

Town of Trumbull
CONNECTICUT

Planning and Zoning
Department
Telephone (203) 452-5044
Fax (203) 452-5169



Town Hall
5866 Main Street
Trumbull, Connecticut 06611

ZONING BOARD OF APPEALS
WEDNESDAY, MARCH 1, 2023 MINUTES

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held at Trumbull Town Hall Council Chambers on Wednesday, March 1, 2023.

MEMBERS PRESENT: Rob Saunders – Vice Chairman
Richard Mayo – Secretary
Catherine Creager
Matthew Reale
Joseph Rescsanski - Alternate

MEMBERS ABSENT: Steve Elbaum – Chairman
Brian Reilly - Alternate

ALSO PRESENT: Brian Fitzgerald – Zoning Enforcement Officer
Rob Librandi – Town Planner
Attorney James Cordone – Town Attorney
Gia Mentillo – ZBA Clerk
Trumbull Community Television

A quorum being present, Vice Chairman Saunders called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

MOTION MADE (Creager), seconded (Mayo) to approve the January 4, 2023 minutes.
Vote: 5-0 Motion Carried

PUBLIC HEARING and WORK SESSION:

Vice Chairman Saunders stated Alternate Commissioner Rescsanski to be a voting member for this meeting. The Vice Chairman requested that applications #23-08 and #23-10 be heard first so that the Board may vote on whether to continue those applications, as requested, to the next regularly scheduled meeting of the Trumbull Zoning Board of Appeals (ZBA).

Motion Made (Rescsanski), Seconded (Reale), to continue **Application 23-08 – 9 Pine Street, Bertho & Vanessa Ducas** to the next regularly scheduled meeting.
Vote: 5-0 Motion Carried

Motion Made (Reale), Seconded (Mayo), to continue **Application 23-10 – 110 Porters Hill Road, Atty. Russo for John Vitorino** to the next regularly scheduled meeting.
Vote: 5-0 Motion Carried

Application # 23-03 – 42 Smith Place

Frank Diurno for Anthony Faugno & Marina Cenatiempo

Applicant is requesting a front yard setback variance of 9.5’ where 40.5’ is proposed and 50’ is required to construct a master bedroom addition. Also a 10.6’ front yard variance where 39.4’ is proposed and 50’ is required; and a 7.4’ front yard variance where 42.6’ is proposed and 50’ is required to construct a new two-car garage, living room addition, a new covered porch, and bedroom addition in the A Residential Zone under Article II of the Trumbull Zoning Regulations. *(Continued from February 1, 2023).*

Frank Diurno, Architect of Norwalk CT, 3 Park Street, introduced himself as the representative for application #23-03. Mr. Diurno informed that the ranch style dwelling at 42 Smith Place was constructed in 1956 and is a pre-existing, non-conforming structure on a narrow, corner lot. To maintain the ranch-style of the home and create adequate living space, front and rear yard variances are being sought to construct two additions on the home and reconfigure the front entryway.

Commissioner Rescsanski asked Mr. Diurno to speak to the written concerns of Ms. Moss of 58 Rangely Drive, and Vice Chairman Saunders asked whether the proposed would increase the elevation of the existing home. Mr. Diurno stated that the proposed additions would not change the existing elevation of the dwelling or significantly alter the amount of sunlight reaching 58 Rangely Drive, noting that the topography of the property and the area result in Ms. Moss’s property be at a lower elevation than that of Mr. Faugno. Commissioner Creager asked if there were trees between the two aforementioned properties, and Mr. Diurno confirmed that Ms. Moss does own trees that border the two properties.

Public Comment: None.

Work Session: No additional comment.

Engineering comments: Prior to engineering approval, applicant must show compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards, and obtain a sanitary sewer permit.

Motion Made (Reale), Seconded (Creager), to approve with conditions **Application #23-03 - 42 Smith Place, Frank Diurno for Anthony Faugno & Marina Cenatiempo.**

Vote: 5-0 Motion Carried

Application # 23-04 – 26 Scattergood Circle

Scott Perillo for Stephen and Michele Dowling

Applicant is requesting a side yard setback variance of 4.3’ where 15.7’ is proposed and 20’ is required to allow a second-story roof overhang in the AA Residential Zone under Article II of the Trumbull Zoning Regulations. *(Continued from February 1, 2023).*

Scott Perillo introduced himself as a resident of 26 Scattergood Circle, representing the home owners as their architect and son. He stated the requested variance is to allow a second story roof overhang on a proposed master bedroom addition. Mr. Perillo expressed efforts to build in conformity with current setback requirements which were limited by the unique shape of the lot and subsequent buildable area.

Public Comment: None.

Work Session: Vice Chairman Saunders stated that the requested variance is solely for the second story roof overhang with an encroachment of just a few feet into the setback requirements. He added that the lot is oddly shaped and at the end of a col-de-sac which creates a hardship for the property.

Engineering comments: Prior to engineering approval, applicant must obtain a sanitary sewer permit.

