

Town of Trumbull
CONNECTICUT

Planning and Zoning
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ZONING BOARD OF APPEALS

WEDNESDAY, AUGUST 4, 2021 MINUTES

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held via videoconferencing on Wednesday, August 4, 2021.

MEMBERS PRESENT: Steven Elbaum – Chairman
Richard Mayo – Secretary
Matthew Reale
Catherine Creager
Tatiana Rampino, Alternate
Brian Reilly, Alternate
Joseph Rescsanski, Alternate

MEMBERS ABSENT: Rob Saunders – Vice Chairman

ALSO PRESENT: Douglas Wenz – Zoning Enforcement Officer
Phil Meagher – IT Technician
Attorney James Cordone – Town Attorney
Gia Mentillo – ZBA Clerk

A quorum being present, the Chairman called the meeting to order at 7:17 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

Motion Made (Reale), seconded (Reilly) to approve the June 2, 2021 regular meeting minutes and the June 17, 2021 special meeting minutes as revised.

Vote: 5-0 Motion Carried

Commissioner Creager asked that the last paragraph of the June 17, 2021 minutes be revised to state, "Vice Chairman Saunders asked for a motion to adjourn..."

Commissioner Reale asked that the same paragraph of the June 17, 2021 minutes be revised to reflect the correct meeting date of "June 17, 2021."

Motion Made (Creager), seconded (Reilly) to revise the June 17, 2021 special meeting 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, noting that the meeting was conducted pursuant to Connecticut Public Act 21-2. He remarked that the agenda and all associated materials were posted on the Town of Trumbull website 24 hours in advance of the meeting.

Chairman Elbaum reminded members of the public to identify themselves when speaking.

**Application # 21-26 – 25 Maple Street
Jeffrey Mishley and Katlyn McBergin**

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 12' x 13.5' deck, 33.8' from the rear lot line at its closest point.

Jeffrey Mishley and Katlyn McBergin of 25 Maple Street stated that they were applying for a variance to build a 12' x 13.5' deck 33.8' from their rear property line.

Chairman Elbaum asked if the concrete slab at the bottom of the deck stairs was pre-existing and whether it would be removed before putting in the new deck.

Mr. Mishley stated that the slab was pre-existing and that he was unsure as to whether or not the contractor would be removing the slab.

Public Comment: None.

Work Session: Commissioner Reilly questioned whether the removal of the concrete slab under the proposed deck would impact drainage in the area.

Douglas Wenz stated that that would be a question for an engineer, and, based on the lack of engineering comments for the application, it did not appear that the slab would impact drainage.

Commissioner Reale noted that the hardship listed in the application seemed sufficient to grant the proposed variance.

Engineering comments: None.

Motion Made (Reilly), Seconded (Creager), to approve **Application #21-26 – 25 Maple Street**, Jeffrey Mishley and Katlyn McBergin. (*Alternate Brian Reilly served as voting member*).

Vote: 5-0 Motion Carried

**Application # 21-27 – 28 Richards Place
Jade and Ania Harrell**

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 14' x 16' addition on the E/S side of the house, 26' from the rear lot line, and add a wrap-around deck, 20.4' from the rear lot line at its closest point.

Jade and Ania Harrell of 28 Richards Place stated that they were seeking approval to build a 16' x 14' addition to their home with a wrap-around deck that extends to 20.4' from the rear property line. Mr. Harrell shared that the awkward shape of the property poses a hardship as it does not allow for much buildable space on the lot given setback regulations.

Chairman Elbaum noted that the commission received letters of support from neighboring property owners, adding that he agreed that the lot is awkwardly shaped.

Public Comment: None.

Work Session: Commissioner Reale stated he felt there was an accurate portrayal of hardship.

Engineering comments: None.

Motion Made (Reale), Seconded (Rampino), to approve **Application #21-27** – 28 Richards Place, Jade and Ania Harrell. *(Alternate Tatiana Rampino served as voting member).*

Vote: 5-0 **Motion Carried**

Application # 21-28 – 109 Pinewood Trail
Randy Danenberg

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 3.4' x 22.6' deck off the side of the house, 8.5' from the N/S lot line at its closest point, 3.4' x 5.0' stairs 14.7' from the N/S lot line, a 4.4' x 6.1' landing, 11.4' from the N/S lot line, 3.4' x 8.4' steps to ground level, and a 14.2' x 17.6' deck at the rear of the house, 17.7' from the N/S lot line.

