

Town of Trumbull  
CONNECTICUT

Planning and Zoning  
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**ZONING BOARD OF APPEALS**

**WEDNESDAY, OCTOBER 7, 2020 MINUTES**

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held via videoconferencing on Wednesday, October 7, 2020.

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

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

**MEMBERS ABSENT:** Richard Mayo – Secretary  
Joseph Rescsanski, Alternate

A quorum being present, Chairman Elbaum called the meeting to order at 7:01 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:**

MOTION MADE (Saunders), seconded (Creager) and unanimously carried to APPROVE the September 2, 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.

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 24 hours in advance of the meeting. He asked the Commissioners to identify oneself before speaking and that votes should be taken by roll call.

Matthew Reale recused himself from Application #20-24 due to a prior relationship with the representative of the applicant.

Tatiana Rampino was seated as a voting member for Applications #20-24, #20-29, #20-35 and #20-37. Brian Reilly was seated as a voting member for Applications #20-24, #20-30, #20-33, #20-34 and #20-36.

Attorney Cordone verified with the clerk that mailings had been sent for all of the applications.

**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. *(Continued from ZBA September 2, 2020 Meeting).*

The applicant, David Steeves (115 Putting Green Road) on behalf of the owner stated that they are requesting a variance for a deck that does not meet north side setback. If approved, the stone wall and slate patio are to be removed.

**Public Comment:** None

MOTION MADE (Reilly), seconded (Creager) and unanimously carried to **APPROVE Application #20-24 – 55 Woodlawn Drive, David Steeves for Donna Quinlan**

**Application #20-29 – 94 Killian Avenue  
Chris Russo, Esq. for The Richard F. Greenwood Testamentary Trust**

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Trumbull Zoning Regulations) to reduce the minimum lot size from 21,780 sq. ft. to 11,713 sq. ft. for proposed Lot A;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) to reduce the minimum lot size from 21,780 sq. ft. to 13,566 sq. ft. for the lot identified as #94 Killian Avenue;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) to reduce the minimum lot frontage from 125' to 75' for proposed Lot A;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) to reduce the minimum lot frontage from 125' to 85.5' for the lot identified as #94 Killian Avenue;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) to reduce the minimum side yard from 20' to 4.8' for the lot identified as #94 Killian Avenue;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) to increase the maximum floor area ratio from 0.29 to 0.304 for the lot identified as #94 Killian Avenue.

Ray Rizio (10 Sasco Hill Road, Fairfield), an attorney representing The Richard F. Greenwood Testamentary Trust, provided a detailed history of the property and the lot lines. He shared the subdivision map of the original properties, known as Parkway Village, from 1939. He also shared that a sewer assessment was granted in 1980 in order to build a second house on the property. This assessment was paid for 18 years. He remarked that this was not a self-imposed hardship. The only setback variance requested was in relation to the eastern boundary line. He mentioned the petition in support which had been entered into the record.

Chairman Elbaum asked Attorney Rizio to explain the six requested variances and also the grade of the road in relation to the proposed new residence. Rizio explained that most of the variances were in keeping with the original lot lines. The side setback of 4.8' would only affect the existing home at 94 Killian as would the increase in floor area ratio. The new Lot A would not require setback or floor area ratio variances. Elbaum also questioned why some neighbors expressed opposition to the application. Rizio stated that he would address any that were presented.

Commissioners Creager and Reale asked for clarification of the variances requested. Commissioner Reilly recused himself because he knew many of the parties involved.

**Public Comment:** John Hatch (8 Elberta Avenue) inquired about the intent of the Greenwoods in possibly keeping it as a large empty space.

Richard Greenwood Jr (126 Yacht Street, Bridgeport) discussed the intent of his father to keep the property as two separate lots.

Commissioners discussed undoing the work of the zoning regulations which created the merger of the lots as well as the intent of the Greenwoods and that no one who was opposed explained their reasons for opposition.

