

Town of Trumbull  
CONNECTICUT

Planning and Zoning  
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**ZONING BOARD OF APPEALS**

**TUESDAY, AUGUST 25, 2020 MINUTES**

A special meeting of the Zoning Board of Appeals of the Town of Trumbull was held via videoconferencing on Tuesday, August 25, 2020.

**MEMBERS PRESENT:** Steven Elbaum, Chairman  
Robert Saunders, Vice-Chairman  
Matthew Reale  
Brian Reilly, Alternate  
Joseph Rescanski, Alternate

**ALSO PRESENT:** Douglas Wenz, Zoning Enforcement Officer  
James Cordone, Town Attorney  
William Chin, Director of Information Technology

**ABSENT:** Richard Mayo, Secretary  
Catherine Creager  
Tatiana Rampino, Alternate

A quorum being present, Chairman Elbaum called the meeting to order at 7:06 p.m. Chairman Elbaum introduced Town Attorney Jim Cordone who explained the basic rules of the meeting. He asked the Commissioners to identify oneself before speaking and that votes should be taken by roll call.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:**

MOTION MADE (Reilly), seconded (Saunders) and unanimously carried to APPROVE the June 3, 2020 minutes.

**PUBLIC HEARING and WORK SESSION**

This meeting followed a change in procedure. Each application would be presented, closed, discussed and then voted on before proceeding to the next application.

**Application #20-18 – 19 Franklin Street**  
**Christine Kennedy and James Staelzel**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. I, to construct a 14' x 20' deck 25.9' from the rear lot line.

Owner Christine Kennedy stated that they are proposing to add a deck to the rear of the property which would replace the patio.

**Public Comment:** None

MOTION MADE (Saunders), seconded (Rescsanski) and unanimously carried to **APPROVE Application #20-18 – 19 Franklin Street, Christine Kennedy and James Stoelzel**

**Application #20-19 – 16 MacArthur Road  
Stephanie and Calvin Jones**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1, to add a second floor addition to the existing dwelling using the existing footprint 44.8' from the front lot line.

Jefry Stanley of J.R. Stanley Builders, representing the Joneses, stated that they are seeking a variance for a second floor addition within the existing footprint.

**Public Comment:** None

MOTION MADE (Reale), seconded (Saunders) and unanimously carried to **APPROVE Application #20-19 – 16 MacArthur Road, Stephanie and Calvin Jones**

**Application #20-20 – 22 Merrill Road  
Stephen Bell and Erika Michaels**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1, to add a rear dormer 42' from the front lot line and a wrap-around deck at the rear and side of the existing dwelling 45' from the front lot line.

Owner Stephen Bell stated that they are proposing to add a second story dormer within the existing footprint and a wrap-around deck.

**Public Comment:** None

Engineering Comments regarding crushed stone be installed under the deck were read into the record.

MOTION MADE (Rescsanski), seconded (Saunders) and unanimously carried to **APPROVE Application #20-20 – 22 Merrill Road, Stephen Bell and Erika Michaels**

**Application #20-22 – 129 Fresh Meadow Drive  
Christopher and Veronica Lenzen**

Variance of Art. II, Sec. 4.3.1 to construct a 24.75' x 29' apartment addition at the rear of the existing dwelling 27.5' from the rear lot line at its closest point.

Owner Veronica Lenzen is requesting to construct an addition in the rear off of the garage. She had spoken to the neighbor in the rear regarding property lines.

In response to a question from Commissioner Rescsanski, Lenzen replied that an addition to the side would require extensive excavation and significant steps in order to enter the main dwelling. Commissioner Reilly asked about entrances to the addition. Lenzen replied that there would be an exterior door as well as an entrance through the garage.

**Public Comment:** None

Commissioner Reilly questioned the addition not being connected to the main dwelling. ZEO Doug Wenz replied that would be taken up with the PZC.

Engineering Comments regarding the applicant prior to Engineering approval must show compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards were read into the record.

**MOTION MADE (Reale), seconded (Reilly) and unanimously carried to APPROVE Application #20-22 – 129 Fresh Meadow Drive, Christopher and Veronica Lenzen**

**Application #20-24 – 55 Woodlawn Drive  
David Steeves for Donna Quinlan**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 12' x 21.1' deck 15' from the north side lot line.

Letters to abutters were not mailed in sufficient time. Commissioners voted to continue to the next meeting subject to valid notice.

**MOTION MADE (Reale), seconded (Saunders) and unanimously carried to CONTINUE TO September 3, 2020 Application #20-24 – 55 Woodlawn Drive, David Steeves for Donna Quinlan**

**Application #20-26 – 34 Winslow Road  
Don Osvay**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 12.7' x 30' garage with playroom on second floor and adjacent breakfast nook with mudroom 5' from the W/S lot line.

Manny Machado, speaking for the Osvays, stated that they are proposing a 2 story addition. He remarked that they had received letters of support from neighbors. A letter from Domingos Gabriel (36 Winslow Rd) was read into the record. Also entered into the record were neighbors Carissa Guulyas (29 Winslow Rd), George Salazar (4 Leighton Rd) and Maria Bonilla (33 Winslow Rd) who supported the application.

**Public Comment:** John & Jodi Zito (30 Winslow Rd) spoke in support of the application.

Commissioners discussed the side buffer and setbacks with the neighboring property. Commissioner Rescsanski was concerned with what the hardship was.

