

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

**ZONING BOARD OF APPEALS
REGULAR MEETING
MAY 18, 2009
7:15 P.M.
TOWN HALL ANNEX - MEETING ROOM A**

PRESENT: Miriam Sayegh, Chairwoman; Barbara Frees, Vice-Chairman; Lori Bufano, Secretary; John Gardiner; John Comiskey

ABSENT: Peter Bell, Daniel Darst, Peter Shiue

A. CALL TO ORDER

Ms. Sayegh called the meeting to order at 7:20 P.M. She briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals.

B. PUBLIC HEARINGS

1. #09-05-05 TRICHILO 46 OLD BOSTON RD

Ms. Sayegh called the Hearing to order at 7:22 P.M., seated members Bufano, Comiskey, Frees, Gardiner, and Sayegh, and referred to Connecticut General Statutes, Section 8-11, Conflict of Interest. Ms. Bufano read the legal notice dated May 5, 2009 and details of the application and the hardship as described on the application.

Present were Jessica and Enzo Trichilo, applicants.

Mr. Trichilo posted a site plan for Board review. Copies of first and second story floor plans were distributed to the Board.

Mr. Trichilo reviewed details of the application, noting that a variance is required to build the proposed front porch and garage bump-out, as well as the proposed second story addition. He explained that a wetlands application will be necessary for the proposed rear bump-out of the garage, although a zoning variance is not required for that portion.

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Ms. Trichilo explained further that the existing structure is already nonconforming at 47.8 feet from the front property line, noting that the home was sited at the very front portion of the lot. She stated that wetlands on the site are much closer to the house than it appears from the posted plan, referring to a large portion of wetlands in the rear and also along the right side of the house. She also noted that the gas tank, a deck, and a fill pipe for the oil tank are located in the rear area of the property.

Mr. Gardiner asked for clarification regarding hardship, questioning in particular why it is necessary to bump out toward the front instead of toward the rear, where a variance would not be required.

Mr. Trichilo noted that the extra space is required for storage and for the children's toys. He also expressed concern for the safety of the children since the house is located so close to the front property line.

Mr. Nerney noted the unique shape of the subject lot, referring to the front property line which recesses, from an initial jog-out, over 20 feet back from the road toward the house in the area of the residence, significantly constraining the property frontage along Old Boston Road. He observed that the parcel appears to have an excessively wide right-of-way (about 23 feet) as compared to what is generally seen today (around 11 feet).

Ms. Frees stated that she could understand the rationale behind the proposed front porch, but she questioned the reason for the proposed front bump-out.

Mr. and Mrs. Trichilo explained that the house does not have a full basement and as a result they are severely constrained for storage space (for garbage, the children's toys, tools, equipment, etc.).

Ms. Sayegh asked whether the additional storage space could be gained by bumping out in the rear. Ms. Trichilo referred to the large amount of wetlands in the rear and along the side of the property, constraining development in the rear. She called the Board's attention to the fact that many other homes in the area are located even closer to the road than theirs.

Mr. Nerney noted for the record that the front yard setback of the subject parcel used to be 40 feet, as compared to the 50-foot front yard setback that currently constrains the parcel.

Mr. Comiskey proposed tabling the application to allow additional time for the applicants to provide more information to the Board about where exactly the 100-foot setback line is from the wetlands, and to provide more accurate floor plans than the ones distributed this evening.

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Ms. Trichilo acknowledged that the floor plans were somewhat rough since they were reluctant to spend a large sum of money on more precise architectural drawings before knowing if they would qualify for a variance. Mr. Trichilo stated that there is a document on file with the wetlands department that delineates all wetlands on the property.

Mr. Nerney referred to the posted site plan, noting that the distance from the edge of the pond to the deck is approximately 90 feet, with general wetland soils presumably consuming even more area immediately behind the house.

Mr. Comiskey stated that it might not be necessary for the applicant to provide more detailed floor plans if additional information on wetlands and wetland setbacks can be provided to the Board.

It was the general consensus of the Board that the applicant would be well served by providing more information regarding wetlands and wetland setbacks to the Board for the next meeting. Mr. Comiskey suggested that the applicant also contact the Inland Wetlands Department to get some guidance/indication from them regarding feasibility of development in the rear of the property.

The applicants requested that the hearing be continued until the next ZBA meeting on the third Monday in June.

Ms. Sayegh asked if anyone wished to speak for or against the application.

Lou Marino, a neighbor and friend in the audience, indicated that he had no comments.

There being no further comments, at 8:09 P.M. the public hearing was continued to June 15, 2009.

C. APPLICATIONS READY FOR REVIEW AND ACTION

Ms. Sayegh called the Regular Meeting to order at 8:09 P.M., seated members Bufano, Comiskey, Frees, Gardiner, and Sayegh, and referred to Connecticut General Statutes, Section 8-11, Conflict of Interest.

1. #09-05-05 TRICHILO 46 OLD BOSTON RD

Tabled.

D. OTHER BUSINESS

1. Approval of Minutes – April 20, 2009

MOTION was made by Mr. Gardiner, seconded by Ms. Bufano, and carried unanimously (5-0) to approve the minutes of April 20, 2009.

E. ADJOURNMENT

MOTION was made by Ms. Frees, seconded by Mr. Gardiner, and carried unanimously (5-0) to adjourn at 8:11 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary