

ZONING BOARD OF APPEALS
September 7, 2011

A regularly scheduled meeting of the Zoning Board of Appeals, of the Town of Trumbull, was held in the Council Chambers of the Trumbull Town Hall on Wednesday September 7, 2011.

Members Present: Michael Muir, Chairman
David Preusch, Richard Puskar, Carl Scarpelli, Joseph Vitrella
and alternates Richard Mayo, William Malmstedt and Dennis Miko

Voting members for tonight's meeting were: Michael Muir, David Preusch, Richard Puskar, Carl Scarpelli and Joseph Vitrella.

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.

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

PUBLIC HEARING

Upon a request for a continuance by Attorney Raymond Rizio, the representative for Application #11-31 (Greater Bridgeport Board of Realtors), the following motion was made.

MOTION MADE (Puskar), seconded (Vitrella) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella) to continue the public hearing for Application #11-31 until the next regularly scheduled meeting.

Application #11-26 – Joan & Richard Watnick, 108 Elliott Road

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 with respect to insufficient yard requirements to expand an existing non-conforming use to construct a 31'x14' one-story rear addition 12.8' from the NE/S property line.

Joan Watnick presented the application together with the project designer, Sean Kelly.

Mr. Kelly advised that the proposed addition would fill in the back corner and remain flush with the current side and back building lines. Photographs of the site area, along with a letter of support from the NE/S abutting property owner, were submitted for the record.

Application #11-27 – Francis Tatto, 46 Lynwood Drive

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 & 2.3 with respect to insufficient yard requirements to expand an existing non-conforming use to construct a front porch, on a corner lot, 31' from the front property line (including stairs) and 38' from the street side (Ridgeview Avenue).

The presentation was conducted by the applicant.

This is a resubmission of a previous application (#11-25), which was denied without prejudice as the Commission requested further details pertaining to the design of the proposed front porch.

The submitted plan replaced the existing steps and entryway with a covered open front porch extending across the length of the house. Mr. Tatto informed that the front steps are cracked and need to be replaced, as water is seeping into the basement during heavy rains. The proposal extends the existing encroachment an addition 3.6 feet into the front setback.

The application contained a sketch of the proposed design and photographs of other porches in Trumbull, comparable to what the applicant had in mind.

Upon inquiry, the applicant conveyed his preference for placing the steps in the front instead of the suggested side location. Mr. Tatto advised that locating the steps on the side would interfere with oil intake and also alter the character of the front porch.

Public Comment

Andy Szabo, 109 Ridgeview Avenue, Joe Nicolia, 52 Lynwood Drive and Ed Divine, 51 Lynwood Drive spoke in favor indicating that the proposal would enhance both the home and the neighborhood.

Application #11-28 – Laura Szamatulski, 2 Spruce Street

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 & 2.3 with respect to insufficient yard requirements, on a corner lot, to expand an existing non-conforming use to construct a single story 28'x24' attached two-car garage 30.6' from the front property line and 10.6' from the street side (Linden Avenue).

Laura Szamatulski and the contract builder, Gary Chase, reviewed the plans for the proposed single story two-car garage.

Inquiry was made, as to whether the dense row of evergreens along the Linden Avenue property line would be maintained. The applicant indicated that two of these trees would need to be removed in order to get the structure in.

Concern was voiced regarding the proposed ten foot street side setback, especially concerning since the property is a corner lot. It was noted that the encroachment could be reduced by eliminating the section between the house and the proposed garage. The applicant responded that this option would impact the existing house as some of the windows would have to be relocated. Mr. Chase noted that the edge of the driveway lies 24' from the actual street line.

Public Comment

The property owner, Lorraine Szamatulski, commented that the project conforms to the neighborhood and that the proposed location would not impact visibility.

Application #11-29 – Mark and Kathleen Ariano, 303 Lawrence Road

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 with respect to insufficient yard requirements to expand an existing non-conforming use to construct a second story addition over existing footprint, a 22.7'x10' one-story addition 32.8' from the rear property line and expand the existing deck to 20.7' from the rear property line (including steps), at its closest point.

Mark Ariano was the presenter. The applicant indicated that the proposal creates no negative impact either to his property or the neighborhood in general. The unique shape of the property does not allow for compliance with the zoning regulations. Mr. Ariano believed the submitted plan to be the least imposing to both the neighboring properties and the zoning regulations. It was noted that the submitted photographs indicate dense shrubbery along the rear property line.

Application #11-30 – Scott Farquason, Agent for Stephen and Kyle Taylor, 7 Pinehurst Street.

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 with respect to insufficient yard requirements to expand an existing non-conforming use to construct an 8'x29' open porch 20.8' from the front property line (including stairs) and 14.5' from the W/S property line.

