A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held in Town Hall Council Chambers on Wednesday, September 7, 2022.

MEMBERS PRESENT: Rob Saunders - Vice Chairman
Richard Mayo - Secretary
Catherine Creager
Joseph Rescsanski - Alternate
Brian Reilly - Alternate

MEMBERS ABSENT: Steven Elbaum – Chairman
Matthew Reale

ALSO PRESENT: Roberto Librandi – Town Land Use Planner
Attorney James Cordone – Town Attorney
Gia Mentillo – ZBA Clerk
Trumbull Community Television

A quorum being present, Vice Chairman Saunders called the meeting to order at 6:59 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

MOTION MADE (Reilly), seconded (Rescsanski) to approve the June 1, 2022 minutes. Commissioner Mayo abstained as he was not present for the June 1st meeting.
Vote: 4-0 Motion Carried

PUBLIC HEARING and WORK SESSION:

Vice Chairman Saunders lead the meeting as the Chairman was absent. The Vice Chairman reviewed meeting procedure. He remarked that the agenda and all associated materials were posted on the Town of Trumbull website 24 hours in advance of the meeting. Both Commissioners Rescsanski and Reilly sat as voting members for this meeting.

Motion Made (Mayo), Seconded (Creager), to continue Application #22-32 - 14 Chatham Drive, Marie C. Henry to the next regularly scheduled ZBA meeting to be held October 12, 2022.
Vote: 5-0 Motion Carried

Application #22-21 was deferred to later in the meeting as the representative was not present at the commencement of the meeting.

Application # 22-22 – 5 Poplar Street
Moreen Myers

A side yard variance of 16.7' where 3.3' is proposed and 20' is required and a rear yard variance of 24.7' where 25.3' is proposed and 50' is required to build a deck in the A Residential Zone under Art II Section 1.3 and Article III in the Trumbull Zoning Regulations.

Moreen Myers, resident of 5 Poplar Street, explained that she is seeking variances to construct a 17' x 30' deck at the rear of her home. Vice Chairman Saunders asked Ms. Myers if the placement of the deck was based on proximity to existing living space within the home which she confirmed to be true.

Public Comment: None.

Work Session: Vice Chairman Saunders stated that the proposal is in line with that of other homes in the area, noting that Ms. Myers home is a pre-existing, non-conforming structure.

Motion Made (Mayo), Seconded (Creager), to approve Application # 22-22 – 5 Poplar Street, Moreen Myers.

Vote: 5-0 Motion Carried

Engineering Comments: None.

Application # 22-23 – 20 Ascolese Road
Daniele Paulding and Nicholas Daveline

A side yard variance of 1' where 12.7' is proposed and 13.5' is allowed in the A Residential Zone under Article II Section 1.3 and Article III of the Trumbull Zoning Regulations.

Nicholas Daveline, resident of 20 Ascolese Road, stated his home to be a pre-existing, non-conforming structure on a lot that is an odd size and shape for the area. He informed that he previously received a side yard variance in 2021 to construct a deck at the rear of his home, but requires an additional variance approval from the Board so that the Planning and Zoning Department may approve the as-built survey of the deck / property.

Town Planner, Rob Librandi, clarified that the applicant requires an additional 1' encroachment into his side yard setback due to the fact that the as-built survey shows the deck as being 12.7' from the side lot line as opposed to the approved 13.5'.

Public Comment: None.

Work Session: Vice Chairman Saunders stated that the placement of the deck appears to be an honest mistake.

Motion Made (Creager), Seconded (Reilly), to approve Application # 22-23 – 20 Ascolese Road, Daniele Paulding and Nicholas Daveline.

Vote: 5-0 Motion Carried

Engineering Comments: None.

Application #22- 21 – 7180-7182 & 7192 Main Street
Atty. Christopher Russo for 7182 Main Street, LLC & 7192 Main Street, LLC.

