

ZONING BOARD OF APPEALS
June 3, 2015

A regularly scheduled meeting of the Zoning Board of Appeals was held in the Council Chambers of the Trumbull Town Hall on Wednesday, June 3, 2015.

Members Present: Richard Puskar, Chairman
Richard Mayo, Carl Scarpelli and alternates
Brian Reilly and Joseph Rescsanski

Also Present: Douglas Wenz, ZEO

The following is a brief summary of the meeting; a complete record is on tape on file in the office of the Zoning Board of Appeals located in the Trumbull Town Hall.

A quorum being present, the Chairman called the meeting to order at 7:30 p.m.

In the absence of Commissioners Elbaum and Miko, alternates Brian Reilly and Joseph Rescsanski were designated the fourth and fifth voting members for tonight's meeting.

PUBLIC HEARING

Application #15-24 – Lorraine Iwaszkiewicz
6961 Main Street

Modification of existing variance (#14-04) to increase number of children permitted to attend daycare facility from 41 to 54 children.

Attorney Raymond Rizio and Lorraine Iwaszkiewicz conducted the presentation.

Mr. Rizio informed that the apartment attached to the structure has been eliminated and the space will now become part of the daycare facility. He informed that additional space is needed, as the center has a number of multi children families who wish to attend.

The parking area, which has been expanded, is mainly used to accommodate staff members, as the children are, for the most part, just dropped off and then picked up at the end of the day.

Attorney Rizio made known that the State of Connecticut dictates the amount of children allowable. A copy of the State's inspection report, indicating that the facility can accommodate 54 children, was reviewed and then submitted for the record. A detailed third party traffic report, conducted by Solli Engineering was also submitted. The report indicated that no significant negative impact was anticipated from the proposed increase in enrollment.

Jamie Brätt, Director of Economic and Community Development, came forward and submitted a document entitled "Level of Service Definition", which defined the meaning of the letter grades noted in the traffic report. Ms. Brätt advised that on a scale of A –F a D rating, during peak hours, has been applied to the intersection at Cedar Hill Drive and Main Street. She added that the proposal creates only a minimal increase to the existing delay.

Public Comment

Jim Somers, 51 Cedar Hill Dr. and Glenn Baxter, 40 Cedar Hill Dr. spoke in opposition advising of the difficulties the residents of Cedar Hill Drive experience every day, when entering and exiting their street.

During the course of the public hearing photographs of the site area and a copy of the prior variance issued were submitted into the record by the applicant.

Application #15-25 – Paul & Irene Varszegi
28 Hillston Road

Variance of Art. II, Sec. 1.2.2.3 (b) with respect to extension of time to maintain 22'4"x24' storage tent on property.

Paul and Irene Varszegi came forward. Mr. Varszegi requested that the existing tent be permitted to remain as a storage area until a permanent structure is constructed.

It was noted that the applicant has exhausted the two three month extensions, for temporary structures, allowable under the regulations. It was also brought to the applicant's attention that a concrete slab was poured within the rear setback area, without the proper permits being applied for.

Public Comment

Mark Ryan, 47 Oakridge Road and Richard Scinto, 57 Oakridge Road spoke in opposition commenting that the tent is unattractive and that a permanent structure, more in character with the neighborhood, is needed. Photographs of the site area were submitted into the record by Mr. Ryan.

Application #15-26 – Bernard M. Hylinski & Clarissa Reberkenny
125 Hilltop Circle

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 644 sq. ft. deck 44' from the rear property line.

Bernard Hylinski conducted the presentation. The submitted plans showed construction to be adjacent to the enclosed rear porch. Minimal impact to the rear property line was indicated, as the property abuts town owned vacant land.

It was brought to the applicant's attention that, if approved, the proposed construction would require an application to the IWWC.

Application #15-27 – John DeRosa, Agent for Shawn & Alexis Kullberg
31 George Street

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 302 sq. ft. one-story addition 37.8' from the front lot line.

John DeRosa came forward. The proposal replaces the existing sunroom with a bedroom addition to be constructed within the front setback area but in conformance with side and rear yard requirements.

The submitted plans indicate that the existing non-conforming front setback would not be extended any further.

Application #15-28 – Firgeleski Living Trust
123 Monroe Turnpike

Variance of Art. II, Sec. 4.2.5 with respect to construction of a 10,080 sq. ft. commercial building 18' from the S/W lot line, at its closest point and approximately 90' from the street line and Art. II, Sec. 4.2.6 to permit parking in the front yard.

