

WILTON ZONING BOARD OF APPEALS - RESIDENTIAL VARIANCE APPLICATION - ZBA#

Please consult the Zoning Regulations when applying for a variance, particularly Section 29-13.

Please TYPE or print clearly... (See last 2 pages for brief explanation.)

Nicola Mitrione

APPLICANT'S NAME

49 Rivergate Drive, Wilton, CT

ADDRESS

Nicola Mitrione

OWNER'S NAME

49 Rivergate Drive, Wilton, CT

ADDRESS

49 Rivergate Drive, Wilton, CT

PROPERTY LOCATION

RESIDENCE - 2A

ZONING DISTRICT

15-8

2536

0980

15

18

2.08

WLR MAP#

VOLUME

PAGE

TAX MAP #

LOT #

ACREAGE

VARIANCE DESCRIPTION: In the space below, please state concisely the section(s) of the Zoning Regulations proposed to be varied and the specific variance requested (i.e: Request a variance of Section 29-__ to allow ___ (an addition, a pool, average lot width, or whatever) with ___ in lieu of the required _____. For instance, a variance request for a building addition that encroaches into the required fifty foot rear setback area by 7 feet would read as follows: "Request a variance of Section 29-5.D to allow a building addition with a 43 foot rear yard setback in lieu of the required 50 feet." ATTACH SEPARATE SHEETS AS REQUIRED.

We are requesting a variance of Section 29-5.D to allow a shed within a 33.4 foot side yard setback in lieu of the required 40 feet.

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JAN 13 2022

ZONING BOARD OF APPEALS

HARDSHIP DESCRIPTION: In the space below, state the specific conditions pertaining to the perceived "exceptional difficulty or unusual hardship" with respect to the parcel of land, not generally encountered within the zoning district, which would make development in full accordance with the existing Zoning Regulations extremely difficult. ATTACH SEPARATE SHEETS AS REQUIRED.

We are an elderly couple and this storage shed is being built almost level with the end of our driveway and provide easier access to snow removal equipment. Our backyard is on a steep slope and if we built it any further from the side yard line we would be interfering with the septic tank.

THE FOLLOWING MATERIALS ARE REQUIRED:

* Please see **SPECIAL INSTRUCTIONS DURING COVID** at: [Application Forms / Materials | Wilton CT](#)
* All submitted plans and documents shall bear an **original signature, seal, and license number** of the professional responsible for preparing each item. Maps should be **folded, not rolled**.

- APPLICATION FORM**
- A-2 SURVEY** of the subject property showing all existing building and site conditions.
- SITE DEVELOPMENT PLAN** showing all proposed additions, amendments and/or site improvements, including building elevations, septic systems, wells, and all measurements pertaining to the application, such as location and distance(s) of proposed structures and/or improvements from the subject property lines.
- LOCATION MAP** - available here: [map.pdf \(wiltonct.org\)](#). Site location shall be identified on map.
- DIRECTIONS** to subject property from Town Hall, 238 Danbury Road, Wilton, CT (e.g. hand-written, computer-generated or similar).
- LIST OF PREVIOUS ZONING VARIANCES** – available here: [History of Previous Variances | Wilton CT](#)
- PHOTOGRAPHS** of property showing building and site conditions from all geographic perspectives.
- ONE COPY OF DEED** (Available in Town Clerk’s Office)
- LIST OF OWNERS WITHIN 500'** of any portion of the subject property as shown by Tax Map & Lot #.
[See online GIS instructions at: [owner list 500 ft gis directions 0.pdf \(wiltonct.org\)](#)]
- ENVELOPES**, addressed to each property owner within 500’ of any portion of subject property.
[See “Envelopes Instructions” at: [envelopes instructions.pdf \(wiltonct.org\)](#)]
- ELECTRONIC SUBMISSION** of all materials (**Consolidated into 1-2 PDFs Maximum**), emailed to michael.wrinn@wiltonct.org and daphne.white@wiltonct.org
- TWO #10 (4”x 9.5”) PLAIN ENVELOPES** addressed to the applicant (No Return Address)
- \$310 FILING FEE** payable to: Town of Wilton

