 24'x40' detached one car garage, with storage area, (for a total of three garage spaces) 10' from the E/S property line.

The applicant, Declan Kelly, made the presentation.

Several Commission members had issues with the size of the proposed structure, which was considerably larger than the standard size for a one car vehicle. It was noted that, based on the submitted plans, the potential was there for a four car garage.

Mr. Kelly responded that in time the structure would be utilized as a two car garage, with storage area, as his intent was to convert the existing garage into living area.

Comment was made that the application appears to be premature as it does not address the proposed renovation of the existing garage.

The applicant indicated that he wanted to be certain that the proposed garage was feasible before proceeding with the dismantling of the existing garage.

Application #10-16 – Reina A. Costanzo, 222 Stonehouse Road

Lots 1 and 2, as shown on proposed subdivision map dated April 8, 2010, with street address of 222 Stonehouse Road. Variance of Art. I, Sec. 4.1, with respect to increasing degree of non-conformity of existing dwelling (Lot 1) and Art. II, Sec. 9 with respect to insufficient minimum interior lot setbacks and square requirements (Lot 1) and to permit a common driveway.

Attorney Peter Gelderman made the presentation on behalf of the applicant. The submitted plan showed the newly created lot (Lot 2) to be in conformance with the regulations. The proposed subdivision will now define Lot 1 as an interior lot and road frontage and setback variances will be required.

Several Commissioners took issue with the proposed common driveway, which would be shared for the first forty feet. Shared driveways are known to result in maintenance conflicts and other possible conforming alternatives for driveway access were brought to the applicant's attention.

Mr. Gelderman responded that the purpose of the common driveway was to avoid an additional curb cut that could compromise the existing stonewall.

Public Comment

Jim Sakonchick, a professional engineer and land surveyor residing in Cheshire, spoke to the existing home's historic value. He considered the existing driveway to be part of the historical package of the home, barn, and stonewall. He relayed that the submitted plans, which he drew, were drawn to preserve these features. Mr. Sakonchick indicated that there were important engineering aspects, as well, that the plan be approved as submitted.

Kenneth Saczawa, 155 Beechwood Avenue, spoke in opposition expressing water and grading concerns that could impact his property.

This concluded the Public Hearing.

REGULAR MEETING

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

Application #10-15 – Declan Kelly
11 Nichols Farm Road

MOTION MADE (Vitrella), seconded (Muir) to approve Application #10-15.

Vote: In Favor: 0 – Opposed: 5 (Puskar, Malmstedt, Miko, Muir, Vitrella) MOTION FAILS. Application #10-15 unanimously DENIED for the following reasons.

1. No plans were presented to substantiate the renovation of the existing two-car garage into living quarters.
2. The square footage of the proposed garage far exceeds the standard dimensions for a one-car garage.

Application #10-16 – Reina Costanzo
222 Stonehouse Road

MOTION MADE (Vitrella) and seconded (Muir) to approve Application #10-16.

Vote: In Favor: 1 (Malmstedt) – Opposed: 4 (Puskar, Miko, Muir, Vitrella) MOTION FAILS. Application #10-16 DENIED (4 -1) for the following reason.

1. The Board found that other feasible alternatives to the common driveway were available.

Town's Zoning Enforcement Office, Fred Bietsch, addressed the Board advising them that the Town Attorney, Mario Coppola, has concluded that any expansion of an existing non-conformity, including a height extension, requires a variance from this Board.

There being no further business to discuss a motion was made by Commissioner Vitrella and seconded by Commissioner Miko to adjourn. The May 5, 2010 meeting of the Zoning Board of Appeals adjourned at 8:15 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog
Clerk of the Zoning Board of Appeals