Motion Made (Creager), Seconded (Rescsanski), to approve with conditions **Application # 23-04 – 26 Scattergood Circle, Scott Perillo for Stephen and Michele Dowling.**

Vote: 5-0 Motion Carried

**Application # 23-05- 91 Evelyn Street
Laura Luserbrink**

Applicant is requesting a side yard variance of 12.7', where 7.3' is proposed and 20' is required and a rear yard setback variance of 16.9', where 33.1' is proposed and 50' is required to build a two-story addition in place of the existing garage in Residential Zone A under Article II, section 1.3 of the Trumbull zoning regulations. The applicant also proposes building a single-story addition attached to the rear of the new two-story addition.

Laura Lusebrink, applicant and resident of 91 Evelyn Street, stated she is requesting side and rear yard setback variances for a pre-existing, non-conforming corner lot so that there is adequate room for both she and her mother to remain in the home. She expressed efforts to design the proposed additions so that the dwelling remains in character with the rest of the neighborhood. Ms. Lusebrink shared photos with the Board exemplifying other homes of similar design in the area.

Commissioner Reale asked whether the hardship was based on the fact that the dwelling is located on a corner lot which Ms. Lusebrink confirmed to be true. Commissioner Rescsanski asked whether the existing garage would be removed. The applicant explained that the existing detached garage is currently connected to the main dwelling via carport, and the intention is to convert the carport so that garage will be fully attached.

Public Comment: Frank Cioffi, 95 Evelyn Street, stated opposition to the proposed addition along the western property line he shares with Ms. Lusebrink. Mr. Cioffi informed that his dwelling sits 20' from said lot line, noting that the grading of the area slopes downward toward his property, positioning his residence lower than that of the applicant. He explained that the proposed plan would result in the view from his yard to be primarily of Ms. Lusebrink's home. Mr. Cioffi also expressed concerns that Ms. Lusebrink intends to put an apartment in the home, noting that her lot is less than one-third of an acre and multi-family dwellings have to be on a property at least one-half acre in size.

Work Session: Vice Chairman Saunders stated that although the lot is a pre-existing, non-conformity, the size of the proposed dwelling would need to be reduced by nearly 50% to conform to current regulations.

Commissioner Rescsanski suggested having the applicant alter their proposed plans to reduce the mass of the addition to decrease the impact on Mr. Cioffi's property.

Commissioner Reale stated that the requested variance proposed a minor variation to the setback compared to that which already exist, however he felt that the proposed change of height and length of the structure abutting Mr. Cioffi's property did result in a significant alteration to current conditions.

Engineering comments: Prior to engineering approval, applicant must show compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards.

Motion Made (Mayo), Seconded (Reale), to approve with conditions **Application # 23-05- 91 Evelyn Street, Laura Luserbrink.**

Vote: 3-2 (Creager, Rescsanski)

Motion Denied

**Application # 23-06- 41 Wisteria Drive
Amish Vishal**

Applicant is requesting a rear setback variance of 21' where 29' is proposed and 50' is required to build a deck on the rear of the existing home in Residential Zone AA under Article II, section 1.2 of the Trumbull zoning regulations.

Amish Vishal introduced himself as the applicant and owner of 41 Wisteria Drive, requesting a rear setback variance to replace an existing patio with a new deck. Mr. Vishal informed that, due to the strange shape of the lot, the existing dwelling on the property sits in close proximity to rear and side lot lines and encroaches further into setback requirements than the proposed deck.

Public Comment: None.

Work Session: No additional comment.

Engineering comments: Prior to engineering approval, applicant must make an application to The Inland Wetlands and Watercourses Commission.

Motion Made (Creager), Seconded (Rescsanski), to approve with conditions **Application # 23-06- 41 Wisteria Drive, Amish Vishal.**

Vote: 5-0

Motion Carried

**Application 23-07- 15 George Street
Robert Storms for Timothy & Christina Quirin**

Applicants are requesting variances of setback requirements on both sides of the existing home, the front of the home and a variance to modify the floor area ratio (F.A.R.) from .29 to .33. The applicants are requesting a side yard variance of 10.8', where 9.2' is proposed and 20' is required, and a second side yard variance on the other side of the property of 16.2', where 3.8' is proposed and 20' is required. The applicants are requesting a front yard variance of 17.7', where 32.3' is proposed and 50' is required. The property is an existing non-conforming lot in Residential Zone A under Article II, section 1.3 of the Trumbull zoning regulations.

Robert Storms, Manager of Future Building LLC, introduced himself as the representative of application #23-07, requesting variances to setback requirements for the front and two side lot lines as well as to the FAR regulation in an effort to reconfigure and expand the existing dwelling. Mr. Storms explained the various renovations proposed under this application. Reconfiguration is necessitated by the fact that there is currently very limited living space in the home and the current garage, beneath the home, is not suitable for modern needs. Mr. Storms stated the parcel to be a pre-existing, non-conformity as the lot is less than have the size requirement for the A Zone which significantly limits the buildable area, noting that the proposed renovations result in a dwelling similar to that which abuts 15 George St. He informed that the

proposed results in 18% buildable lot coverage, which is lower than the allowed 24%. Furthermore, the neighbors most impacted by the proposed renovations, to the left, right, and across the street, are all in support of the application as proposed.