IS THE SUBJECT PROPERTY LOCATED WITHIN 500 FEET OF THE MUNICIPAL BORDER? or **NO**

IS THE SUBJECT PROPERTY LOCATED WITHIN THE PUBLIC WATER SUPPLY WATERSHED BOUNDARY?
YES or **NO** [If YES, see DPH Addendum Form here: [watercompanyanddphnotification.pdf \(wiltonct.org\)](#)]

IS THE SUBJECT PROPERTY LOCATED IN THE FLOOD PLAIN? or **NO**

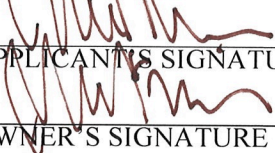
WHEN WAS THE SUBJECT PROPERTY PURCHASED? July 2021

IN WHAT YEAR WAS THE MAIN STRUCTURE CONSTRUCTED? 1957

SITE COVERAGE PROPOSED: 12%
(AS PERCENTAGE OF SITE)

BUILDING COVERAGE PROPOSED: 7%
(AS PERCENTAGE OF SITE)

THE APPLICANT understands that this application is to be considered complete only when all information and documents required by the Board have been submitted.
THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his or her knowledge and belief; and hereby grants visitation and inspection of the subject property as described herein.

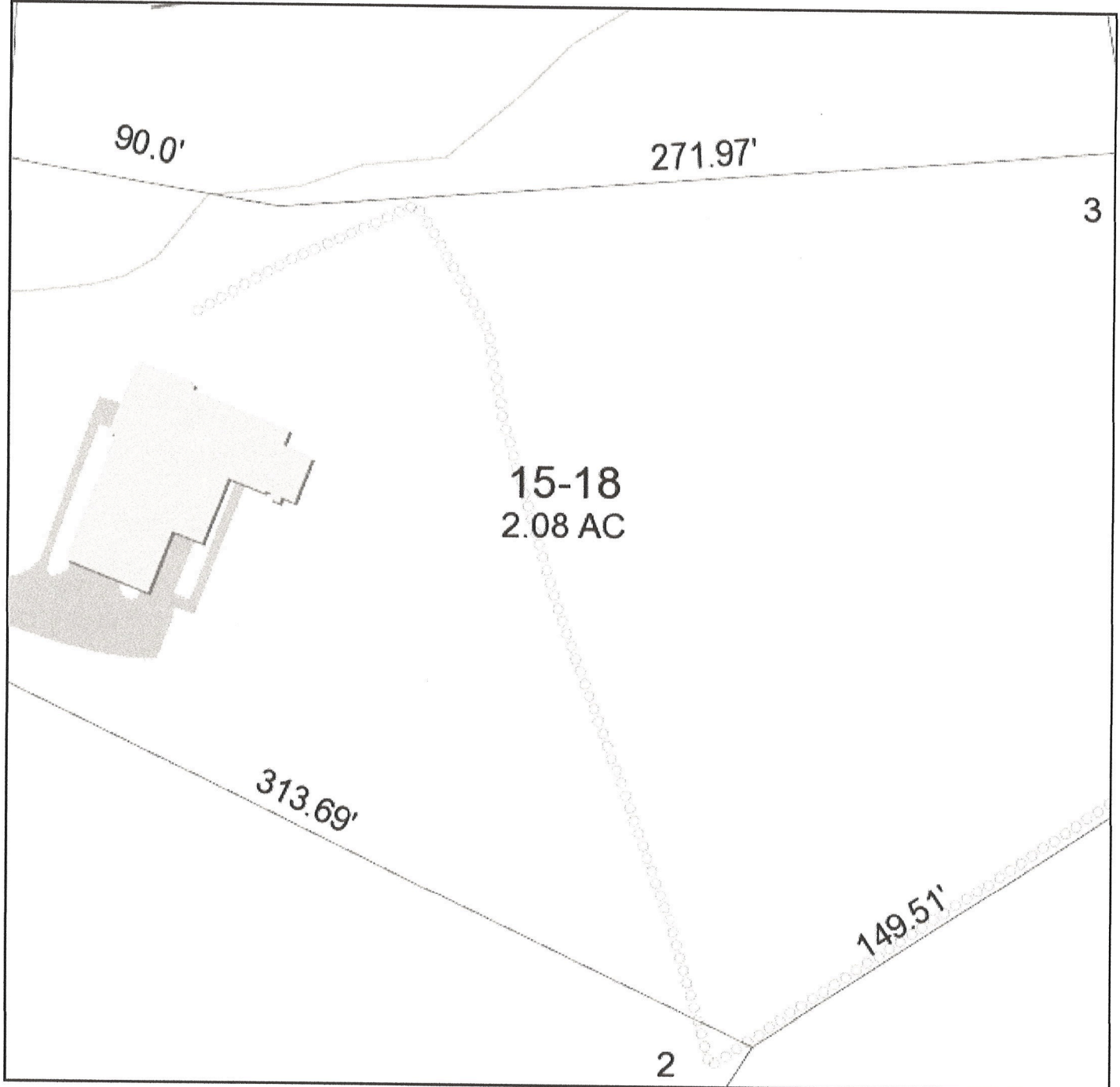
	12/27/2022	mastocarlo@gmail.com	914-819-3796
APPLICANT'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE
	12/27/2022	mastocarlo@gmail.com	914-819-3796
OWNER'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE

