

Town of Trumbull
CONNECTICUT

Planning and Zoning
Department
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Trumbull, Connecticut 06611

ZONING BOARD OF APPEALS
WEDNESDAY, AUGUST 2, 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, August 2, 2023.

MEMBERS PRESENT: Steve Elbaum – Chairman
Richard Mayo – Secretary
Catherine Creager
Joseph Rescsanski - Alternate

MEMBERS ABSENT: Rob Saunders – Vice Chairman
Matthew Reale
Brian Reilly - Alternate

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

A quorum being present, Chairman Elbaum called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES:

MOTION MADE (Rescsanski), seconded (Creager) to approve the June 7, 2023 minutes.
Vote: 4-0 Motion Carried

PUBLIC HEARING and WORK SESSION:

Chairman Elbaum explained the basic rules of the meeting. Applicants were informed that, because there are only four Board members present and unanimity would be required for an application to be approved, they may choose to continue their applications to the next regularly scheduled meeting of the Trumbull Zoning Board of Appeals.

Application # 23-27 - 91 Evelyn Street
Atty Chris Russo for Laura Lusebrink

Applicant is requesting a side lot setback variance of 12.7', where 20' is required and 7.3' is proposed; a front lot setback variance of 29.1', where 50' is required and 20.9' is proposed; a rear lot setback variance of 4.2', where 50' is required and 45.8' is proposed;

and a variance to the floor area ratio from .29 to .322 in residential zone A under Article III of the Trumbull zoning regulations to build a new garage, master bedroom and accessory apartment. Additionally, a variance to permit an accessory apartment be attached to the garage rather than the main dwelling and a second entrance facing the street under Article II, section 1.3.2.7 of the Trumbull zoning regulations.

The Chairman noted the application #23-27 has been revised since June 7, 2023 ZBA meeting. Atty. Russo introduced himself as the representative of Laura Lusebrink, owner of 91 Evelyn Street, requesting several variances to construct an attached garage, in place of an existing carport, with overhead storage and an accessory dwelling unit to the rear of said garage. A similar application was presented to the Board in 2022 and was denied by a vote of 3 to 2. Since said denial, the application has been revised to take into consideration the concerns of the adjoining neighbor and the Board. After meeting with said neighbor, the applicant has revised the proposed plans to reduce the size of the proposed addition, in turn minimizing the impact to the neighbor's view from their back yard and reducing the requested rear lot line setback variance. Said neighbor has since signed the petition of support submitted with the application.

The lot in question is an undersized lot (12,886SF) for the 1-acre (21,780SF) residential A zone and is a corner property which significantly limits the buildable envelope for the lot. The existing dwelling (built 1952) sits entirely outside of said envelope. For this reason, the applicant is requesting variances to the setback requirements from the front, rear, and side lot lines as well as to the FAR for the property. The size of the rear setback and FAR variances have been reduced from the 2022 request. The vast majority of properties in the neighborhood are also pre-existing non-conforming lots with pre-existing non-conforming structures which have received similar variances to those being asked for 91 Evelyn Street. In support of this statement, Atty. Russo submitted for the record photos of several abutting properties, a list of properties in the neighborhood which have received similar variances, and a map outlining said abutting properties which have received variances. Atty. Russo stated the proposed structure to be in harmony with the neighborhood, creating no negative impact on neighbors. Furthermore, replacing the existing carport with the proposed garage would effectively reduce the existing non-conformity to side lot line setbacks.

The applicant is requesting a variance to allow for the proposed accessory unit to be accessed through the proposed garage rather than through the main living space of the dwelling as is required under the Trumbull zoning regulations. Also, a variance to allow for a second street facing door on the dwelling. Atty. Russo explained that said variance is only necessary due to the fact that the property is on a corner. Meaning that the access door to the proposed accessory unit is street facing despite the fact that it is not on the same exterior wall as the existing front doorway. He stated the intent of the Trumbull zoning regulations regarding having only one street facing entrance is to ensure that residential homes do not take on the appearance of a multi-family dwelling. He exemplified the proposed meets this intent by showing the exterior views of the proposed structure from both Lorra Avenue and Evelyn Street.

Commissioner Creager confirmed that the side lot line setback variance requested was the same as that which was requested under the prior application for 91 Evelyn Street. Commissioner Rescanski agreed the proposed meets the intent of the regulations by maintaining the look of a single family residence, but voiced concerns about accessing the proposed accessory unit

through the garage. Atty. Russo confirmed that there is street parking on Lorma Avenue which allows for reasonable access to the accessory unit from the exterior door.

