

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  
WEDNESDAY, JUNE 2, 2021 MINUTES**

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held via videoconferencing on Wednesday, June 2, 2021.

**MEMBERS PRESENT:** Steve Elbaum – Chairman  
Rob Saunders – Vice Chairman  
Richard Mayo – Secretary  
Matthew Reale  
Catherine Creager  
Brian Reilly, Alternate  
Tatiana Rampino, Alternate

**MEMBERS ABSENT:** Joseph Rescsanski, Alternate

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

A quorum being present, Chairman Elbaum called the meeting to order at 7:02 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:**

MOTION MADE (Reilly), seconded (Mayo) to approve the May 5, 2021 minutes.

**Vote: 5-0 Motion Carried**

**PUBLIC HEARING and WORK SESSION:**

Chairman Elbaum introduced Town Attorney Jim Cordone who 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 #21-21 – 2 Winding Way  
Tom Watson for Frank and Jill Lorenzo**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 15' x 22' deck in the rear of the dwelling, 38.3' from the rear lot line at its closest point.





**Motion Made** (Creager), Seconded (Reale), to approve with conditions **Application #21-23 – 56 Meadow Road, Desiree Scheuble.**

**Vote: 5 – 0**

**Motion Carried**

**Application #21-24 – 34 Washington Street  
Curtis Bailey**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 23.3' x 8' deck with steps, 47.2' from the rear lot line at its closest point, construct a wrap-around addition 19.4' x 4' and 13.1' x 10', 19' from the S/S lot line, and construct a 22.25' x 12' garage, 49' from the front lot line at its closest point and 4.7' from the S/S lot line at its closest point. Construct a 10.5' x 6' front portico over steps, 48.1' from the front lot line.

Curtis Bailey thanked the commission members for their time and introduced himself as the owner of 34 Washington Street. First, Mr. Bailey stated that he is seeking a variance to build 41.1' from the front property line in order to replace the existing front steps to his home that currently prevent him from entering with any large items by restricting the movement of his front door. He added that he is also seeking a variance to build 47.2' from his back lot line to replace the rear living space in his home which is badly rotted. He noted that this room also has a sliding exterior door that opens to a 5' drop-off rather than steps which, combined with the rot, has posed significant safety concerns for his family. Lastly, Mr. Bailey added that he is seeking a variance to build a one-car garage with a bedroom over it 4.9' from the side lot line. He stated that the second garage is needed because they currently have a one-car garage which cannot house all the family vehicles, and he added that the proximity to the side lot line is necessary because of the angled positioning of the home on the property.

Chairman Elbaum stated that 3 letters had been submitted, in succession, to the Zoning Board of Appeals (ZBA) by Tom and Suzy Hannibal at 30 Washington Street sharing concerns about Mr. Bailey's proposed variances. The Chairman asked Mr. Bailey if he had received a copy of the letters.

Mr. Bailey stated that he had only received a copy of the first of the three letters.

Chairman Elbaum dictated the three letters from Mr. and Mrs. Hannibal. Subsequently, the Chairman stated that the 3<sup>rd</sup> letter appears to house the final stance taken by the Hannibals seeing as it was the most recent submission, on June 1<sup>st</sup>. Chairman Elbaum then asked Mr. Bailey whether he would be willing to accommodate the requests of his neighbor by planting arborvitae trees along the property line, from the start to end of the proposed garage addition, and adjusting the size of the proposed garage to limit the side setback to 9.8', as opposed to the 4.9' being proposed.

Mr. Bailey stated that he would be willing to plant the requested trees along the property line and consider reducing the size of the garage by maybe 10' to alleviate Mr. and Mrs. Hannibal's concerns. However, Mr. Bailey added that he would have to review the plans to make any final decision as he was not sure in the moment how *exactly* that would impact his project.

Chairman Elbaum proposed continuing the application for the garage variance to the following ZBA meeting, and he asked Doug Wenz, ZEO, and Atty. Cordone whether that would be acceptable. He also asked Mr. Bailey whether he would be okay with doing that.

Mr. Wenz and Att. Cordone confirmed that would be okay.

Mr. Bailey stated that he willing to do that in order to allow him time to communicate with Mr. Hannibal and develop a new plan that works well for both him and his neighbors.

Commissioner Creager asked for clarification from the board as to whether the trees requested by Mr. Hannibal where to be considered in conjunction with the other proposed variances, seeing as the footprint of the home was to be extended regardless of the garage addition.

