

ZONING BOARD OF APPEALS
February 3, 2016

A regularly scheduled meeting of the Zoning Board of Appeals was held in the Council Chambers of the Trumbull Town Hall on Wednesday, February 3, 2016.

Members Present: Carl Scarpelli, Chairman
Steven Elbaum, Richard Mayo, Dennis Miko and alternate
Brian Reilly

Also Present: Douglas Wenz, ZEO
Vincent M. Marino, Town Attorney

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

In the absence of Commissioner Puskar, alternate Brian Reilly was designated the fifth voting member for tonight's meeting.

PUBLIC HEARING

The Chairman announced that Application #16-05 (Lorraine Iwaskiewicz, 6961 Main Street) would not be heard, as the Town Attorney has determined that ZBA does not have the legal authority to limit the number of children who may attend this facility. He advised that the maximum amount of children permitted to attend a licensed daycare center is regulated by the State of Connecticut.

Public Comment

John Huggins, 31 Cedar Hill Dr.; James Somers, 51 Cedar Hill Dr.; Randy Hood, 70 Cedar Hill Dr. addressed the Commission with concerns regarding on-going traffic and safety issues related to the subject daycare center.

The Town Attorney advised the abutting property owners to direct their concerns to the State of Connecticut and the Trumbull Police Department.

Application #16-03 – Anthony & Jennifer Palumbo
29 Bassick Road

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 & 2.3 with respect to insufficient yard requirements, on a corner lot, to construct 19'x18' two-story addition 29.5' from the street side (Paulina Place) and a 21'x12' deck 20.2' from the N/E sideline, at its closest point.

The applicant came forward and reviewed the revisions to the previous plan denied by this Board in November of 2015. At that time, issues pertaining to the increased impact to the sideline and the line of site at the corner of Bassick Road and Paulina Place were the stated justifications for denial.

The amended design relocates the proposed addition to the rear. The construction encroaches no further to the street side (Paulina Place) than the existing dwelling and any issues pertaining to the line of site have been eliminated. The submitted survey confirmed the deck construction to be outside of the regulated setbacks.

Application #16-04 – Emilia Ferri, Agent for Fairview Avenue Real Estate, LLC
11 Fairview Avenue

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to insufficient yard requirements to construct 1,969 sq. ft. one-story addition 21.4' from the front lot line, 15' from the north sideline, 25' from the rear lot line, at its closest point, along with a 14.5'x6' front entryway located 21.4' from the front lot line, including stairs and 15' from the north sideline and to exceed maximum building coverage allowable by 5%.

Emilia Ferri, project architect, came forward representing the property owners. The revisions to the previous application, denied by this Board at their December meeting, were reviewed. The footprint has been decreased lessening the lot coverage to 30% and reducing the coverage to 5%. There is no further increase to the existing encroachment on the north sideline and setback requirements on the south sideline are shown to be in compliance. The proposed new entryway will shift the front of the house from Pine Street onto Fairview Avenue.

Ms. Ferri noted that due to the configuration of the lot, no additional construction to the existing dwelling can be made without approval from this Board. The applicant stated that her goal was to beautify the home, which in turn will benefit property values for both the property owner and the surrounding neighborhood.

The submitted plan showed much of the original dwelling being demolished. Commissioners noted that constructing a complete new dwelling further to the south sideline would bring the proposal into compliance with side yard setbacks.

Public Comment

Letters of support from Bruno & Louise Lisi, 6 Fairview Avenue and Ophelia & Joseph Vinhais, 8 Prospect Avenue were submitted into the record. Natalie & Paul Luysterborghs, 4 Prospect Avenue spoke in favor. The property owner, Emilio Ferri, advised that the intent of the proposed construction is to improve the visual appearance of his property.

Joyce and Jeffrey Somley of 13 Fairview Avenue, direct abutters to the right, were opposed to any further increase to the existing non-conformity and asked that the zoning regulations be adhered to.

This concluded the public hearing.

Regular Meeting

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

Application #16-03 – Anthony & Jennifer Palumbo
29 Bassick Road

MOTION MADE (Mayo), seconded (Elbaum) and unanimously carried to approve Application #16-03, subject to the requirements of the Assistant Town Engineer.

The amended plan has significantly minimized the impact to the regulated areas.
Application #16-04 – Emilia Ferri, Agent for Fairview Avenue Real Estate LLC,

11 Fairview Avenue

MOTION MADE (Mayo), seconded (Miko) to approve Application #16-04.

The absence of a legal hardship was noted. The Commission also took note that there is ample room to relocate the structure further to the south side bringing the north side yard into conformity and eliminating the need for side yard variances.

Vote: In Favor (1): Mayo - Opposed (4): Scarpelli, Elbaum, Miko, Reilly
Application #16-03 DENIED 4-1

There being no further business to address a motion was made by Commissioner Elbaum and seconded by Commissioner Reilly to adjourn. The February 3, 2016 meeting of the Zoning Board of Appeals adjourned at 8:30 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, March 2, 2016 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog
ZBA Administrator/Clerk