

**ZONING BOARD OF APPEALS**  
**August 4, 2010**

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held in the Town Hall on Wednesday, August 4, 2010.

Members Present: Richard Puskar, Chairman  
Michael Muir and alternates William Malmstedt, Richard Mayo and  
Dennis Miko

The following is a brief summary of the meeting. The complete record is on tape in the office of the Zoning Board of Appeals.

A quorum being present, the Chairman called the meeting to order at 7:37 p.m.

In the absence of Commissioners Savino, Scarpelli and Vitrella, alternates William Malmstedt, Richard Mayo and Dennis Miko were designated as the third, fourth and fifth voting members for tonight's meeting.

Application #10-17 – Bruce E. Adams, 126 Whitney Avenue

Variance of Art. III, Sec. 1, with respect to insufficient minimum yard requirements to construct a 30'x34'x29.7' two-car garage, with rooms above, (for a total of 3 garage spaces) 14.3' from the E/S property line at its closest point.  
HEARING CONTINUED FROM JUNE 2, 2010.

Joseph Gluse, the project architect, represented the applicant. Mr. Gluse began his presentation with the submission of the following: Certificate of Mailings to abutting property owners, letter from the property owner naming Joseph Gluse as her representative, an expanded set of architectural plans and photographs of the existing home.

The property consists of 5.2 acres and is situated along the Pequonnock River. The existing structure was constructed prior to the establishment of zoning regulations. Mr. Gluse relayed that any location for the proposed addition would infringe within the required setbacks. The construction site, as shown, was considered the most favorable relative to wetland impact, drainage retention and septic location. The applicant's representative indicated that the existing garage would be abandoned to make room for a workshop area. It was noted that the site was surrounded by State and Town owned property.

Application #10-21 – Andrea & Timothy Tencaz, 29 Whitney Avenue

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct deck 4.10' from the W/S property line and 24' from the rear property line, including stairs.

The applicant, Timothy Tencaz, addressed the Commission. Mr. Tencaz informed that the proposed location was the only place which will allow access from the house to the deck. Two alternates were presented, which specified a structure either 12' or 10' in width. The applicant indicated his preference for a width of 12 feet.

A letter of support from Michael Kronick and Tabitha Wilde, 39 Whitney Avenue, was then read for the record.

Application #10-22 – Jason & Jennifer Chiodo, 83 Cottage Street

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct a porch 24.6' from the front property line, including stairs and to increase the existing non-conformity with construction of a second story addition over the existing footprint.

Jason Chiodo was the presenter. The following exhibits were submitted: Pictures of the existing structure, a copy of the notification letter sent to the abutting property owners, architectural drawings of the proposed renovations and a letter of support from Clemencine Miller, of 80 Cottage Street.

The photographs showed the home to be in a dilapidated state. The new property owners would like to modernize it and make aesthetic improvements. The applicant indicated that the proposed front setback would be in line with most adjoining and nearby dwellings.

Application #10-23 – Elizabeth and Chris Stamos, 137 Ridgeview Avenue

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to enlarge garage to 23.5'x23.5' and construct a room above with an attached 28'x23.5' addition 9.2' from the E/S property line at its closest point.

Attorney Raymond Rizio spoke on behalf of the applicant. Mr. Rizio informed that the homes in the original subdivision were built on an angle to face the street creating a hardship due to the unusual shape of the property.

The submitted plans detailed the proposed garage expansion and attached addition. A two foot increase in height to the existing roof line was also indicated. The stated purpose of the proposed garage expansion was to provide room for two vehicles. Attorney Rizio informed that the structure is pre-existing non-conforming with a side setback of 15.9'. In order to remain consistent with the angle of the house a setback of

9.2', at the closest point, is required. Mr. Rizio maintained that the proposed project was consistent with other home additions in the neighborhood. He proceeded to submit the following items into the record: Data relating to similar home expansions in the immediate area, photographs of the existing landscape screening on the subject property, a petition of support and a letter from Mary Ellen Kelly, Realtor indicating that the proposed project would not devalue neighboring properties.

Upon inquiry, the applicant's representative indicated that his client would be amenable to maintaining the original ridge line and providing additional screening along the E/S property line.

#### Public Comment

Diana Paolino, 148 Ridgeview Avenue, spoke in favor.

Dennis Muzea, of Stratford, CT and co-owner of the E/S abutting property spoke in opposition. His concerns related to obstruction of his line of site. He also objected to the addition's close proximity to his abutting property line, which could potentially decrease the value of his home. Mr. Muzea indicated that neighboring additions had been constructed without any change to the existing setbacks. The following exhibits were submitted for the record: Photographs of additions constructed along Ridgeview Avenue, copy of memo to the ZBA from Mr. Muzea outlining his concerns, petition in opposition, copy of assessor's map highlighting neighboring homes with additions, copy of variance application submitted by the applicant, copy of Building Department data relative to Ridgeview Avenue and a copy of a parcel summary for Mr. Muzea's property located at 131 Ridgeview Avenue.

In conclusion, the applicant, Chris Stamos, addressed the Commission relaying that he is a lifelong resident of Trumbull and expressed his desire to remain in his home. He believed his proposal to be modest in nature and was needed to accommodate his growing family.

Application #10-24 – Kyle Bitting and Thu Tran, 69 Roosevelt Drive

Variance of Art. II, Sec. 1.2.2.3(2) with respect to insufficient yard requirements to construct a 10'x14' shed 2' from the N/S property line.