Commissioner Creager asked whether the proposed would result in further encroachment to the northern and southern setback requirement. Mr. Storms stated that the northern setback encroachment would not change but the southern one would be reduced from 12.3' to 3.8'. The Commissioner asked whether the abutter to the south also had a driveway 3.8' from said lot line which Mr. Storms confirmed to be true.

Commissioner Rescsanski asked what the minimum width of the proposed garage would be for it to be functional, and Mr. Storms explained that the minimum is the proposed 16' width as 12' is needed for a modern car and 4' is needed for the staircase which allows access to the main dwelling. The Commissioner asked whether there were intention to put a buffer between the abutting driveways and whether there were any other driveways in such close proximity in the neighborhood. Mr. Storms stated that a buffer was not part of the existing plan but has been discussed amongst the two residents, and he was not aware of any other property with driveways of similar proximity.

Brian Fitzgerald, ZEO, stated that he previously spoke with Mr. Storms to about revising the proposed plan to ensure there is only one garage for the home, and asked whether the applicant planned to replace the existing garage door with windows to ensure only one access point from street side. Mr. Storms stated that he would be willing to accept windows as opposed to French door as condition of approval.

Public Comment: None.

Work Session: Vice Chairman Saunders asked if a condition of approval was needed to require that there only be one front entrance to the dwelling once renovated, and Atty. Cordone clarified that this is a mandate under current Town building code.

Motion Made (Creager), Seconded (Mayo), to add a condition of approval that the existing garage door be replaced with a window, ensuring one front entrance for the dwelling **Application 23-07 – 15 George Street, Robert Storms for Timothy & Christina Quirin.**

Vote: 5-0 Motion Carried

Motion Made (Reale), Seconded (Rescsanski), to approve with conditions **Application 23-07- 15 George Street, Robert Storms for Timothy & Christina Quirin.**

Vote: 5-0 Motion Carried

Application 23-09- 37 Highgate Road

Veronica Ventreschi for Machado's Properties LLC

Applicant requests a front yard variance of 14.4', where 35.6' is proposed and 50' is required. The applicant requests a side yard variance of 10.1', where 9.9' is proposed and 20' is required in Residential Zone A under Article II, section 1.3 of the Trumbull zoning regulations.

Veronica Ventreschi, 55 Merritt Boulevard, introduced herself as the representative of application #23-09, requesting a variance to front and side setback requirements to build a first floor addition and rear deck on a 1940s home on a .29 acre lot. The applicant also proposes a second story addition following the footprint of the proposed first floor.

Vice Chairman Saunders asked if the proposed structure was aligned with the existing boundaries of the dwelling (i.e. squaring off the structure) which Ms. Ventreschi confirmed to be true.

Public Comment: Mary Ellen Buswell, 25 Highgate Road, asked to view the plans submitted by the applicant, and Vice Chairman Saunders showed the public the plans and explained what was existing versus proposed. Ms. Buswell asked whether the proposed would result in any additional encroachment to setback requirements on the property line shared by she and the applicant and/ or increase the height of the existing structure. The Vice Chair clarified that proposed would not result in any additional encroachments to setback requirements but would increase the height of the existing structure. Ms. Buswell expressed concerns for the wetlands in the area and the effect of reduced lighting to her existing landscaping. She was informed that if approved, the application will have a condition of approval that they complete an application to the Inland Wetlands and Water Courses Commission.

Melissa Macconnie, 43 Highgate Road, voiced her opposition to the application, stating concerns regarding the number of people living in the proposed dwelling and, subsequently, cars parking on the street which is already quite congested. Mike Matusi, 43 Highgate Road, voiced his opposition to the application, supporting Ms. McConny's comments.

Ms. Ventreschi clarified that Ms. Buswell does not directly abutt 25 Highgate Road, the proposed dwelling would have a 45' long driveway which can fit three cars, and the applicant is familiar with building processes in Trumbull and fully intends to comply with wetland requirements.

Work Session: Commissioner Reale stated that the Board's responsibility is to determine whether there is a hardship which provides reason for a variance to setback requirements, noting that other entities deal with Wetlands and parking.

Vice Chairman Saunders stated the existing dwelling to be a pre-existing, non-conforming structure with less than 10% of it residing within what is currently deemed the buildable area of the lot. He added that the proposed structure does not extent the boundaries of the existing structure and voiced his support for approving the application.

Engineering comments: Prior to engineering approval, applicant must show compliance with the Administrative Policy for Stormwater Management and Drainage Design Standards and make an application to The Inland Wetlands and Watercourses Commission.

Motion Made (Mayo), Seconded (Creager), to approve with conditions Application 23-09- 37 Highgate Road, Veronica Ventreschi for Machado's Properties LLC.

Vote: 5-0 Motion Carried

Vice Chairman Saunders asked for a motion to adjourn, motion made (Reale) and seconded (Creager). The March 1, 2023 meeting of the Zoning Board of Appeals adjourned at 8:02 p.m. with unanimous consent.

Dated at Trumbull, CT this 9th day of March, 2023.

By: Gia Mentillo, ZBA Clerk