

**ZONING BOARD OF APPEALS**  
**June 1, 2016**

A regularly scheduled meeting of the Zoning Board of Appeals was held in the Council Chambers of the Trumbull Town Hall on Wednesday, June 1, 2016.

Members Present: Carl Scarpelli, Chairman  
Steve Elbaum (arriving at 7:45 p.m.), Dennis Miko and alternates  
Lori-Ann Boveroux 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 7:35 p.m.

Due to only three board members being present, alternates Lori-Ann Boveroux and Joseph Rescsanski were designated the fourth and fifth voting members for tonight's meeting.

**Public Hearing**

The request for a continuance of the public hearing for Application #16-16 (Anthony F. Clomiro, 33 Pinewood Trail) was considered.

MOTION MADE (Rescsanski), seconded (Miko) and unanimously carried to defer the public hearing for Application #16-16 until the next regularly scheduled meeting (August 3, 2016).

Application #16-12 – 5596 Main Street, LLC  
5596 Main Street

Variance of Art. III, Sec. 1 and 2.2.3 with respect to construction of a two-story dwelling (existing structure to be removed), on a corner lot, 17.5' from the N/S lot line, at its closest point, 23.5' from the street side (Brewster Place) and 45.2' from the rear lot line. HEARING CONTINUED FROM  
MAY 4, 2016

Attorney John Fallon represented the applicant. The lot is a pre-existing non-conforming parcel located on the corner of Main Street and Brewster Place. The applicant proposes to construct a 2,803 sq. ft. single family dwelling on the property. Mr. Fallon noted that the previous structure, which has been removed, was considerably more non-conforming than the current proposal. The new dwelling significantly reduces the previous non-conformities in regards to lot coverage and setbacks.

Attorney Fallon advised that the parcel's corner lot location will not allow for development within zoning requirements.

The project architect, Bill Andriopoulos of Andriopoulos Design Associates reviewed the design plans. Mr. Andriopoulos described the dwelling, as being colonial in design and in harmony with the character of the neighborhood.

The requirements for approval, as submitted by the Town Engineer, were so noted for the record.

Public Comment

Anita McCain of 5604 Main Street, an abutting property owner, spoke in favor.

At this point Commissioner Elbaum arrived.

Application #16-15 – Doryann Sabato  
98 Bassick Road

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 to construct 16'x24' one-story rear addition (existing deck to be removed) 11.3' from the N/S property line, at its closest point.

The applicant came forward. Ms. Sabato advised that the new construction will consist of additional kitchen space and a family room. The submitted plans showed the construction to be some distance from the abutting property owner's dwelling.

Application #16-17 – David & Susan Jositas  
180 Shelton Road

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 16.2'x27.9' single story addition 14.4' from the N/W property line.

David Bjorklund, of Spath-Bjorklund Associates, represented the applicants. The proposed addition consisted of a family room and artist's studio. The submitted plan showed the addition to be well screened with vegetation and not be visible from Shelton Road.

Upon inquiry, Mr. Bjorklund informed that no negative feedback has been received from any adjoining property owners.

The applicant's representative was advised of the requirements for approval, as submitted by the Town Engineer.

Application #16-18 – Helen Margolnick  
71 Sabina Road

Variance of Art. I, Sec. 4.3.1 and Art. III, Sec. 1 with respect to construction of a 24'x25.7' two-story addition 41.3' from the front lot line and 43.1' from the rear lot line, at its closest point and an 8.5'x6' enclosed entryway 35.3' from the front lot line.

The applicant came forward. The submitted plans indicated the proposed location to be the most suitable for construction due to the topography of the land.

The requirements for approval, as submitted by the Town Engineer, were so noted for the record.

## Public Comment

The following letters in support were submitted.