Kyle Bitting presented the application and submitted photographs of the subject property, which indicated the existing landscape screening. Mr. Bitting informed that the proposed location was chosen to avoid intrusion into the area to be utilized for a future swimming pool. Several Commissioners questioned the need for a location so close to the side property line and also asked if the structure could be situated further to the rear. The applicant responded that the proposed setback would avoid having to cut down several

trees. The chosen area also contains extensive landscaping that will screen the shed from the abutting neighbor.

#### Public Comment

Krisa Verbitsky, 45 Mohawk Drive spoke in favor. She identified herself as the abutting property owner to the proposed location. Ms. Verbitsky confirmed that placing the shed further to the rear would cause the structure to become more visible from her property. She also indicated that due to the extensive amount of screening the shed would not be visible from the street.

#### Application #10-25 – Stanislaw Barski, 205 Lake Avenue

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct a porch 40' from the front property line, including stairs.

The applicant presented his proposal for the construction of a front porch. The submitted plans indicated an 8' covered porch situated 44' from the front property line with a 4' stair projection. The plan indicated no negative impact and the aesthetic improvement to the home's appearance was also noted.

#### Application #10-26 – Quarry Road Lot 2, LLC, 100 Quarry Road

Variance of Art. II, Sec. 4.2.5(d.&e.) to construct a four-story office building 55' from the front property line, 37' from the N/S property line and permit a height of 57'.

Attorney Raymond Rizio represented the applicant. The project engineer David Bjorklund and Robert Scinto, Jr. also took part in the presentation. Exhibits submitted for the record were as follows: A Display Map dated 8/4/10, copy of the Town of Trumbull's Economic Development Plan, sections of the Plan of Conservation and Development, and a parking analysis.

The proposed 75,000 sq. ft. medical building would be located on the same property where the movie theater now exists. No negative impact to any residential area was indicated. The submitted plans showed the proposed building to be consistent with the sight line along Quarry Road. Attorney Rizio believed the 37' sideline variance to be inconsequential, as Lots 2 & 3 are controlled by the same owner and flow together without regard to property lines. Due to the extensive mature landscaping the project would be barely visible from Rte. 25. The increase in height was consistent with the goals of the Master Plan and due to the topography would appear to be much lower in height. An inquiry was made as to whether the proposed parking area would be

sufficient. Mr. Rizio noted that the submitted calculations confirm that all parking requirements have been satisfied.

#### Public Comment

Deborah Cox Director of Economic Development and speaking on behalf of the Economic Development read into the record her letter of full support for this project.

This concluded the Public Hearing.

### **REGULAR MEETING**

Application #10-17 – Bruce E. Adams, 126 Whitney Avenue

MOTION MADE (Miko), seconded (Muir) and unanimously carried (Puskar, Malmstedt, Mayo, Miko, Muir) to approve Application #10-17, as presented and plans submitted.

Application #10-21 – Andrea and Timothy Tencaz, 29 Whitney Avenue

MOTION MADE (Muir) and seconded (Miko) to approve Application #10-21.

MOTION MADE (Muir), seconded (Miko) and unanimously carried (Puskar, Malmstedt, Mayo, Miko, Muir) to amend the original motion to include the following modification.

1. Proposed deck to be constructed no closer than 22' from the rear property line, including stairs.

Vote (Original Motion as Amended): Unanimous (Puskar, Malmstedt, Mayo, Miko, Muir). MOTION CARRIES

Application #10-22 – Jason and Jennifer Chiodo, 83 Cottage Street

MOTION MADE (Miko), seconded (Muir) and unanimously carried (Puskar, Malmstedt, Mayo, Miko, Muir) to approve Application #10-22, as presented and plans submitted.

Application #10-23 – Elizabeth and Chris Stamos, 137 Ridgeview Avenue

MOTION MADE (Muir), seconded (Miko) and unanimously carried (Puskar, Malmstedt, Mayo, Miko, Muir), to approve Application #10-23 SUBJECT TO THE FOLLOWING SPECIFIC CONDITIONS.

1. Proposed construction shall maintain the existing ridge line.

2. Additional landscape screening shall be placed along the E/S property line, as per the recommendations of the Town Tree Warden.

Application #10-24 – Kyle Bitting and Thu Tran, 69 Roosevelt Drive

MOTION MADE (Malmstedt), seconded (Muir) and unanimously carried (Puskar, Malmstedt, Mayo, Miko, Muir), to approve Application #10-24, as presented and plans submitted.

Application #10-25 – Stanislaw Barski, 205 Lake Avenue

MOTION MADE (Miko), seconded (Muir) and unanimously carried (Puskar, Malmstedt, Mayo, Miko, Muir) to approve Application #10-25, as presented and plans submitted.

Application #10-26 – Quarry Road Lot 2, LLC, 100 Quarry Road

MOTION MADE (Muir) and seconded (Miko) to approve Application #10-26, as presented and plans submitted.

Vote: In Favor (4): Puskar, Mayo, Miko, Muir – Opposed (1): Malmstedt  
MOTION CARRIES

Commissioner Malmstedt indicated he was generally in favor of the project but had concerns relative to the proposed height variance.

At this point the letter of recommendations, as submitted by the Town Engineer was addressed.

MOTION MADE (Muir), seconded (Miko) and unanimously carried (Puskar, Malmstedt, Mayo, Miko, Muir) to stipulate that the approvals granted for Application #10-17, #10-22, #10-23 and #10-25 are subject to the recommendations of the Town Engineer, as stated in the memorandum issued by Stephen Savarese, dated August 4, 2010.

There being no further business to address a motion was made by Commissioner Muir and seconded by Commissioner Miko to adjourn. The August 4, 2010 meeting of the Zoning Board of Appeals adjourned at 9:10 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog  
Clerk of the Board