The contract builder, Fernando DeAndrade of Mountainside Construction, LLC, presented the application.

The proposed location is necessitated by the significant amount of wetlands located in the rear. The slope of the land also contributes to the need for the requested variances. The layout of the building indicates that parking availability is needed, for employees and visitors, in both the front and rear yards.

Application #15-29 – Timothy Faraldi
72 Old Dike Road

Variance of Art. I, Sec. 5.2.1 with respect to installation of a 6' fence exceeding the maximum height allowable, in front of rear plane of building.

The applicant came forward. A six foot high white composite privacy fence is being proposed. Mr. Faraldi indicated that the additional height is needed to prevent unleashed dogs from wandering onto his property and to prevent debris from being deposited there.

The submitted plan shows the fencing being constructed closer to the front line, where the maximum height allowable is 4'. It was brought to the applicant's attention that a height of 6' would be permitted, if the fencing was installed past the rear of the dwelling.

Public Comment

A letter, submitted in opposition by Linda Lizotte, 68 Old Dike Road, was noted and read into the record.

Application #15-30 – Matthew & Joann Liptak
30 Woodridge Circle

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to expanding existing attached garage to 16'8"x23' in size increasing non-conforming setback to 4.5' from the N/E lot line.

Matthew Liptak came forward and reviewed the proposed construction. Upon inquiry, Mr. Liptak advised that the adjoining property owner to the N/E was notified with no negative feedback being received.

This concluded the public hearing.

REGULAR MEETING

Tonight's applications were reviewed and the Commission took action, as follows.

Application #15-24 – Lorraine Iwaszkiewicz
6961 Main Street

MOTION MADE (Mayo) and seconded (Scarpelli) to APPROVE Application #15-24.

Vote: In Favor (1); Rescsanski - Opposed (4): Puskar, Mayo, Reilly, Scarpelli – MOTION FAILS
Application #15-24 DENIED 4-1.

Those voting in opposition voiced concerns regarding the potential for further negative impact to this heavily congested area; particularly for the residents of Cedar Hill Road. Commissioner Mayo also questioned whether there was adequate space to accommodate 13 additional children.

Application #15-25 – Paul & Irene Varszegi
28 Hillston Road

MOTON MADE (Scarpelli) and seconded (Mayo) to APPROVE Application #15-25.

Vote: In Favor (0) - Opposed (5): Puskar, Mayo, Reilly Rescsanski, Scarpelli – MOTION FAILS
Application #15-25 Unanimously DENIED

It was agreed that the applicant has been given more than ample time to complete a design plan for a permanent structure.

Application #15-26 – Bernard M. Hylinski & Clarissa Reberkenny
125 Hilltop Circle

MOTION MADE (Scarpelli), seconded (Mayo) and unanimously carried to APPROVE Application #15-26, as presented and plans submitted.

No negative impact indicated.

Application #15-27 – John DeRosa, Agent for
Shawn & Alexis Kullberg
31 George Street

MOTION MADE (Mayo), seconded (Rescsanski) and unanimously carried to approve Application #15-27, as presented and plans submitted.

No further impact to the existing non-conformity indicated.

Application #15-28 – Firgeleski Living Trust
123 Monroe Turnpike

MOTION MADE (Scarpelli), seconded (Reilly) and unanimously carried to approve Application #15-28, as presented and plans submitted.

Sloping topography indicates presence of a legal hardship.

Application #15-29 – Timothy Faraldi
72 Old Dike Road

MOTION MADE (Mayo) and seconded (Scarpelli) to APPROVE Application #15-29.

Vote: In Favor (1): Mayo - Opposed (4): Puskar, Reilly, Rescsanski, Scarpelli. MOTION FAILS
Application #15-29 DENIED 4-1

No legal hardship identified to justify the varying of existing zoning height requirements.

Application #15-30 – Matthew and Joann Liptak
30 Woodridge Circle

MOTION MADE (Mayo), seconded (Reilly) and unanimously carried to APPROVE Application #15-30, as presented and plans submitted.

Proposed construction compliments character of the dwelling.

There being no further business to address a motion was made by Commissioner Mayo and seconded by Commissioner Reilly to adjourn. The June 3, 2015 regular meeting of the Zoning Board of Appeals adjourned at 9:15 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, August 5, 2015 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

There are no scheduled meetings for the month of July.

Respectfully submitted,

Helen Granskog
ZBA Administrator/Clerk