A maximum height variance of 2' where 42' is proposed and 40' is required to construct a single mixed-use building in the BC (Business Commercial) Zone under Art II Section 3.1.5 and Article III in the Trumbull Zoning Regulations.
Attorney Raymond Rizio introduced himself as the representative of 7182 Main Street LLC and 7192 Main Street LLC. Atty. Rizio stated that the property in question transects the Monroe/Trumbull town line, with the proposed structure being split directly down the middle by said border. His client is seeking a height variance of 2’ to allow a 42’ height where 40’ is required. Photos were shared with Board members to visually exemplify what a 40’ structure would look like versus a 42’ structure (attached as Exhibit 1). Atty. Rizio stated that allowing an additional 2’ of height would not result in any additional floor area but would allow the property to conform with existing planning and zoning regulations which dictate that structures in a BC zone maintain a colonial look to them. He informed that, due to the topography of the property, the building will sit below street level, meaning the structure will appear to be conforming from the street. He added that there is very minimal, if any, impact to Trumbull residents as there is predominately commercial use around the property.

Commissioner Creager asked whether there would be any storage or use of the roof story. Atty. Rizio stated there to be no intent to utilize the space as it would be quite difficult to do so anyway, adding that his client would accept limitations on the use of the space as a condition of approval for the application.

Public Comment: None.

Work Session: Commissioner Creager stated she felt that allowing the 2’ variance and proposed pitched roof would result in better building aesthetics.

Motion Made (Creager), Seconded (Rescanski), to approve with conditions Application # 22-21 – 7180-7182 & 7192 Main Street, Atty. Christopher Russo for 7182 Main Street, LLC & 7192 Main Street, LLC.

Vote: 5-0 Motion Carried

Commissioner Creager asked that a condition of approval be added so that there will be no habitable space in the roof-story.

Motion Made (Creager), Seconded (Reilly), to approve as amended with conditions Application # 22-21 – 7180-7182 & 7192 Main Street, Atty. Christopher Russo for 7182 Main Street, LLC & 7192 Main Street, LLC.

Vote: 5-0 Motion Carried

Engineering comments: Prior to engineering approval, applicant must show compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards and make an application to The Inland Wetlands and Water Courses Commission.

Application # 22-24 – 71 Jerusalem Hill Road
Joseph Guedes

A rear yard setback variance of 4’ where 46’ is proposed and 50’ is required; a front yard setback variance of 27.3’ where 22.7’ is proposed and 50’ is required; and a 530.3 square foot (sqft) variance to allow the maximum first floor square footage to be 1530.3sqft where 1000sqft is allowed to construct an addition to an existing kitchen in the AA residential Zone under Article II Section 1.2 and Article III of the Trumbull Zoning Regulations.

Joseph Guedes, resident of 71 Jerusalem Hill Road, stated he is seeking a variance to construct an addition to his existing kitchen. He stated the home to be a pre-existing, non-conforming structure, noting that the proposed renovation would simply square off the existing structure.

Vice Chairman Saunders read into the record an emailed letter of support for the application (attached as Exhibit 5).
Public Comment: Terrance Bussen of 78 Hill Top Drive stated his property to be directly behind that of Mr. Guedes and informing he has no objection to the proposed work. Vice Chairman Saunders asked whether Mr. Bussen felt he was the neighbor that would be most heavily impacted by the proposed variance which Mr. Bussen confirmed to be true.

Work Session: No additional comments.

Motion Made (Racanski), Seconded (Creager), to approve with conditions Application # 22-24 – 71 Jerusalem, Joseph Guedes.

Vote: 5-0 Motion Carried

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

Application # 22-25 – 20 Twelve O’Clock Circle
Krzysztof Ciszewski

A rear yard setback variance of 11.3’ where 38.7’ is proposed and 50’ is required to construct a new single-family residence, and a 239sqft variance to allow a three-car garage to be 1103sqft where 864sqft is allowed in the AAA Residential Zone under Article II Section 1.1.2-1.

Krzysztof Ciszewski, resident of 20 Twelve O’Clock Circle, was introduced by his architect and representative, Mark Ochman of 261 Short Hill Lane, Fairfield, CT. Mr. Ochman informed his client is seeking a rear yard setback variance to allow construction of a new residential dwelling in place of the existing structure and a size variance to allow for a 1103sqft garage. He informed that the property is in an AAA Zone, is 1.35 acres, and is located at the end of a col-de-sac. He added that the orientation of the lot creates two rear yards at the northern and eastern property boundaries resulting in a smaller buildable area than what is typical for the neighborhood. He stated that if this were not the case, no setback variance would be required to construct the proposed structure.