Engineering Comments regarding compliance with Administrative Policy for Stormwater Management and Drainage Design Standards and obtaining permits for driveway, street opening and sanitary sewer were read into the record.

**MOTION MADE (Reale), seconded (Rampino) and unanimously carried to APPROVE with Conditions Application #20-29 – 94 Killian Avenue, Chris Russo, Esq. for The Richard F. Greenwood Testamentary Trust**

**Application #20-30 - 15 Elberta Avenue,  
Chris Russo, Esq. for Daniel Burzynski**

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Trumbull Zoning Regulations) and Chapter V, Sec. 2 (Subdivision Regulations) to reduce minimum lot size from 21,780 sq. ft. to 7,086 sq. ft. for Lot A;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) and Chapter V, Sec. 2 (Subdivision Regulations) to reduce minimum lot size from 21,780 sq. ft. to 7,141 sq. ft. for Lot B;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) and Chapter V, Sec. 2 (Subdivision Regulations) to reduce minimum lot frontage from 125' to 50' for Lots A & B;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) and Chapter V, Sec. 2 (Subdivision Regulations) to reduce minimum front yard from 50' to 28.5' for Lots A & B;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) and Chapter V, Sec. 2 (Subdivision Regulations) to reduce minimum side yard from 20' to 10.5' for Lots A & B on one side setback and 11.2' on the other side setback for both proposed Lots A and B;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) and Chapter V, Sec. 2 (Subdivision Regulations) to increase the maximum floor area ratio from 0.29 to 0.378 for Lot A;

Variance of Art. II, Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) and Chapter V, Sec. 2 (Subdivision Regulations) to increase the maximum floor area ratio from 0.29 to 0.376 for Lot B.

Ray Rizio (10 Sasco Hill Road, Fairfield), an attorney representing Daniel Burzynski requested the hearing to be continued to the next meeting in order to address concerns of those opposed to the application.

**MOTION MADE (Reale), seconded (Creager) and unanimously carried to CONTINUE to November 4, 2020, Application #20-30 – 15 Elberta Avenue, Chris Russo, Esq. for Daniel Burzynski**

**Application #20-33 - 480 Church Hill Road  
Christopher Russo for Domingos Moura**

Variance of Art. II Sec. 1.3.5 and Art. III (Exhibit of Zoning Regulations) to subdivide one parcel into Lots “A” and “B” and reduce the minimum road frontage of 125’ to 111.79’ for each proposed parcel.

Ray Rizio (10 Sasco Hill Road, Fairfield), an attorney representing Domingos Moura, described the lot as being 1.2 acres in a 0.5 acre zone. They are requesting to subdivide the lot into two lots with variances for the frontage of both lots. He reported that Andrew & Susan Rankin (477 Church Hill Road) had no opposition to the application. He remarked that the hardship is driven by the shape of the lot.

Commissioner Creager questioned the hardship for this application. Attorney Rizio replied that it was due to shape and topography.

**Public Comment:** None

Chairman Elbaum remarked that the hardship is self-imposed. Commissioner Creager agreed. Commissioner Reale remarked that the lots would be in conformity with the neighborhood.

**MOTION MADE (Reale), seconded (Saunders) and carried to DENY 3 Opposed (Elbaum, Creager, Reilly), 2 In Favor (Saunders, Reale) Application #20-33 - 480 Church Hill Road, Christopher Russo for Domingos Moura**

**Application #20-34 - 6567 Main Street  
Christopher Russo Esq. for Trumbull Super Stop Realty LLC.**

Variance of Art. I. Sec. 4.2 and Art. II Sec. 1.3.1 to install 4 vacuum stations at the S/S of the property and relocate the existing air pump to the same vicinity.

