

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, APRIL 12, 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, April 12, 2023.

**MEMBERS PRESENT:** Steve Elbaum - Chairman  
Catherine Creager  
Matthew Reale  
Joseph Rescsanski - Alternate

**MEMBERS ABSENT:** Rob Saunders – Vice Chairman  
Richard Mayo – Secretary  
Brian Reilly - Alternate

**ALSO PRESENT:** Brian Fitzgerald – Zoning Enforcement Officer  
Gia Mentillo – ZBA Clerk  
Trumbull Community Television

A quorum being present, Chairman Elbaum called the meeting to order at 7:08 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:**

MOTION MADE (Reilly), seconded (Creager) to approve the March 1, 2023 minutes.  
**Vote: 0-4                      Motion Denied**

Chairman Elbaum asked that the Board defer acceptance of the March 1, 2023 minutes as he was not present for said meeting and, therefore, cannot vote to approve said minutes. Meaning, there would not be enough voting Board members to rule on the decision.

MOTION MADE (Creager), seconded (Reale) to defer the vote the accept the March 1, 2023 minutes to the next regularly scheduled meeting.  
**Vote: 4-0                      Motion Carried**

**PUBLIC HEARING and WORK SESSION:**

Chairman Elbaum stated Alternate Commissioner Rescsanski to be a voting member for this meeting. He informed that all applications would need unanimous approval in order to pass as there are only four Board members present, noting that those who wish to continue their application to the May meeting may request to do so.



The applicant is requesting a side lot setback variance of 6' where 20' is required and 14' is proposed and a front lot setback variance of 6' where 50' is required and 44' is proposed in Residential Zone AA under article II, section 1.2 of the Trumbull zoning regulations.

Lonny Lewis, representative of Luke Berrien, owner of 510 Shelton Road, stated a variance is being sought to build a detached two-car carport over an existing asphalt driveway. This would require a side setback variance of 6'. Mr. Lewis informed that there is no existing garage space on the property, and the home owners, who are looking to purchase two electric vehicles, will be installing two exterior charging outlets which will protection from the elements.

Commissioner Creager asked why the carport needed to be placed as proposed by the applicant. Mr. Lewis stated that the topography of the land makes it difficult to place the carport elsewhere; and if they were to conform to regular setback requirements, then there would need to be extensive work in terms of additional retaining walls on the property. Furthermore, this would place the proposed carport in an odd position in relation to the existing home. He also confirmed that the two stone walls shown on the property survey are existing retaining walls.

**Public Comment:** None.

**Work Session:** The Chairman stated there to be a clear hardship based on the topography of the land, adding that the request is minor. Commissioner Rescsanski agreed with this due to the fact that the proposed structure is not attached to the main building and of minimal size.

**Engineering comments:** None.

**Motion Made** (Rescsanski), Seconded (Creager), to approve **Application 23-11 - 510 Shelton Road, Lonny Lewis, LLC.**

**Vote: 4-0** **Motion Carried**

**Application 23-13 - 103 Pinewood Trail**  
**Diane M. Lord Esq. for Tiago Silva**

Applicant is requesting a front lot setback variance of 23', where 50' is required and 27' is proposed, a side lot setback variance of 9.2' where 20' is required and 10.8' is proposed and a side lot setback variance of 9' where 20' is required and 11' is proposed. The applicant also requests a variance of the floor area ratio (F.A.R.), where a maximum of .29 is required and .34 is proposed. This home is in Residential Zone AA under article II, section 1.2 and article III of the Trumbull zoning regulations.

Chuck Willinger of Willinger, Willinger, & Bucci introduced himself as the representative for Tiago Silva, standing in for Diane Lord on behalf of their firm. Mr. Willinger clarified that 103 Pinewood Trail is owned by ACI Costello Property LLC which is Mr. Silva's company and that Mr. Silva has filed a variance application as both the contractor and future resident of 103 Pinewood Trail upon which sits a pre-existing non-conforming structure built in 1965. The applicant is seeking a front setback variance of 23' where 30' currently exists for a front porch of 3' depth and side setback variances of 10.8' from the north lot line and 9' from the south lot line to construct a second story addition on the existing one-story dwelling, with no change to the

existing footprint. This addition would bring the home to a height of 26' where a maximum of 40' is allowed and would necessitate a variance to the floor area ratio (FAR) allowed for a property in an AA residential zone from the allowed .29 ratio to .34. Mr. Willinger reviewed the layout of the existing dwelling (plans are on file in the Planning and Zoning Department), explaining that it is not adequate for a modern family's living needs. He stated that the proposed dwelling would remain in harmony with the neighborhood, noting that a review of 18 homes to the north and south of the property in question showed that 11 of said homes are two-story and all lots are undersized for the AA Residential Zone. Mr. Willinger stated a property hardship based on the lot size (one-third acre in a one-acre zone), topography, and presence of watercourses at the rear of the property.