Randy Danenberg of 109 Pinewood Trail stated he was looking to build a deck off of the second floor of his home with a walkway going from the second floor to the back yard. He added that there is a hardship based on the narrowness of his lot.

Chairman Elbaum asked whether Mr. Danenberg's neighbors were in support of his proposal.

Mr. Danenberg stated that he had spoken directly to his two adjoining neighbors who were both in support of the project.

Public Comment: None.

Work Session: No additional comments.

Engineering comments: Prior to any site disturbance, applicant must obtain a permit from the Inland Wetlands and Watercourses Commission.

Motion Made (Mayo), Seconded (Rescsanski), to approve with conditions **Application #21-28** – 109 Pinewood Trail, Randy Danenberg. *(Alternate Joseph Rescsanski served as voting member).*

Vote: 5-0 **Motion Carried**

Application # 21-29 – 112 Beechwood Avenue

Mark and Courtney Bahr

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 to add a 24.37' x 8' front porch with roof, 30' from the front lot line, with steps 26' from the front lot line. Variance of Art. I, Sec. 5.2.1 to construct an 18' length fence on top of a retaining wall for a total height of 7.5'.

Mark Bahr introduced his wife, Courtney Bahr, and himself as the owners of 112 Beechwood Avenue seeking a variance to allow a 26' front set back where 50' is allowed. Mr. Bahr stated a hardship based on the fact that his front property line is reflective of a col-de-sac that no longer exists in front of his lot. Mr. Bahr noted that if his property line followed the current street line, then there would be no need for the proposed variance as the construction would fall within the standard setbacks of the property.

Chairman Elbaum asked for confirmation that the lot is far from neighbors with full screening. Mr. Bahr confirmed this to be true.

Public Comment: Timothy Sather of 118 Beechwood Avenue stated that, though he is in favor of the application, he is concerned about how the proposed work will impact the drainage in the area as it is on wetlands.

Chairman Elbaum informed Mr. Sather that if the application were to be approved, then a condition of approval, as stated by Trumbull Engineering Department, would be to obtain a permit from the Inland Wetlands and Watercourses Commission.

Work Session: Commissioner Reale noted that water run-off issues may arise, as Mr. Sather stated, adding that it is important to acknowledge that ZBA is only one piece of a larger puzzle.

Engineering comments: Prior to any site disturbance, applicant must obtain a permit from the Inland Wetlands and Watercourses Commission.

Motion Made (Reilly), Seconded (Creager), to approve with conditions **Application #21-29** – 112 Beechwood Avenue, Mark and Courtney Bahr. (*Alternate Brian Reilly served as voting member*).

Vote: 5-0 **Motion Carried**

Application # 21-30 – 26 Parkway Drive Jeffrey Sarlo

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 15' x 20' deck, 3.8' from the rear lot line.

Jeffrey Sarlo of 26 Parkway Drive stated that he was seeking a variance to construct a 15' x 20' deck at the rear of his home, noting a typo in the meeting agenda which misrepresented the size of the proposed deck. Mr. Sarlo further stated a hardship based on the placement of his home and the resulting lack of back yard space and privacy. He also asked commissioners to confirm receipt of the letter of support from his adjoining neighbor.

Chairman Elbaum asked Atty. Cordone to clarify if having a typo in the agenda would impact the commission's ability to approve the application.

Atty. Cordone stated, if the distance from the rear lot line was accurately portrayed, which it was, then there is no issue because that is the measurement being proposed for variance.

Commissioner Reilly noted that Mr. Sarlo has a pre-existing cement patio in the space being proposed for the new deck and asked Mr. Sarlo to clarify how much *more* of an encroachment the proposed variance would call for.

Mr. Sarlo stated the deck would encroach an additional 5' on the rear property line compared to the existing cement patio.

Public Comment: None.

Work Session: Commissioner Reale stated he agreed there is a hardship for the property.

Engineering comments: None.

Motion Made (Creager), Seconded (Rampino), to approve **Application #21-30** – 26 Parkway Drive, Jeffrey Sarlo. (*Alternate Tatiana Rampino served as voting member*).

Vote: 5 – 0 Motion Carried

Chairman Elbaum asked for a motion to adjourn, motion made (Mayo) and seconded (Rampino). The August 4, 2021 meeting of the Zoning Board of Appeals adjourned at 7:56 p.m. with unanimous consent.

Dated at Trumbull, CT this 6th day of August, 2021.

By: Gia Mentillo, ZBA Clerk