Public Comment: None.

Work Session: Chairman Elbaum stated that the applicant and her representatives have done well in addressing the concerns of her adjoining neighbor and the Board.

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 (Mayo), to approve with conditions **Application # 23-27 - 91 Evelyn Street, Atty Chris Russo for Laura Lusebrink.**

Vote: 4-0 Motion Carried

**Application 23-28 - 7 Carrousel Drive
Nazariy Zhukovskyy**

The applicant is requesting a front lot setback variance of 2.6', where 50' is required and 47.4' is proposed, and a side lot setback variance of 1', where 50' is required and 49' is proposed, in residential zone AA under Article III of the Trumbull zoning regulations to construct a front porch and a second story addition.

Mr. Zhukovskyy, owner of 7 Carrousel Drive, requested a variance to construct a second floor directly above the existing one-story home which currently encroaches one foot into side yard setback requirements. He is also seeking a variance to construct a deck 47.4' from the front lot line.

Public Comment: None.

Work Session: The Chairman noted the simple nature of the requested variance.

Engineering comments: None.

Motion Made (Creager), Seconded (Mayo), to approve **Application 23-28 - 7 Carrousel Drive, Nazariy Zhukovskyy.**

Vote: 4-0 Motion Carried

**Application 23-29 - 552 White Plains Road
Marie Tecza**

The applicant is requesting a rear lot setback variance of 4', where 50' is required and 46' is proposed, in residential zone A under Article III of the Trumbull zoning regulations to construct an addition.

Ms. Tecza, owner of 552 White Plains Road, a rear yard setback variance to construct a second story addition over the existing footprint of her home which is a pre-existing non-conforming

structure. Chairman Elbaum asked whether the variance was for 4' which Ms. Tecza confirmed to be true.

Public Comment: None.

Work Session: No additional comments.

Engineering comments: Prior to paving, applicant must show compliance with the Engineering comment letter dated 8/5/2022 (attached).

Motion Made (Rescsanski), Seconded (Creager), to approve with conditions **Application 23-29-552 White Plains Road, Marie Tecza.**

Vote: 4-0 Motion Carried

**Application 23-30 - 371 Booth Hill Road
Calvin Kish**

The applicant is requesting a garage height variance of 9.8', where 15' is allowed and 24.8' is proposed, in residential zone AA under Article II, section 1.2.2 of the Trumbull zoning regulations.

Mr. Kish, owner of 371 Booth Hill Road, requested a height variance to construct a garage which remains in character with the existing dwelling on his property. He informed that the property currently has three structures on it: a two-story colonial home (built in the 1980s), a three-car garage (built in the 1930s), and a storage shed (built in 1950). Mr. Kish proposes to replace both the existing garage and storage shed with a single structure. The existing garage is not functional for modern sized vehicles and the existing storage shed does not meet modern building standards. The proposed garage will not encroach further into setback requirements than that which exists, will be only slightly wider than the existing garage, and requires a height variance in order to maintain a peaked roof in character with the property whilst accounting for the height of modern vehicles.

Chairman Elbaum asked whether the applicant spoke with his adjoining neighbors. Mr. Kish had spoken to all adjoining neighbors who voiced no issues or concerns. Commissioner Creager asked whether there would be utilities added to the structure and what the ridge height of the existing structure was. Mr. Kish stated only electricity would be added to the proposed garage and the existing ridge height to be 20' where 25' 9" is proposed. Commissioner Rescsanski questioned the height of the proposed cupola. Attorney Cordone clarified that typically the height of a structure is assessed as the height to the ridge line of the roof and excludes chimney-like elements which he would constitute the cupola as. Commissioner Mayo asked for the height of the proposed garage doors which Mr. Kish stated to be no taller than 10'.

Public Comment: None.

Work Session: Commissioner Rescsanski stated the requested garage is fairly large and taller than that which exists. Chairman Elbaum stated the proposed to be consistent with the character and design of the existing dwelling.

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 (Creager), to approve with conditions **Application 23-30- 371 Booth Hill Road, Calvin Kish.**

Vote: 4-0 Motion Carried

**Application 23-31 - 17 Greenwood Drive
Crystal Bogos**

The applicant is requesting a side lot setback variance of 36', where 50' is required and 14' is proposed, in residential zone A under Article III of the Trumbull zoning regulations to construct an addition.

