

Town of Trumbull
CONNECTICUT

Planning and Zoning
Department
Telephone (203) 452-5044
Fax (203) 452-5169



Town Hall
5866 Main Street
Trumbull, Connecticut 06611

ZONING BOARD OF APPEALS

THURSDAY, JUNE 17, 2021

REVISED MINUTES

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held via videoconferencing on Thursday, June 17, 2021.

MEMBERS PRESENT: Rob Saunders – Vice Chairman
Richard Mayo – Secretary
Catherine Creager
Matthew Reale
Joseph Rescsanski, Alternate

MEMBERS ABSENT: Steven Elbaum – Chairman
Brian Reilly, Alternate
Tatiana Rampino, Alternate

ALSO PRESENT: Douglas Wenz – Zoning Enforcement Officer
William Chin – Director, Trumbull IT
Attorney James Cordone – Town Attorney
Gia Mentillo – ZBA Clerk

A quorum being present, the Chairman called the meeting to order at 12:07p.m.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING and WORK SESSION:

Town Attorney Jim Cordone explained the basic rules of the meeting. He remarked that the agenda and all materials were posted on the Town of Trumbull website 24 hours in advance of the meeting. He asked that all speakers state their name before speaking and refrain from speaking during work sessions.

**Application #21-25 – 9 Bear Brook Road
Mark Tice of Booth Hill Road LLC**

Variance of Art. III, Sec. 1, to construct a new dwelling, 44.7' from the front lot line at its closest point, with a front porch, 43' from the front lot line at its closest point.

Atty. Bellis introduced himself as the representative for the applicant, Booth Hill Road LLC, also known as 607 Booth Hill Road LLC, for the property at 9 Bear Brook Road, and thanked the commissioners for their willingness to conduct a special meeting. Atty. Bellis noted that all abutting property owners within 150' had been notified of the special meeting 12 days in advance.

Atty. Bellis stated that the property in question was established as part of a larger development project to construct Bear Brook Road and was subsequently involved in a subdivision processes. After the sale of Lot 2 and the town's granting of a foundation only permit, the foundation commenced on the parcel under the guidance of Jim Swift, a civil engineer with over 30 years of experience. However, upon a survey for an additional building permit to construct the remainder of the home, it was discovered by surveyor Tracy Louis that the foundation was such that it encroached into the front setback. Atty. Bellis added that this was due to an error made by Jim Swift and a mis-calibrated CAD drawing.

Atty. Bellis stated that the fact that the foundation was already poured and the lot was already being sold created a hardship, adding that having to redo the foundation would result in roughly \$80,000 of additional costs and risk a loss of sale of the house. He added that allowing a variance as minor as the one proposed (changes a 50' setback to 43') would not infringe on any neighboring properties because of the lot's location at the end of the col-de-sac.

Civil engineer Tracy Swift stated that the incorrect placement of the foundation was a result of a miscalculation on his part, noting that he forgot to adjust the lot's setbacks after making adjustments to the placement of the col-de-sac.

Public Comment: None.

Work Session: Commissioner Creager stated that the requested variance seems minor, and that she felt a viable hardship had been identified.

Vice Chairman Saunders agreed with this statement.

Engineering Comments: All prior conditions relating to the approved storm water design and wetlands application must still be satisfied and approved by the Wetlands and engineering Department.

Motion Made (Reale), Seconded (Creager), to approve with conditions **Application #21-25 – 9 Bear Brook Road, Mark Tice of 607 Booth Hill Road LLC.**

Vote: 5 – 0

Motion Carried

Vice Chairman Saunders asked for a motion to adjourn, motion made (Creager) and seconded (Reale). The June 17, 2021 meeting of the Zoning Board of Appeals adjourned at 12:20 p.m. with unanimous consent.

Dated at Trumbull, CT this 5th day of August, 2021.

By: Gia Mentillo, ZBA Clerk