

**ZONING BOARD OF APPEALS**  
**December 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 Town Hall on Wednesday, December 7, 2011.

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

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 7:35 p.m.

In the absence of Commissioner Preusch and Commissioner Puskar, alternates Richard Mayo and Dennis Miko were designated as the fourth and fifth voting members for tonight's meeting.

**PUBLIC HEARING**

A letter from the DOT requesting a continuance of the Public Hearing for Applications #11-47 - #11-53, concerning five properties along White Plains Road and two additional properties located on Alice Place, was addressed.

MOTION MADE (Vitrella) seconded (Scarpelli) and unanimously carried to continue Applications #11-47 - #11-53 until the next regularly scheduled meeting (January 4, 2012).

Application #11-44 – Sophia Nemergut  
Parcel 98, Baldwin Avenue

Variance of Art. III, Sec. 1 with respect to insufficient yard requirements to construct a residential dwelling 35' from the front property line at its closest point.

David Bjorklund, P.E. represented the applicant. A variance is required to meet the conditions of approval placed on this parcel by the Inland Wetlands and Watercourses Commission. In order to increase the separation between the house and the regulated area, the IWWC permit has restricted the front setback to 35'.

The submitted architectural plan, which indicated a two story dwelling containing 2,115 sq. ft. of living area was noted.

Application #11-45 – Mario Paniccia, Agent for Corey Weibel

Variance of Art. I, Sec. 4 and Art. III, Sec. 1 with respect to increasing an existing non-conforming use to construct an addition over attached garage.

Attorney Dominic Paniccia and the project architect, Mario Paniccia, came forward representing the applicant. It was noted that a previous application (#11-06), relating to this parcel, received approval

from this Board in April of this year. In an effort to lower construction costs the original plan has been scaled back to the proposed one-story addition, for a master bedroom, over the attached garage.

Attorney Paniccia reiterated that the unconventional size and shape of the lot identifies the required hardship and that the proposed construction does not encroach any further into the existing non-conforming setback.

Application #11-46 – Natalie and Paul Luysterborghs  
4 Prospect Avenue

Variance of Art. V, Sec. 6.2 and 6.4 to modify existing permit to eliminate required fencing.

As no representative came forward when called, the Chairman ruled that the Public Hearing for this application would not be opened.

### **REGULAR MEETING**

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

Application #11-44 – Sophia Nemergut  
Parcel 98, Baldwin Avenue

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Muir, Mayo, Miko, Scarpelli, Vitrella) to approve Application #11-44, as presented and plans submitted.

Applicant has been restricted into the regulated front setback by the IWWC.

Application #11-45 – Mario Paniccia, Agent for Corey Weibel  
152 Chestnut Hill Road

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Muir, Mayo, Miko, Scarpelli, Vitrella) to approve Application #11-45, as presented and plans submitted.

The submitted plans indicate the proposed construction to be is less intrusive than what was previously approved. It was also noted that the proposed construction creates no further intrusion into the side setback.

### **2012 Meeting Dates**

The proposed scheduled was distributed and reviewed.

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Muir, Mayo, Miko, Scarpelli, Vitrella) to approve the ZBA 2012 Meeting Dates, as presented.

## **Election of Officers**

### Chairman

Michael Muir nominated by Commissioner Scarpelli with a second from Commissioner Vitrella. There being no further nominations, Commissioner Muir unanimously elected Chairman of the Zoning Board of Appeals.

### Vice-Chairman

Richard Puskar nominated by Commissioner Muir with a second from Commissioner Scarpelli. There being no further nominations, Commissioner Puskar unanimously elected Vice-Chairman of the Zoning Board of Appeals.

### Secretary

Carl Scarpelli nominated by Commissioner Muir with a second from Commissioner Vitrella. There being no further nominations, Commissioner Scarpelli unanimously elected Secretary of the Zoning Board of Appeals.

## **Amended ZBA Application Form**

The revised application form was distributed and reviewed.

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Muir, Mayo, Miko, Scarpelli, Vitrella) to approve the revised ZBA application form, as presented.

There being no further business to discuss a motion was made by Commissioner Vitrella and seconded by Commissioner Scarpelli to adjourn. The December 7, 2011 meeting of the Zoning Board of Appeals adjourned at 8:00 p.m. with unanimous consent.

The next regularly scheduled meeting of the Zoning Board of Appeals will be held on Wednesday, January 4, 2012 at 7:30 p.m. in the Council Chambers of the Trumbull Town Hall.

Respectfully submitted,

Helen Granskog  
Clerk of the Zoning Board of Appeals