Town of Wilton

Geographic Information System (GIS)



Date Printed: 11/7/2022

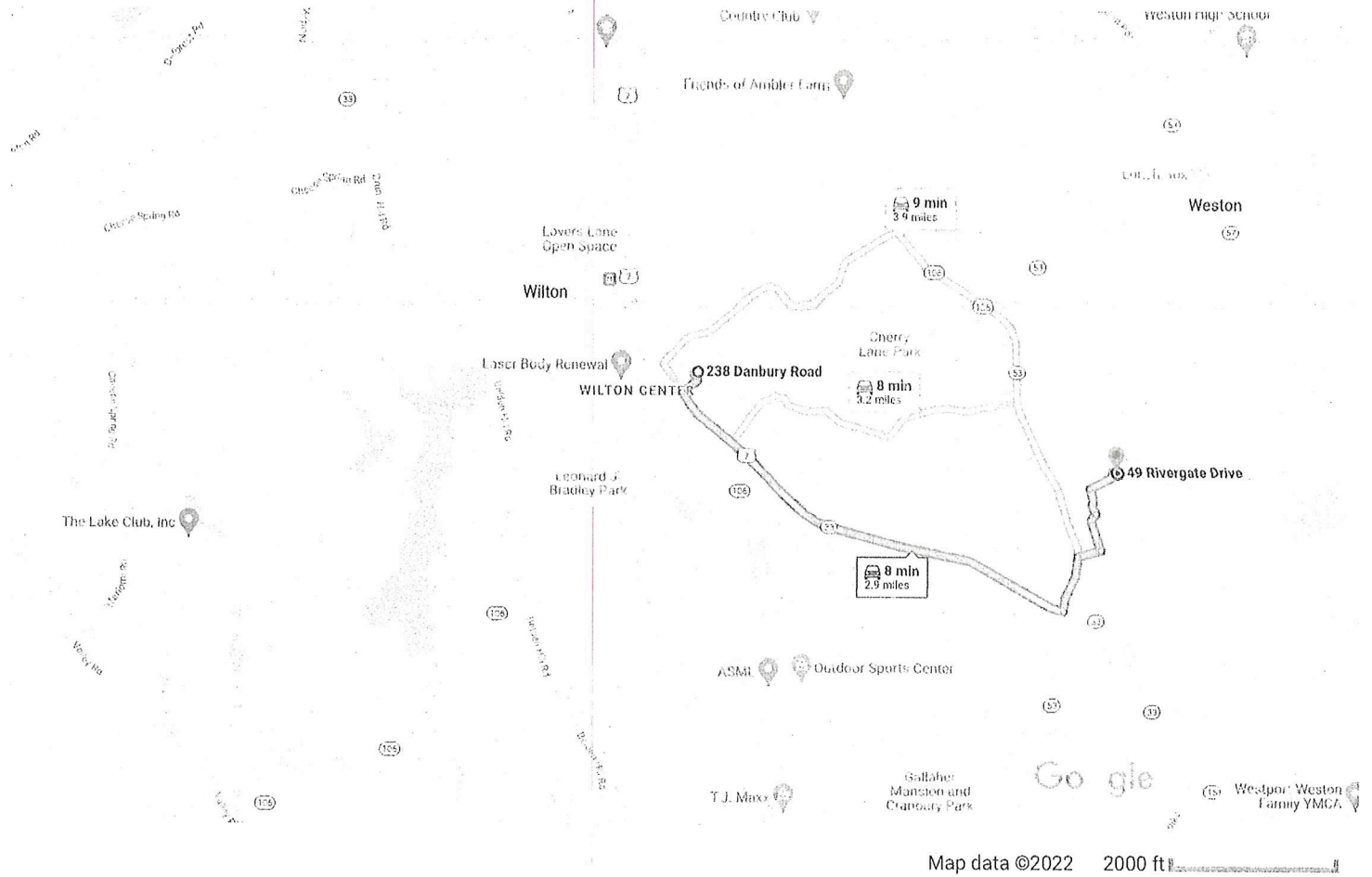


MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Wilton and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 50 ft





238 Danbury Rd
Wilton, CT 06897

Continue to CT-33 S/US-7 S

- ↑ 1. Head southwest toward CT-33 S/US-7 S
43 sec (0.1 mi)
- ↶ 2. Turn left toward CT-33 S/US-7 S
89 ft
- ↷ 3. Turn right toward CT-33 S/US-7 S
72 ft
- 0.1 mi

Continue on CT-33 S to High Ridge Rd

- ↶ 4. Turn left onto CT-33 S/US-7 S
6 min (2.3 mi)
- 📍 Continue to follow CT-33 S

- ↶ 5. Turn left onto CT-53 N 2.0 mi
----- 0.3 mi

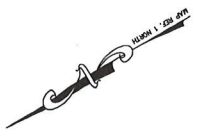
Take W Meadow Rd to Rivergate Dr

- 2 min (0.5 mi)
↷ 6. Turn right onto High Ridge Rd
----- 0.1 mi
↶ 7. Turn left onto W Meadow Rd
----- 0.2 mi
↶ 8. Turn left onto Rivergate Dr
----- 0.1 mi
↷ 9. Turn right to stay on Rivergate Dr
 📍 Destination will be on the right
----- 0.1 mi