Vice Chairman Saunders stated that Mr. Hannibal's request seemed to pertain directly to the proposed garage addition as it is the only variance directly sited in the letter and, therefore, should not be considered in regard to the other two proposed variances.

Commissioner Reale asked whether the proposed variance for the garage was still being discussed as a part of Mr. Bailey's current application and whether a hardship had been determined for the property.

Chairman Elbaum stated that the application had not yet been amended and, therefore, the entire application was still being discussed, adding that there had not yet been a discussion of hardship.

Commissioner Reale asked Mr. Bailey if he currently had a garage on his property and, if so, what is its size and location.

Mr. Bailey stated that the current garage was a small, one-car garage, and the proposed garage would be an addition to the current structure which is located at the end of the paved driveway. Mr. Bailey noted that the surveyor failed to include the existing garage on the survey provided to the ZBA.

Commissioner Reale asked the applicant whether the majority of his neighbors have a one or two car garage, how many people in Mr. Bailey's house have vehicles, and what year the existing garage was built.

Mr. Bailey stated that the majority of his neighbors have a two-car garage, his family currently has two vehicles (though that will increase as his children grow), and he believes his house was built around 1962.

Commissioner Reale asked Mr. Bailey if there is any feasible way to place a two-car garage on any other portion of the property.

Mr. Bailey stated that it would be very difficult to find another location because of the topography of the lot and the angular positioning of the home on the lot.

Commissioner Reale asked Mr. Bailey to clarify what portion of Mr. Hannibal's home is closest to Mr. Bailey's South property line (and therefore closest to the proposed garage addition).

Mr. Bailey stated that Mr. Hannibal's garage would run alongside his proposed garage addition.

**Work Session:** Chairman Elbaum stated the final decision on this application will likely come down to whether or not the proposed garage variance is continued to the next ZBA meeting, allowing the other two variances to be voted on separately in this meeting.

Commissioner Mayo stated that he would like make a vote based on the entire application, including the 6' tall arborvitae trees.

Commissioner Creager stated that she feels there is a hardship for the property based on the angular positioning of the home on the lot. However, she stated that, after driving through the neighborhood, she feels that allowing the proposed garage variance would put Mr. Bailey and Mr. Hannibal's homes too close together. The Commissioner then stated that she would prefer to vote on the application without the garage variance.

Commissioner Reale stated that he agrees with Commissioner Mayo that the board should vote on the entire application, including all three proposed variances and the row of arborvitae trees. The Commissioner added that the applicant showed a hardship, that a two-car is a necessity not a luxury in the 21<sup>st</sup> century, and that the proposed garage would be adjacent to Mr. Hannibal's garage as opposed to any living spaces.

Chairman Elbaum asked Commissioner Reale whether he was at all concerned about the closeness of the two homes, seeing as the rest of the neighborhood is spaced out.

Commissioner Reale stated that he has some concern about this but feels this issue could be largely mitigated by the fact that it is two garages abutting one-another as opposed to two living spaces. The Commissioner added that the 5' difference being proposed by Mr. Hannibal would not significantly change the proximity of the homes.

**Engineering Comments:** Prior to engineering approval, applicant must obtain a driveway permit and show compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards.

**Motion Made** (Mayo), Seconded (Saunders), **to amend Application #21-24 – 34 Washington Street, Curtis Bailey** - to include row of 6' tall arborvitae trees along South property line from start to end of garage addition.

**Vote: 4 – 1 (Creager) Motion Carried**

**Motion Made** (Creager), Seconded (Elbaum), to amend **Application #21-24 – 34 Washington Street, Curtis Bailey** – to exclude the Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 22.25' x 12' garage, 49' from the front lot line at its closest point and 4.7' from the S/S lot line at its closest point.

**Vote: 2 - 3 (Reale, Saunders, Mayo) Motion Denied**

**Motion Made** (Mayo), Seconded (Saunders), to approve with conditions the amended **Application #21-24 – 34 Washington Street, Curtis Bailey.**

**Vote: 4 - 1 (Creager) Motion Carried**

Chairman Elbaum asked for a motion to adjourn, motion made (Mayo) and seconded (Creager).  
The June 2, 2021 meeting of the Zoning Board of Appeals adjourned at 8:07 p.m. with  
unanimous consent.

Dated at Trumbull, CT this 8<sup>th</sup> day of June, 2021.

By: Gia Mentillo, ZBA Clerk