

ZONING BOARD OF APPEALS
September 7, 2016

A regularly scheduled meeting of the Zoning Board of Appeals was held in the Council Chambers of the Trumbull Town Hall on Wednesday, September 7, 2016.

Members Present: Carl Scarpelli - Chairman, Dennis Miko – Secretary, Richard Mayo and alternates Joseph Rescsanski and Brian Reilly and Lori-Ann Boveroux.

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.

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

Public Hearing

Chairman Scarpelli announced the following:

Application #16-33 David Rosenberg
3 Crescent Lane

Variance of Art. 1, Sec. 4.3.1 for construction of a 24'x36' garage, 11.4' from N/S lot line at its closest point. WITHDRAWN

Application #16-26 - Nichols Fire District
100 Shelton Rd.

Variance of Art. I, Sec. 4.3.1; Art. III, Sec. 2 Paragraph 2.3 to construct a 30.5'x24.4' proposed second floor addition over an existing garage located in the N/E corner of the lot, with 17.8' setback from the E/S property line and 17.2' setback from the N/S property line; a 40'x24.4' one story addition to western side of existing storage facility and a covered porch 43' at its closest point to the S/S lot line. HEARING CONTINUED FROM AUGUST 3, 2016

In attendance was acting Commissioner Rick Perachio, acting Commissioner Lenny Szustak and Douglas Doyle (past Chairman of the Board of Fire Commissioners & past Chief of the Fire Department).

The architect, John DeRosa (Connecticut Design & Build) stated that the Nichols Fire District has a pressing need for additional storage and training space on their property and are seeking to construct an addition to their existing storage garage. They are requesting to add a second story to the storage garage (25x30) and also a single story addition to the front of the storage garage (25x40) along with a covered overhang area (roof 14x40). The building will be used for dry non-fire training and for additional storage. Mr. DeRosa noted that on the E/S of the garage, they are encroaching into the setback approximately 2.2', on the N/S 2.8'. The proposed structure (adding a second story and covered patio roof) will encroach approximately 7' at farthest point and 3' at the shortest point.

Commissioner Rescsanski asked if there was any correspondence from the abutting property owners to the south of Cemetery Drive in favor of the application. Douglas Doyle (128 Booth Hill Road) the Project Manager, stated they personally visited the three abutting owners, shared the plans, answered questions and have received their full support.

Public Comment: Rick Perachio, 53 Evelyn Street (current Chairman of the Fire Commission) and Leonard Szustak, 50 Priscilla Place (Commissioner of the Fire District) spoke in favor.

**Application #16-29 - Richard & Paula Phillips
15 Sunnycrest Rd.**

Variance of Art. I, Sec. 4.3.1, to add 672 sq. ft. of additional living space to a non-conforming dwelling, and adding a 6'6"x25'3" front porch including stairs, 39'9" from the front lot line at its closest point.

Mr. & Mrs. Phillips stated that they had a fire in January and the house was completely destroyed although the foundation is still usable. They stated that the front southeast corner encroaches by 3 feet and would also like to construct on a covered front porch in the front and a deck in the back.

There was no public comment.

Application #16-30 - Karl Gasparrini

20 Craig Lane (Corrected address 11/2/16)

Variance of Art. 1, Sec. 4.3.1, to remove an existing garage and add a two car attached garage and additional living space at N/E side of existing dwelling 33.4' from the front lot line at its closest point, and add a 24'x45' covered porch including steps, 31'8" from the front lot line at its closest point.

Karl Gasparrini stated that they want to add additional living space 33.4' from the front property with an addition to the right of the house. Commissioner Miko asked what is the variance and Mr. Gasparrini stated it is 33.4' to the nearest corner in the front.

Public comment: Roseann Dimarco of 25 Craig Lane and Ann Tompkins of 26 Craig Lane, both spoke in favor.

Application #16-31 Christopher Proudfoot

566 Booth Hill Rd.

Variance of Art. 1., Sec. 4.3.1 and Art. III, Sec.1, to construct a 21'x14' one-car attached garage 12' from the N/S lot line at its closest point.