George Fatsy, 61 Sabina Road  
Audrey Fatsy, 61 Sabina Road  
Jean and Gary Montabana, 74 Sabina Road

Application #16-19 – Brinsmade Associates, LLC  
965 White Plains Road

Variance of Art. II, Sec. 3.1.5.4 to reduce minimum 100' buffer between B-C Zone and Residential Zone to 22' and minimum 25' buffer between two lots within a B-C Zone to 22'; Art. II, Sec. 3.1.7.2(a) to allow tenant identification on entrance sign; Art. IV, Sec. 4.6.5 to reduce 10' perimeter landscape buffer to 7.5' for construction of wall and Sec. 4.6.6 to reduce 8' minimum width of landscape island to 4'; Art. XV, Sec. 4.13 to eliminate requirement for minimum of 25' of landscape area between building and parking areas to construct single story 21,183 sq. ft. retail building (existing structure to be removed).

Attorney Raymond Rizio conducted the presentation on behalf of the applicant.

In order to move forward with construction, relief from the above noted regulations will be required. Attorney Rizio advised that the variances being applied for are due in part to the change in regulations from what was in place at the time the site was originally development. The proposed drive-thru also limits the options as to where the building can be located.

The submitted plans showed the proposed retail structure to be 21,183 sq. ft. size with the design being described as colonial in nature. The presence of a connecting sidewalk along White Plains Road was duly noted. A total of 14,183 sq. ft. would be allotted to the establishment of a CVS pharmacy, which will include a drive-thru. The remaining 7,000 sq. ft. would be occupied by other retail tenants that are as yet unknown. Mr. Rizio noted the proposed building has significantly decreased the height and square footage of existing structure currently on site. He advised that the total available parking of 93 spaces surpasses what is required and is more than adequate for this type of use. He brought to the Board's attention that there is no proposed parking or lighting being considered for the rear portion of the building, which abuts the residential area. In addressing the signage Attorney Rizio advised that due to the pharmacy being a national chain identification on the entrance sign will be required.

The reduction in the size of the four proposed islands, which will limit the amount of landscaping, was questioned. Mr. Rizio responded that the decrease from 8' to 4' in width allows for unrestricted circulation around the building and elimination of several parking spaces.

## Work Session

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

Application #16-12 – 5596 Main Street, LLC  
5596 Main Street

MOTION MADE (Miko) and seconded (Boveroux) to approve Application #16-12 subject to the requirements of the Town Engineer.

It was agreed that the proposed plan will be of aesthetic benefit to the neighborhood.

Vote: In Favor (4): Scarpelli, Miko, Boveroux, Rescsanski - MOTION CARRIES  
Commissioner Elbaum refrained from voting as he was not present for the Public Hearing.

Application #16-15 – Doryann Sabato  
98 Bassick Road

MOTION MADE (Miko), seconded (Elbaum) and unanimously carried to approve Application #16-15 subject to the requirements of the Town Engineer.

Proposed non-conformities were considered to be minor in nature.

Application #16-17 – David & Susan Jositas  
180 Shelton Road

MOTION MADE (Miko), seconded (Boveroux) and unanimously carried to approve Application #16-17 subject to the requirements of the Town Engineer.

Proposed non-conformities deemed minor in nature.

Application #16-18 – Helen Margolnick  
71 Sabina Road

MOTION MADE (Miko), seconded (Boveroux) and unanimously carried to approve Application #16-18 subject to the requirements of the Town Engineer.

No negative impact indicated.

Application #16-19 – Brinsmade Associates, LLC  
965 White Plains Road

MOTION MADE (Rescsanski) and second (Boveroux) and unanimously carried to approve Application #16-19 subject to the following specific conditions.

1. Proposed construction shall be subject the requirements for approval, as submitted by the Town Engineer.
2. Proposed landscaping shall be subject to the recommendations of the Town Tree Warden with special emphasis being given to the plantings within the islands and ensuring adequate buffering has been provided between the B-C and Residential Zones.

3. The feasibility of establishing a walkway between the subject site and the abutting retail center to be looked into.

There being no further business to address a motion was made by Commissioner Rescsanski and seconded by Commissioner Boveroux to adjourn. The June 1, 2016 meeting of the Zoning Board of Appeals adjourned at 8:45 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, August 3, 2016 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

There is no meeting scheduled for the month of July.

Respectfully submitted,

Helen Granskog  
ZBA Administrator/Clerk