Chairman Elbaum asked for confirmation that there would be no expansion to the footprint of the existing home other than that of the proposed front porch, and Mr. Willinger confirmed this to be true. The Chairman asked whether the proposed addition would impact views of the lake for neighboring property owners, and Mr. Willinger clarified that it would not impact those views as other properties sit at higher elevations.

Commissioner Creager stated that the proposed FAR of .34 would roughly double the existing FAR of the existing dwelling and asked how that would fit in with the neighborhood. Mr. Willinger stated this to be comparable to several other homes in the area. Commissioner Reale stated that the proposed FAR of .34 is only half of one percent over what is required by Trumbull regulations, and Mr. Willinger confirmed this to be true.

**Public Comment:** None.

**Work Session:** Commissioner Reale stated that many lots in the Pinewood Lake neighborhood are non-conforming to current zoning regulations. He further stated the requested variances to be de-minimis in relation to what is existing, adding that he has no opposition to the application. He thanked Mr. Willinger for explaining the proposed interior renovations, noting that it is good the applicant plans to remove the lower-level kitchen.

Commissioner Rescsanski stated that Commissioner Creager's point regarding the doubling of the existing FAR should be seriously considered, but noted that, from google streets view, the proposed alterations do not seem as though they will have much of an overall impact to the area. Chairman Elbaum agreed that the proposed renovated dwelling would remain consistent with the neighborhood.

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

**Motion Made** (Reale), Seconded (Creager), to approve with conditions **Application 23-13 - 103 Pinewood Trail, Diane M. Lord Esq. for Tiago Silva.**

**Vote: 4-0**

**Motion Carried**

**Application 23-14 - 25 Blackstone Road  
Guy Pratt**

The applicant is requesting a front lot setback variance of 7', where 50' is required and 43' is proposed in Residential Zone A under article II, section 1.3 of the Trumbull zoning regulations.

Guy Pratt, owner of 25 Blackstone Road, stated he is seeking a front setback variance of 7' to construct a covered front porch on the existing dwelling built in 1952. He informed that the current front entrance of the home is exposed to the elements and becomes quite hot and blinding (considering the white siding) in the summer months. Mr. Pratt noted that the proposed porch would only sit 3.7' closer to the front lot line than which the existing home sits.

Commissioner Creager stated the trapezoidal shape of the lot to result in an odd buildable area. Commissioner Reale agreed, adding that the home was built along the front of the current buildable envelope.

Chairman Elbaum read two letters of support into the record which are file in the Trumbull Planning & Zoning Department.

**Public Comment:** None.

**Work Session:** The Board offered no additional comments on the application.

**Engineering comments:** None.

**Motion Made** (Creager), Seconded (Rescsanski), to approve **Application 23-14 – 25 Blackstone Road, Guy Pratt.**

**Vote: 4-0 Motion Carried**

**Application 23-15 - 164 Deerfield Drive  
Thomas Minard**

The applicant is requesting a side lot setback variance of 4', where 20' is required and 16' is proposed in Residential Zone A under article III, section 1 of the Trumbull zoning regulations.

Thomas Minard, owner of 164 Deerfield Drive, stated the dwelling in question to be a pre-existing, non-conforming structure. When built in 1952, the structure was placed in close proximity to side lot lines, necessitating a side setback variance of 4' to construct a rear single-story addition aligned with the southwest boundary of the home. He stated he spoke to Mr. Banks, the direct neighbor, who is in support of this application.

Chairman Elbaum stated the buildable area of the lot to be oddly shaped and the requested variance to be of minimal impact.

**Public Comment:** None.

**Work Session:** The Board offered no additional comments on the application.

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

**Motion Made** (Rescsanski), Seconded (Creager), to approve with conditions **Application 23-15 - 164 Deerfield Drive, Thomas Minard.**

**Vote: 4-0 Motion Carried**

**Application 23-16 - 15 Wareham Place  
Lennis & Rose Marie Koontz**

The applicants are requesting a variance to construct a detached 4-car garage on a lot in Residential Zone AA, under article II, section 1.2, subsection 1.2.2.