Public Comment: None.

Work Session: Vice Chairman Saunders stated that the lot is oddly situated, and Commissioner Creager agreed, adding that there is a clear hardship.

Motion Made (Creager), Seconded (Mayo), to approve with conditions Application # 22-25 – 20 Twelve O’Clock Circle, Krzysztof Ciszewski.

Vote: 5-0 Motion Carried

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

Application # 22-26 – 66 Old Sawmill Road
John Torres

A front yard setback variance of 48.5’ where 1.5’ is proposed and 50’ is required and a rear yard setback variance of 44.7’ where 4.3’ is proposed and 50’ is required to construct a 380sqft addition in the A Residential Zone under Article II Section 1.3 and Article III of the Trumbull Zoning Regulations.

John Torres, resident of 66 Old Sawmill Road, stated he is seeking a variance to construct a 380sqft addition at the rear of his home with the intent to keep an aesthetic similar to that of other homes in the area. Vice Chairman Saunders stated that the lot appears to be an oddly shaped, triangular parcel.
Commissioner Creager asked for the square footage of the existing structure which Mr. Torres stated to be 780sqft. Commissioner Creager asked for confirmation that the proposed addition would be an expansion of approximately 50% of the existing structure, and Mr. Torres stated it to be slightly under as part of the existing structure is inhabitable. Commissioner Rescsanski asked whether the addition would encroach any further into the setback requirements than the existing dwelling presently does. Mr. Torres clarified there would be no additional encroachment.

Vice Chairman Saunders read two letters of opposition into the record, both of which from residents of 55 Old Sawmill Road (both attached as Exhibit 2 with photos).

Mr. Torres shared a letter of support from Kathleen Riley of 65 Old Sawmill Road with the Board along with photos he obtained of various other properties in the neighborhood (both attached here as Exhibit 3). The Vice Chairman read the letter aloud. Mr. Torres utilized the photos he provided to exemplify how other similar cottages in the area have previously been allowed to expand in a manner similar to what he is proposing or greater. He informed that, prior to purchasing the property in question, he conducted research to ensure there were no historical restrictions on the parcel or structure. He also noted that of the 16 abutters notified, only one property voiced opposition and said residents are the least impacted as they reside the furthest from his property. Vice Chairman Saunders stated that there is an effort being made to maintain the existing character of the structure post-renovation.

Public Comment: None.

Work Session: Vice Chairman Saunders reminded commissioners of a similar application which they approved a few years prior, noting that the resident could easily do an upward expansion to the home but has chosen not to in order to maintain the character of the neighborhood. Commissioner Rescsanski stated that the buildable area of the lot creates a clear hardship.

Motion Made (Mayo), Seconded (Rescsanski), to approve with conditions Application # 22-26 – 66 Old Sawmill Road, John Torres.

Vote: 4-1 (Creager) Motion Carried

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

Application #22-28 - 29 Bayberry Lane
Cynthia Miller

A rear yard setback variance of 6.9’ where 43.1’ is proposed and 50’ is required and a front yard setback variance of 23.2’ where 26.8’ is proposed and 50’ is required for a one car garage in the A residential zone under Article II section 1.3 and Article III of the Trumbull Zoning Regulations.

Cynthia Miller, resident of 29 Bayberry Lane, stated she is seeking a variance to allow construction of a garage that is aligned with the existing dwelling on the property. She stated that the property is on a corner lot which effectively diminishes the buildable area of the parcel. The Vice Chairman asked if this was the reason for needing a variance. Ms. Miller stated that if the garage were to conform to the buildable area, then it would be placed in the center of her backyard.

Public Comment: None.

Work Session: No additional comments.
Motion Made (Creager), Seconded (Rescsanski), to approve with conditions Application #22-28 - 29 Bayberry Lane, Cynthia Miller.

Vote: 5-0          Motion Carried

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

Application #22-29, Justin Turner of 64 Woodridge Circle, was called, but there was no one present to present the application. The application was deferred to the end of the meeting.

Application #22-30 - 8 Quality Street
Retail Business Services LLC

A variance to allow for a 15’ multi-tenant sign where 10’ is required under Article II S1.1.7.1a and g and 3.1.7.2a and b and Article XIII in the BC Zone of the Trumbull Zoning Regulations.

