

ZONING BOARD  
OF  
APPEALS  
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TOWN HALL ANNEX  
238 Danbury Road  
Wilton, Connecticut 06897

**ZONING BOARD OF APPEALS  
REGULAR MEETING  
JUNE 18, 2012  
7:15 P.M.  
TOWN HALL ANNEX - MEETING ROOM A**

**PRESENT:** Sally Poundstone, Chairwoman; Timothy Meyer, Vice-Chairman; John Comiskey, Secretary; Brian Lilly; Libby Bufano; Steven Davidson, Alternate; Joe Fiteni, Alternate

**ABSENT:**

**A. CALL TO ORDER**

Ms. Poundstone called the meeting to order at 7:15 P.M. She briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals.

**B. PUBLIC HEARINGS**

**1. #12-06-14 KRIEMELMEYER 113 OLD BELDEN HILL RD**

Ms. Poundstone called the Hearing to order at 7:15 P.M., seated members Bufano, Comiskey, Davidson, Lilly, and Meyer, and referred to Connecticut General Statutes, Section 8-11, Conflict of Interest. Mr. Comiskey read the legal notice dated June 5, 2012 and details of the application and the hardship as described on the application.

Present was Allan Kriemelmeyer, applicant.

Mr. Kriemelmeyer referenced submitted plans. He explained that the applicant wishes to expand the existing 1½-story section of the residence to a full 2-story structure with 8-foot ceilings consistent with the rest of the home. He noted that the attic room in question currently has a steeply sloped ceiling and knee walls that limit its practical use as a bedroom. He explained further that there appears to have been an error at the time of construction in 1988 and as a result the house is currently nonconforming, encroaching by 1 foot into the side yard setback, but he noted that their proposed plans would not expand the existing footprint any further into the setback.

Separate and apart from this requested variance, Mr. Kriemelmeyer noted that they have done their best to keep within the spirit of the regulations, noting that they shortened by 2 feet a proposed third garage bay, originally planned to be flush with the southern wall of the house, in order to comply with the required setback.

He referenced constraints of the subject lot, noting its narrowness, especially as compared to most of the neighbors' lots in the area, and its large amount of wetlands (approximately 1.5 +/- acres) which forced the original siting of the residence as close to the road as was practical back in 1988.

In response to a question from Mr. Davidson regarding potential impacts on surrounding neighbors' views/lines of sight, Mr. Kriemelmeyer did not believe there would be any such impacts.

Ms. Poundstone noted for the record that there was no one in the audience (other than the applicant) to speak for or against the application.

There being no further comments, the public hearing was closed at 7:25 P.M.

**C. APPLICATIONS READY FOR REVIEW AND ACTION**

Ms. Poundstone called the Regular Meeting to order at 7:25 P.M., seated members Bufano, Comiskey, Davidson, Lilly, and Meyer, and referred to Connecticut General Statutes, Section 8-11, Conflict of Interest.

**1. #12-06-14 KRIEMELMEYER 113 OLD BELDEN HILL RD**

The Board briefly discussed the application. It was the consensus of the Board that the application was fairly straight-forward and well-documented with respect to hardship. Most notable to the Board was the fact that there was no proposed increase to the existing footprint and the fact that the applicant modified his original plans in order to comply with setback regulations in connection with a proposed garage addition on the site.

**MOTION** was made by Mr. Lilly, seconded by Mr. Meyer, and carried unanimously (5-0) to **grant** a variance to allow the vertical expansion of an existing building having a 39-foot side yard setback in lieu of the required 40 feet, per submitted site plan ("Zoning Location Survey, Proposed") prepared by Ryan and Faulds and dated May 23, 2012, on grounds that sufficient hardship was demonstrated given the pre-existing nonconforming nature of the building and the fact that there would be no increase to the existing footprint.

**D. OTHER BUSINESS**

**1. Minutes – May 21, 2012**

It was the consensus of the Board to approve the minutes of May 21, 2012, as written.

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After a brief discussion, it was determined that ZBA Board members would pick up their monthly packages in the future, as is currently the practice of other Town Boards/Commissions, in order to reduce mailing costs for the Town. It was agreed that an email would be sent by staff when packages are ready for pick-up, and they would be left in the Annex outer lobby, which is accessible day and night.

**E. ADJOURNMENT**

Meeting was adjourned at approximately 7:30 P.M.

Respectfully submitted,

Lorraine Russo  
Recording Secretary