Engineering Comments regarding compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards and make an application to The Inland Wetlands and Water Course Commission were read into the record. Also, the homeowner is responsible for any damage to the Storm Drainage infrastructure. Homeowner must notify Engineering Department prior to any site disturbance

MOTION MADE (Reilly), seconded (Saunders) and carried to **APPROVE by Vote 4-1 (Rescsanski) Application #20-26 – 34 Winslow Road, Don Osvay**

**Application #20-27 – 99 Unity Road  
Quick Close Investment Group, LLC**

Variance of Art. II, Sec. 4.3.1 and Art. III, Sec. 1 to construct a 39.2' x 30.7' addition 42.4' from the front lot line and steps 37.7' from the front lot line.

Robert Rosati (3241 Main St, Stratford), an attorney representing Quick Close Investment Group Inc., stated that this was one lot in a subdivision and the only one with an existing house on it, The house predates current zoning regulations.

Commissioner Reilly asked about the pool. Rosati stated that the pool was going.

**Public Comment:** None

Commissioners remarked that the setbacks encroached on the house.

Engineering Comments regarding compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards were read into the record.

MOTION MADE (Reilly), seconded (Rescsanski) and unanimously carried to **APPROVE Application #20-27 – 99 Unity Road, Quick Close Investment Group, LLC**

**Application #20-28 – 52 John Street  
Sean and Elizabeth Glynn**

Variance of Art. III, Sec. 7 to install a pool 12' from the side lot line and 30.8' from the front lot line.

Owner Sean Glynn stated that they would like to install an above ground pool in their side yard. They have spoken with neighbors and received letters of support. They feel that this is the least intrusive placement.

Commissioner Reale inquired about moving the pool further back. Commissioner Reilly asked about screening in the front of the pool. Applicant is planning to add trees for screening. Commissioner Saunders discussed the placement with Mrs. Beale (7 Shelton Terrace) who supported the application. Discussion ensued regarding placement of screening from the corner of the house to 12 feet from the adjoining property.

**Public Comment:** None

Engineering Comments regarding that no pool water shall be discharged into any wetland, Town storm or sanitary system were read into the record.

MOTION MADE (Saunders), seconded (Reale) and unanimously carried to **APPROVE Application #20-28 – 52 John Street, Sean and Elizabeth Glynn**

**Application #20-23 – 32 Turner Avenue**  
**George and Patricia Kostopoulos**

Variance of Art. II, Sec 4.3.1 and Art. III, Sec.1 to construct a 12.8' x 15.5' three season porch 14.4' from the side lot line and 37.8' from the rear lot line.

Owner George Kostopoulos stated that they are proposing to construct a three season room.

**Public Comment:** None

MOTION MADE (Reilly), seconded (Reale) and unanimously carried to **APPROVE Application #20-23 – 32 Turner Avenue, George and Patricia Kostopoulos**

**Application #20-25 – 35 Lorma Avenue**  
**Dean Capozziello**

Variance of Art. III, Sec. 9.9 to construct a new house in an interior lot outside of the allowed buildable area and 26' from the S/S lot line at its closest point.

Mark Ochman of Ochman Associates (Easton, CT) representing Dean Capozziello stated that they are requesting a variance of the side setbacks for an interior lot. They are proposing to change the southerly setback.

Commissioner Reale asked how far the galleries are from the wetlands. Commissioner Rescsanski inquired about the property at 94 Bassick Rd (Litowski) and if they supported the location. Ochman reported that Mr. Litowski had given his verbal approval to the application.

**Public Comment:** Al Palatiello (106 Fernwood Rd) along with San Shepherd (114 Fernwood Rd) expressed their opposition to the application. They sent in a letter which Commissioner Saunders read into the record. The original subdivision approval required 5 variances which the neighbors, at the time, agreed not to oppose. He asked what the hardship is now.

J.C. Carley (100 Fernwood Rd) stated her opposition to the application. She expressed concerns regarding drainage, screening and the size of the proposed dwelling. She also questioned the hardship.

Chairman Elbaum allowed Mr. Ochman to present a brief rebuttal to the opposition's concerns. He remarked that the location of the house would be further away (in southerly direction) from the neighbors who expressed opposition. The applicant is proposing a culvert to address the drainage issue. Chairman Elbaum asked about the fairness principle in requesting an additional variance in addition to the ones that were previously approved in 2017 through an agreement with the neighbors. Ochman could not speak to that as he was not involved in that application.

Commissioner Reale posed the question if there was any “new” hardship shown since 2017 when the property was previously subdivided that was not self-created. Commissioner Reilly agreed with that sentiment. Ochman replied that the hardship was in the minimum square not being met by the lot.

Owner Dean Capozziello stated that he offered to plant trees around the perimeter in response to neighbors’ concerns. He will work with the neighbors.

A letter from John Pellicci (31 Lorma Ave) in support of the application was acknowledged.

Commissioner Reale stated that he did not think that the applicant showed any new circumstance that created a hardship. Commissioner Rescsanski felt that it was a self-created hardship. Commissioner Reilly agreed that it was a tough lot and expressed concerns about adding another variance to the lot. Commissioner Saunders remarked that the neighbors in opposition to the application would be the ones most benefited by it.

**MOTION MADE (Saunders), seconded (Rescsanski) and unanimously carried to DENY Application #20-25 – 35 Lorma Avenue, Dean Capozziello**

Chairman Elbaum thanked staff and reminded Commissioners of next week’s meeting.

Chairman Elbaum asked for a motion to adjourn, motion made (Reale) and seconded (Reilly). The August 25, 2020 meeting of the Zoning Board of Appeals adjourned at 9:14 p.m. with unanimous consent.

Dated at Trumbull, CT this 1st day of September, 2020.

By: Linda Finger, Clerk.