Wilson Carroll, Attorney with Cohen and Wolf of 115 Broad Street, Bridgeport, CT, introduced himself as the representative of Retail Business Services LLC, the entity responsible for managing the town hall plaza at 8 Quality Street. Mr. Carroll stated that there are two variances being sought in order to update the existing signage for the plaza (with no change to location): (1) to allow listing of multiple tenants on the sign and (2) to allow a sign height of 15’ where 10’ is required. Mr. Carroll walked the Board through various materials which were included with the meeting Agenda: the site plan which highlighted the location of the proposed sign, sign specifications, photos exemplifying other signs in the BC zone in Trumbull with multiple tenants and increased heights, and photos of the plaza highlighting the property’s hardship. Mr. Carroll stated that a strict adherence to sign regulations would create a unique hardship for this plaza as it is heavily screened, unlike most others in town, making it virtually impossible to identify the businesses in the plaza without being on the property. He noted the Town’s desire to maintain the existing, mature tree line around the plaza and shared additional photos with the Board to exemplify limited sight lines from various locations around the plaza (attached here as Exhibit 4). In particular, he referenced photos taken from the point of view of the Trumbull Town Commons, the nearest residential neighbors, which exemplified that the proposed sign would not be visible from that location due to the topography of the area.

Commissioner Reilly asked how tall the 888 White Plains Road signage is. Mr. Carroll was unsure but noted there are others reaching approximately 20’ in height in Town. Commissioner Creager asked what the difference in height is from the existing sign to the proposed which Mr. Carroll stated to be 1.4’.

Public Comment: Amy Okrepkie of 5802 Main Street stated she did not have a strong opinion either way about the proposed work but asked to see the sign specifications which Mr. Carroll shared with her. She noted she is a business owner in town with similar concerns about her signage.

Work Session: Commissioner Rescsanski stated the difference in proposed height to be minimal. Commissioner Creager stated she felt approval of the proposed signage would benefit the businesses in the plaza.

Motion Made (Creager), Seconded (Reilly), to approve Application #22-30 - 8 Quality Street, Retail Business Services LLC.

Vote: 5-0          Motion Carried

Engineering Comments: None.
Application #22-31 - 1059 Daniels Farm Road
Antonio and Irene Rodrigues

A rear yard variance of 12.7' where 37.3' is proposed and 50' is required for a 940sqft addition is required under Article II 1.2 and Article III in the AA Residential Zone of the Trumbull Zoning Regulations.

Antonio Rodrigues of 1059 Daniels Farm Road introduced himself and his son, Jason Rodrigues, as a co-representative of the above application. Mr. J. Rodrigues stated they are seeking to build a 900sqft addition at the rear of their home and are asking for a variance to allow a 32’ setback were 40’ is required. Vice Chairman Saunders asked how far up on Daniels Farm Road the property is located. Mr. J. Rodrigues stated the property to be directly across the street from Gate of Heaven Cemetery.

Public Comment: None.

Work Session: Vice Chairman Saunders stated the lot to be oddly shaped, similar to other lots in the area. Town Planner Rob Librandi stated the structure was originally built in 1880.

Motion Made (Creager), Seconded (Rescsanski), to approve with conditions Application #22-31 - 1059 Daniels Farm Road, Antonio and Irene Rodrigues.

Vote: 5-0 Motion Carried

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

Application #22-29 - 64 Woodridge Circle
Justin Turner

A side yard setback variance of 10.8’ where 9.2’ is proposed and 20’ is required for a one car garage addition to an existing garage under Article II section 1.3 and Article III garage in the A residential zone of the Trumbull Zoning Regulations.

There was no one present to present this application. The Vice Chairman stated this was likely an honest mistake made by the applicant.

Motion Made (Reilly), Seconded (Creager), to continue Application #22-29 - 64 Woodridge Circle, Justin Turner to the next regularly scheduled ZBA meeting to be held October 12, 2022.

Vote: 5-0 Motion Carried

Vice Chairman Saunders asked for a motion to adjourn, motion made (Rescsanski) and seconded (Reilly). The September 7, 2022 meeting of the Zoning Board of Appeals adjourned at 7:58 p.m. with unanimous consent.