Paul Holob, architect, said his client is requesting a one car attached garage to their newly approved in-law apartment. The Board requested they modify their initial application plans from last month and reapply with a 9' setback from the property line. Mr. Holob noted they have now reduced the garage from 16' to 14' and the setback off the side lot line is 12'. He redesigned the 14' width garage, a foot closer and parallel to the house (from 4' to 3') and noted it is wide since the in-law apartment will house a handicapped parent of the owner. The other concern of the Board was the proximity of the new garage to the neighbors. Mr. Holob submitted pictures and stated that the proposed garage is about 30' away from the closet neighbor and parallel to the house. He also offered Chairman Scarpelli letters from adjoining neighbors approving the proposal. (Garrett Johnson of 10 MacDonald Road, Carlos Rojas of 562 Booth Hill Road and Len Mercurio of 570 Booth Hill Road.)

Public comment: Mr. Curria of 12 Country Lane and Carlos Rojas of 562 Booth Hill Road, both spoke in favor.

Application #16-32 Cyril F. Mullins II
399 White Plains Rd.

Variance of Article II, Section 2.1.3, to permit construction of a sign for a funeral home that increases the sign area from twelve (12) square feet to 25.47 sq. ft. (12.735 sq. ft. per side) and permit more than one (1) sign per lot in the Professional Office Overlay Zone.

Ray Rizo, attorney for Cyril Mullins, stated his client wants to remove their existing sign and replace it with a two sided sign that is closer to the street, 10' off the property line. The hardship is the amount of traffic and the location of the property, which is around a corner and accounts for poor visibility. He said that the new sign would be 25.4' feet in total – 12.7' on each side) with 12' being the current maximum allowable.

Public Comment: Bridget Lyons, 345 White Plains Road, spoke in favor of the application.

Application #16-34 Curtis Heher
9 Country Lane

Variance of Art. 1, Sec. 4.3.1 and Art. III, Sec. 1 to construct a one car garage with rear storage area, 2'4" from E/S lot line, 38'4" from the front lot line and 40'5" from the rear lot line, at their closest points.

Daniel Pato, architect, stated they are requesting a variance to construct a single car garage and storage area and the hardship is the size of the property. The Board had concerns over the size of the garage from last month's application and requested a redesign. Mr. Pato stated they are proposing to reduce the length of the garage by 4' and reduce the height by 2'2" and are eliminating the shed dormer. The garage is attached to the side of the house as not to take away from the small back yard and the only way to access the attic space above the garage is via pull down stairs inside the garage. He also noted that the height of attic space is 7' at the ridge so there is no possibility it would be converted to living space. Mr. Heher spoke with his neighbors and mentioned they also have attached garages and no one has objected to his plans.

Letters had been submitted by the neighbors in favor of the application (Alexander Lazarus - 11 Country Lane, Barbara Carroll - 8 Country Lane, Anibol Paulo - 5 Country Lane).

There was no public comment.

WORK SESSION

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

**Application #16-26 - Nichols Fire District
100 Shelton Rd.**

MOTION MADE (Reilly) and seconded (Miko) and unanimously carried to approve Application #16-26 subject to the requirements of the Town Engineer.

**Application #16-29 - Richard & Paula Phillips
15 Sunnycrest Rd.**

MOTION MADE (Mayo) and seconded (Reilly) and unanimously carried to approve Application #16-29 subject to the requirements of the Town Engineer.

**Application #16-30 - Karl Gasparrini
20 Craig Lane (Corrected address - 11/2/16)**

MOTION MADE (Mayo) and seconded (Miko) and unanimously carried to approve Application #16-30 subject to the requirements of the Town Engineer.

**Application #16-31 Christopher Proudfoot
566 Booth Hill Rd.**

MOTION MADE (Mayo) and seconded (Rescsanski) and unanimously carried to approve Application #16-31 subject to the requirements of the Town Engineer.

**Application #16-32 Cyril F. Mullins II
399 White Plains Rd.**

The Board requested Mr. Rizio submit a revised drawing showing placement of the new signage.

MOTION MADE (Mayo) and seconded (Reilly) and unanimously carried to approve Application #16-32 subject to the requirements of the Town Engineer.

**Application #16-34 Curtis Heher
9 Country Lane**

The Board was concerned that the house was initially built with a variance and now another variance is being requested. There are major renovations being requested on a very small lot and the attached garage is close to the property line.

MOTION MADE (Mayo) and seconded (Miko) and unanimously carried to DENY Application #16-34.

There being no further business to address, a motion was made by Chairman Scarpelli, accepted by Commissioner Reilly and seconded by Commissioner Mayo to adjourn. The September 7, 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 October 5, 2016 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Gail Andreyka - Clerk