Lennis Koontz, resident of 15 Wareham Place, stated he is requesting two variances to construct a detached 4-car garage, noting that the current home does not have a garage due to recent renovations which removed the attached garage to allow for additional living space. He informed that the proposed, extended but pleasing, garage space would afford room to store his three antique automobiles with a fourth bay for storage space and/or one of his two everyday vehicles. This structure would not be visible from the roadway.

Chairman Elbaum and Commissioner Creager asked for clarification regarding the variances being requested. Mr. Fitzgerald stated that he is requesting to have a four bay garage where a maximum of three bays is typically required and a height variance of .3' where 15' is required. He further clarified that there is no intention to add lifts and, though plumbing will be installed, there is no intention for any living space in the garage.

Commissioner Reale asked for clarification regarding access to the proposed garage. Mr. Koontz stated that, for the time being, he does not intend to have a paved driveway but may consider a gravel driveway or grass lawn apron along the west side of the home. Commissioner Rescsanski informed that if there is ever a need for a paved driveway, additional variances will be needed for curb cut requirements.

**Public Comment:** None.

**Work Session:** No additional comments.

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

**Motion Made** (Reale), Seconded (Creager), to approve with conditions a variance permit a 4-bay garage where 3-bays are required and a height variance of .3' were 15' is allowed

**Application 23-16 - 15 Wareham Place, Lennis & Rose Marie Koontz.**

**Vote: 4-0 Motion Carried**

**Application 23-17 - 4 Sycamore Street  
Emelia Ferri Architecture & Design for Hurd Realty LLC.**

The applicant is requesting a side lot setback variance of 11.5' where 20' is required and 9.5' is proposed in Residential Zone A under article II, section 1.3 of the Trumbull zoning regulations. The applicant is also requesting a variance of the floor area ratio (F.A.R.) where .24 was approved and .29 is proposed in Residential Zone A under article III of the Trumbull zoning regulations, minimum lot and house sizes, building lines and limits on height and bulk of buildings.

#### **Application 23-18 - 6 Sycamore Street**

##### **Emelia Ferri Architecture & Design for Fairview Ave. Real Estate LLC.**

The applicant is requesting a side lot setback variance of 11.9', where 20' is required and 9.1' is proposed and a rear lot setback variance of 25' where 50' is required and 25' is proposed under article II, section 1.3 of the Trumbull zoning regulations. Additionally, the applicant is requesting a variance of the floor area ration (F.A.R.), where .29 was approved and .40 is proposed in Residential Zone A under article III of the Trumbull zoning regulations, minimum lot and house sizes, building lines and limits on height and bulk of buildings.

Chairman Elbaum asked the applicant whether they would be willing to present applications #23-17 and #23-18 simultaneously. Emelia Ferri, representative of both applications, agreed to do so. Ms. Ferri clarified that she is representing both the developers and owners of the properties as the architect for the projects and future resident of 4 Sycamore Street. A side setback variance of 9.5' is being requested for 4 Sycamore Street to allow for a chimney buildout. The property line which this encroaches on is the rear property line of the abutting neighbor and, therefore, has minimal impact on said neighbor. Ms. Ferri stated a variance is also being sought to increase the approved FAR of .24 to .29, noting that this may have been a simple typo in the initial 2005 approval of the buildable lot.

There is also a side setback variance of 9.1' being requested for 6 Sycamore Street to allow for a chimney buildout and a 25' rear setback variance to allow a rear deck on the proposed dwelling. A variance is also being sought to increase the approved FAR of .29 to .40. Ms. Ferri noted this may seem like a large request, but both the proposed dwellings in question have the same footprint, 6 Sycamore is simply a smaller lot. Proposed footprints of roughly 30' x 60' were previously approved for both lots. Ms. Ferri stated both the proposed dwellings to be in conformity with the neighborhood, as all dwellings, but one, within 150' are two-story homes. Ms. Ferri stated that the lots were originally approved for homes of 35' height but both of the newly proposed dwellings are 29' in height.

The Chairman asked for clarification as to why additional approvals are needed if the applicant(s) received approvals in 2005 and for an update on the status of Sycamore Street. Ms. Ferri informed that 2005 approvals were for rough building layouts and did not have final plans which now necessitate additional variances. She further stated that Sycamore Street has historically been a paper street but is now under development as all necessary approvals have been granted through the Town. Commissioner Rescsanski asked for an explanation of the vehicular turning easements on both lots. Ms. Ferri stated that, when the lots were originally approved as buildable by the ZBA and Town Engineer, it was requested that those easements be put in place to allow for emergency vehicle turn around, adding that both areas will be re-