Scott Farquason, the project contractor, introduced the application. Mr. Farquason conveyed that due to the small lot size and the location of the home the required setbacks cannot be met. A review of the neighboring properties has revealed that they are non-conforming, as well. Mr. Farquason advised that the proposed open porch will enhance both the home and the neighborhood. Three letters in support (Colin M. Cody, 6004 Main St.; Joseph and Marcia Boccuzzi, 6016 Main St and Heather Liberman, 10 Pinehurst St.) and pictures of the site area were submitted for the record.

Public Comment

Liz Jones, the abutting eastside property owner, spoke in opposition concerning privacy issues.

Application #11-32 – Cindy Dean, 315 Church Hill Road

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 with respect to insufficient yard requirements to expand an existing non-conforming use to construct a roof structure over the entryway located 29' from the front property line.

Cindy Dean presented construction plans for a 3'x6' roof structure to be placed over the existing entryway and front steps to allow for coverage from the weather, when accessing the house.

Application #11-33 – Dereck Pettway, 10 Regina Street

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 with respect to insufficient yard requirements to expand an existing non-conforming use to construct a second story addition over the attached garage located 10.2' from the W/S property line and 30.8' from the front property line.

The construction designer, Manuel DaSilva, came forward and presented architectural plans. The submitted plans indicated a master bedroom suite to be constructed over the existing footprint. Mr. DaSilva conveyed that the proposed plan presents the most feasible alternative, as it avoids further encroachment into the regulated setback area and aesthetically conforms to the character of the neighborhood.

Application #11-34 – Sal DiNardo, Lot 12 Main Street

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct a 1,600 sq. ft. residential dwelling 15' from the N/S property line and 15' from the S/S property line.

The presentation was conducted by the applicant. The ¼ acre empty building lot is situated across from Elizabeth Street. The submitted plans indicated that the lot was small and deep. A two-story 1,600 sq. foot residential dwelling is proposed. Mr. DiNardo noted that the proposed location conforms with the side setbacks of the homes abutting this property.

REGULAR MEETING

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

Application #11-26 – Joan & Richard Watnick
108 Elliott Road

Discussion: Considered to be a minor deviation to the existing non-conformity.

MOTION MADE (Scarpelli), seconded (Vitrella) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella), to approve Application #11-26, as presented and plans submitted.

Application #11-27 – Francis Tatto
46 Lynwood Drive

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella) to approve Application #11-27, as presented and plans submitted.

Application #11-28 – Laura Szamatulski
2 Spruce Street

MOTION MADE (Puskar), seconded (Vitrella) to approve Application #11-28.

Discussion: There was concern pertaining to the proposed 10' setback from the street sideline. Comment was made that options are available that will allow for a 16' setback. It was noted that the small lot area does not allow for a conforming alternative. The dense shrubbery located along the Linden Avenue side line was also noted.

MOTION MADE (Puskar), seconded (Vitrella) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella), to amend the original motion to include the following stipulation.

Proposed garage to be constructed no closer than 16' from the street side property line (Linden Avenue).

Application #11-28 Modified and Approved, as stipulated.

Application #11-29 – Mark and Kathleen Ariano
303 Lawrence Road

Discussion: The odd shape of the lot was noted. Comment was also made that the applicant has attempted to minimize the impact to both the side and rear property lines.

MOTION MADE (Vitrella), seconded (Puskar) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella), to approve Application #11-29, as presented and plans submitted.

Application #11-30 – Scott Farquharson, Agent for Stephen and Kyle Taylor

7 Pinehurst Street

Discussion: Improves the character of both the home and the neighborhood.

MOTION MADE (Scarpelli), seconded (Vitrella) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella), to approve Application #11-30, as presented and plans submitted.

Application #11-32 – Cindy Dean
315 Church Hill Road

Discussion: A minor deviation of the existing non-conformity.

MOTION MADE (Puskar), seconded (Scarpelli) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella) to approve Application #11-32, as presented and plans submitted.

Application #11-33 – Dereck Pettway
10 Regina Street

Discussion: Does not appear to create any further impact to the existing non-conformity.

MOTION MADE (Vitrella), seconded (Puskar) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella), to approve Application #11-33, as presented and plans submitted.

Application #11-34 – Sal DiNardo
Lot 12 Main Street

Discussion: Applicant constrained by the size of the building lot.

MOTION MADE (Puskar), seconded (Vitrella) and unanimously carried (Muir, Preusch, Puskar, Scarpelli, Vitrella), to approve Application #11-34, as presented and plans submitted.

There being no further business to discuss a motion was made by Commissioner Puskar and seconded by Commissioner Scarpelli to adjourn.

The September 7, 2011 meeting of the Zoning Board of Appeals adjourned at 8:45 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog
Clerk of the Zoning Board of Appeals