Ray Rizio (10 Sasco Hill Road, Fairfield), an attorney representing Trumbull Super Stop Realty remarked that the property is located in a Residence A Zone and requires approval for an accessory use, not an expansion, on a non-conforming property. Because the current air pump is sometimes blocked, they would like to move it along Gisella Road and add 4 vacuums. They would be willing to add arborvitae to block visibility from the street.

Chairman Elbaum questioned how 4 vacuums, which would be new, are not an expansion of use. Attorney Rizio responded that it could be considered part of full-service auto center and auto related maintenance. Elbaum asked how this was different from the car wash. Rizio responded that the vacuums would be an accessory use and not an independent use.

Commissioner Creager asked for clarification of the number of air pumps. Attorney Rizio responded that they are requesting only one. Commissioners Reilly, Creager, and Rampino expressed concerns about the noise levels from one and four vacuums. Rizio responded that he could provide, at a later date, an analysis of the machines and the decibel levels. Commissioner Reale questioned the number of vacuums. Rizio responded that four would serve the existing customers as related to current services.

**Public Comment:** Frank Callahan, property manager for Tashua Terrace Condominiums, remarked that the location of the vacuums was fine but was concerned about the noise and would like more information regarding noise levels.

Behrouz Taheri (6 Sarenee Circle) expressed his concerns regarding the noise levels of the vacuums.

**MOTION MADE (Reale), seconded (Reilly) and unanimously carried to CONTINUE to November 4, 2020, Application #20-34 – 6567 Main Street, Christopher Russo Esq. for Trumbull Super Stop Realty LLC**

**Application #20-35 - 11 Cook Circle  
Elissa and Christopher Lorant.**

Variance of Art. I Sec 4.3.1 and Art. III Sec. I to add a 14' x 14' sunroom 49.2' from the rear lot line at its closest point, and add a pool deck 28' from the rear lot line at its closest point.

Owner Christopher Lorant (11 Cook Circle) stated that they were seeking Variances from rear setbacks for a sunroom and above ground deck due to the pie-shaped topography of the lot and how the house is situated.

**Public Comment:** None

Engineering comments that the applicant must make an application to The Inland Wetlands and Water Course Commission were read into the record.

**MOTION MADE (Saunders), seconded (Reale) and unanimously carried to APPROVE with Conditions Application #20-35 - 11 Cook Circle, Elissa and Christopher Lorant**

**Application #20-36 – 1362 Huntington Turnpike  
Alexandra Casabianca**

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. I to add a second story addition to a pre-existing non-conforming dwelling, 49.5' from the front lot line, 4.6' from the S/S lot line, and 43.5' from the rear lot line.

Owner Alexandra Casabianca (1362 Huntington Turnpike) stated that she was seeking a Variance for a second floor addition within the existing footprint.

**Public Comment:** None

MOTION MADE (Saunders), seconded (Reale) and unanimously carried to **APPROVE Application #20-36 – 1362 Huntington Turnpike, Alexandra Casabianca**

**Application #20-37 – 15 Magnolia Road,  
Brittany and Domingos Vaz, Jr.**

Variance of Art I, Sec. 4.3.1 and Art. III Sec. I to add a second story addition to the existing dwelling 49.3' from the front property line at its closest point.

Owner Brittany Vaz (15 Magnolia Road) stated that she was seeking a Variance for a second floor addition above the first floor. She introduced letters from three neighbors (Moyers, 19 Magnolia; Rizo, 20 Magnolia; and Breiners, 11 Magnolia) that were written in support of the application.

**Public Comment:** None

MOTION MADE (Creager), seconded (Rampino) and unanimously carried to **APPROVE Application #20-37 – 15 Magnolia Road, Brittany and Domingos Vaz, Jr.**

Chairman Elbaum asked for a motion to adjourn, motion made (Saunders) and seconded (Reilly). The October 7, 2020 meeting of the Zoning Board of Appeals adjourned at 8:54 p.m. with unanimous consent.

Dated at Trumbull, CT this 14th day of October, 2020.

By: Linda Finger, Clerk.