Ms. Bogos, owner of 17 Greenwood Drive, requested a side lot line setback variance to construct a 7' by 16' addition to her existing home, noting her need for additional living space for her growing family. Chairman Elbaum asked whether Ms. Bogos has spoken to her neighbors regarding her request, and Ms. Bogos shared two letters of support from her adjoining neighbors: Roberto Acuna of 11 Greenwood Drive and Maura Crossin of 23 Greenwood Drive. The letters were read into and added to the meeting record.

Chairman Elbaum stated the lot to be oddly shaped. Commissioner Creager asked whether the existing home was 12.3' from the side lot line and the proposed addition was 14' from said lot line. Ms. Bogos confirmed both to be true. Commissioner Rescsanski noted the need to amend the language of the proposed side lot line setback variance. Mr. Fitzgerald stated this to be true as the S/W property line was initially misinterpreted as a front lot line as opposed to a side lot line which it is.

Public Comment: None.

Work Session: Chairman Elbaum noted that the variance should read as follows: The applicant is requesting a side lot setback variance of 6' where 20' is required and 14' is proposed in residential A Zone under Article III of the Trumbull zoning regulations to construct an addition.

Engineering comments: Prior to engineering approval, applicant must show compliance with Article XI – Flood Damage Prevention of Trumbull Zoning Regulations.

Motion Made (Rescsanski), Seconded (Mayo), to approve with conditions as amended **Application 23-31- 17 Greenwood Drive, Crystal Bogos.**

Vote: 4-0 Motion Carried

Chairman Elbaum asked for a motion to adjourn, motion made (Mayo) and seconded (Rescsanski). The August 2, 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 August, 2023.

By: Gia Mentillo, ZBA Clerk

**TOWN OF TRUMBULL
CONNECTICUT**



Applicant: Maria Tecza Project: 552 White Plains Rd	TOWN OF TRUMBULL ENGINEERING DEPARTMENT REVIEW COMMENTS	Designer: Thomas Little, PE	
		Review # 1	Date: 8/5/22

Based on the review of the proposed Site Plans and Drainage Report, submitted on 8/2/22, the Engineering Department offers the following comments (**please provide written responses in the space below**):

PROJECT COMMENTS

Comment Number	Page or Sheet #	Review Comments – General Comments	Designer Response
1		Depict existing sanitary sewer lateral on the plan.	This has been added
2		Show existing & proposed topography	This has been added
3		Provide TF & INV elevations for the proposed drains. Provide detail.	This has been added.
4		3 drains are noted on the plan. One is depicted on the system. Please clarify. Also, inspection ports/ clean-outs are recommended at the corners of the system where run-off is being tied to.	2 Additional drainage areas have been added to the system in the HydroCAD report. Clean outs have been added to the Cultecs where the tie-ins occur.
5		A driveway permit must be obtained from the Road Inspector at the Engineering Department	The property owner is aware of this.
6		Depict stockpiling location on the plan.	This has been added to the plans
7		WQV calcs: please verify that the total impervious area draining into the system is correct.	The total impervious area going to the system is 5032 sf.
8		Existing & proposed DA-2 can be omitted from the calculations as they are not being changed.	They have been removed.

Comment Number	Page or Sheet #	Review Comments – General Comments	Designer Response
9		There appears to be a minor discrepancy in bottom of stone elevation depicted on the plan vs drainage report.	This has been updated based on the recently provided topo. Bottom of stone is 91.92'
10	Site plan	Provide phone number for person assigned the responsibility for implementing and maintaining erosion and sediment controls.	The property owner is responsible and the phone number has been added to the plans
11		No debris & stumps to be buried on site.	This noted under General Note #6
12		Is curbing proposed?	Curbing is not being proposed at this time.
13		Please place a dimension specifying max 20' width at the curb.	No impact to the apron is anticipated.
14	Site plan	Maintenance plan and schedule for all storm water management practices must be included on the plans.	This has been added.
15		As part of the Engineering review fee, please provide an estimate for the proposed stormwater system. Refer to the Engineering fee schedule available on the Town of Trumbull website, under Engineering Department.	This estimate is for the stormwater system and does not include any paving/stripping costs for the driveway work. \$7,000 $\$20+\$10*6=\$80$
16		A certification letter and as-built plan will be required upon project completion.	The property owner is aware this is required.

The Engineering Department may issue further comments based on the responses to the above mentioned items and/or design modifications. If you have any questions or concerns please contact us.

Sincerely,

Tatiana Solovey, PE
Assistant Town Engineer