Dated at Trumbull, CT this 15th day of September, 2022.
By: Gia Mentillo, ZBA Clerk
Re: 66 Old Sawmill Road, application for addition to cottage

Mr. Torres is applying to add roughly 50% to the present footprint (720 + 380 SF). This may lead to higher year-round occupancy and higher traffic and commotion. Multiply that by the number of present cabins, and the whole nature and harmony of the neighborhood will adversely change. This may also adversely impact the price of current houses on Old Sawmill Rd as it becomes less desirable.

I previously owned a cottage on the beach in Milford. All the cottages around were charming. One after another, the owners applied for zoning variances to expand. These small homes were very close to each other, like the cottages on East Lake and Old Sawmill Road. After they received zoning variances, many owners built up and to the rear of their properties with no concern about the impact on the neighborhood, their neighbors, or the charm of the area. My neighbors on each side raised their homes to 3 and 4 stories. People never envisioned this would happen. Everyone now agrees they are monstrosities, but once it started, it could not stop.

Also, very important is the historic nature of these cabins, which are almost 100 years old. Benjamin Plotkin, the owner of this lake and surrounding land, in 1931 envisioned a place where people could enjoy theatre productions. The cabins were the residences of the actors and directors of what is considered the most important experiment in the history of the American Theatre, known as "The Group Theatre". Thus, we have the only remaining revolving stage in Connecticut in our clubhouse. These cabins across from the lake and clubhouse, were the summer rehearsal residences of many famous actors and directors, such as Lee Strasberg, and Ilia Kazan, and many more famous and talented theatre personalities. The historic preservation of these unique and charming cabins should be retained.

The cabins on West Lake Road, and the one of Mr. Torres, whose cabin also faces West Lake Road, (Mr. Torres having only one side of his cabin on Old Sawmill Road), are all perfectly aligned with each other. Their footprints are the same. They all perfectly have the rear of their cabins aligned.

It would be both an eyesore and a compromise of the historic conformity of these cabins, the charm of this group of cabins, and of the neighborhood in general if this variance is granted. I support rejecting this application.

Sara Laden
55 Old Sawmill Road
Dear Gia Mentillo,

As a resident of Old Sawmill Road, and member of the Pinewood Lake Home Owners Association, I am responding to the application to expand the structure currently occupying 66 Old Sawmill Road. The new owner, John Torres, wants to increase the size of the current cabin’s footprint by almost 50%.

An increase in size of this magnitude will impact the entire neighborhood as well as impact the historical nature of the Pinewood Lake area. The row of cabins along East Lake Road that are directly across from the beach are spaced very closely to one another, and the size of the “new” cabin will be an eye-sore when taken as a whole. I am also concerned about what effect this new structure could have on the neighborhood and the land value of the existing cabins and homes.

It is my hope that the Zoning Board of Appeals will deny this application and allow the image of Pinewood Lake and its environs to remain as they have been for almost 100 years.

Thank you,

James Grutzmacher
55 Old Sawmill Road
203-258-1137
To Planning & Zoning

As a property owner across the street from 165 Old Sawmiller Rd, I have absolutely no objection to the additional improvements she would like to make to her property. In fact, it would be an asset to the neighborhood.

Kathleen Riley
165 Old Sawmiller Rd
06/01/11
61 Old Sawmill Rd
(Existing addition, with dormer in the rear. With new siding, trim, etc)

59 Old Sawmill Rd
(Original cabin footprint, addition in the rear and second floor)
Trumbull Town Commons

Sight Lines Demonstration
Gia Mentillo

From: Phyllis Gutowski <pjgutowski@gmail.com>
Sent: Monday, August 1, 2022 7:48 AM
To: Gia Mentillo
Subject: Application of Joseph Guedes - 71 Jerusalem Hill Road

Categories: ZBA

8/1/2022
TO: Zoning Board of Appeals

I am the neighbor directly across the street from the applicant, Joseph Guedes, for a variance for his property for an addition to the kitchen on the first floor. I am Completely in Favor of this variance for his property and wholeheartedly support his application.

The Guedes are Great Neighbors and this addition to their home will be a positive to their home, our neighborhood and convenience for their family.

Should you need any further information please feel free to contact me.

Sincerely,
Phyllis J. Gutowski
70 Jerusalem Hill Road

Sent from my iPad