49 Rivergate Dr

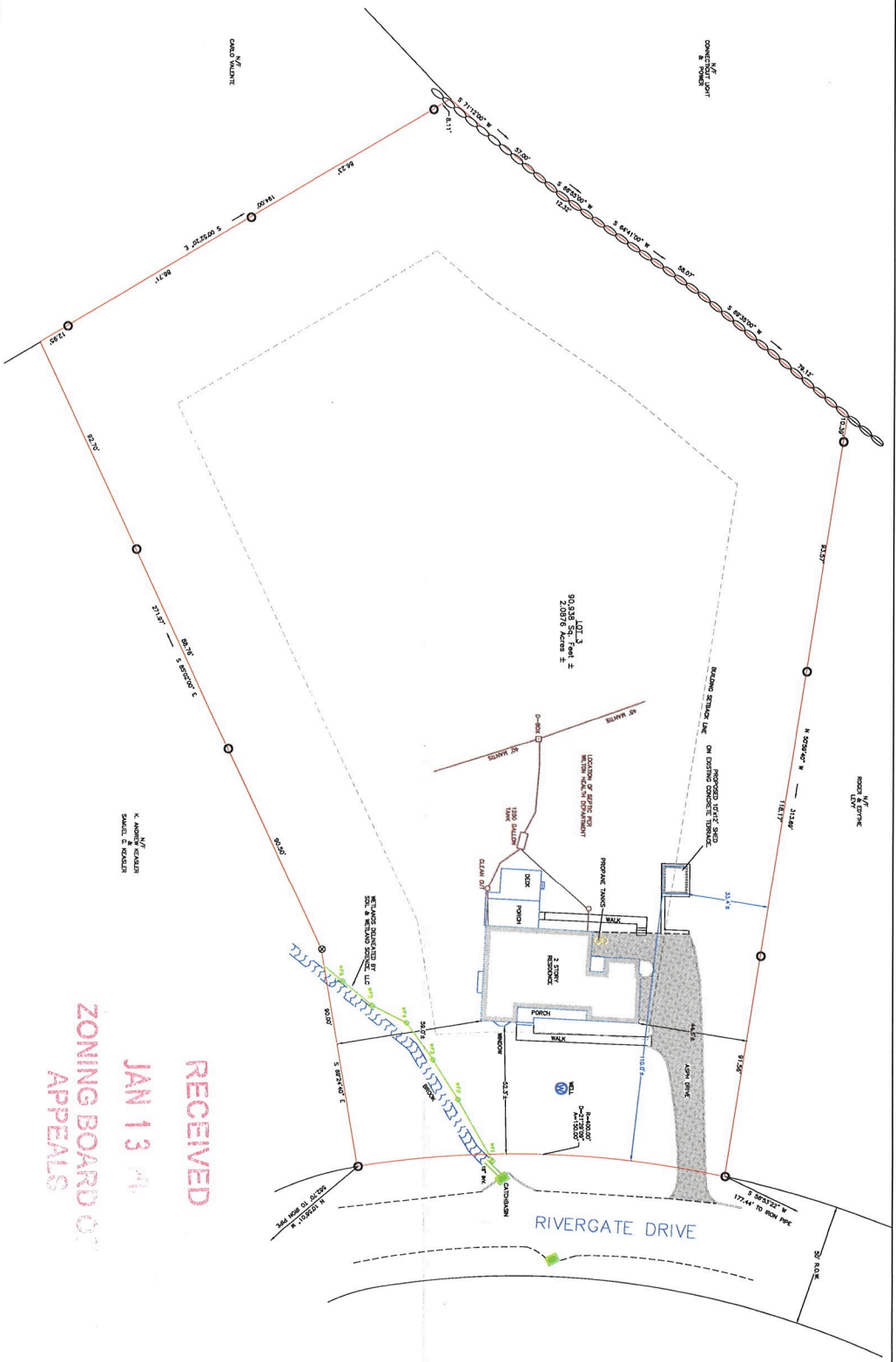
Wilton, CT 06897





LEGEND

	DITCH HOLE (SET)
	IRON PIN (SET)
	STAIRWELL



THIS SURVEY MEETS THE STANDARD OF A CLASS "A-2" SURVEY. SURVEY TYPE, ZONING LOCATION SURVEY BOUNDARY DETERMINATION, RESURVEY.

THIS SURVEY AND MAP WERE PREPARED IN ACCORDANCE WITH THE RECOMMENDED STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT, SET AS FORTH IN LAND SURVEYORS INC., SEPTEMBER 26, 1998.

UNDEVELOPED IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN.

REFERENCES TO THIS PROPERTY ARE MADE TO MAP(S):

- MAP SHOWING DEEDS IN VOLUME 408 OF DEEDS FOR RESIDUAL PARK, INC. SECTION 3, TOWNSHIP 12 N., RANGE 12 W., 1958 MAP #1568
- MAP SHOWING DEEDS IN VOLUME 409 OF DEEDS FOR RESIDUAL PARK, INC. SECTION 3, TOWNSHIP 12 N., RANGE 12 W., 1958 MAP #1568
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- MAP SHOWING DEEDS IN VOLUME 411 OF DEEDS FOR RESIDUAL PARK, INC. SECTION 3, TOWNSHIP 12 N., RANGE 12 W., 1958 MAP #1568

PROPERTY IS LOCATED IN RESIDENCE-2A ZONE.

DISTANCES SHOWN +/- FROM BUILDING TO PROPERTY LINES ARE NOT TO BE USED TO ANY ALTERATIONS, HAND DRAWN OR OTHERWISE, AND BEYOND THE MAP SCALE AND 100% THIS MAP IS INVALID WITHOUT A LIVE SIGNATURE AND EMPLOYER SEAL.

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

JAMES A. DENNISON, LAND SURVEYOR, STRATFORD, CT. CONNECTICUT REG. #70059

NOTE: EXISTING BUILDING(S) ARE OVER 3 YEARS OLD

LOT AREA (ACRES)	REQUIRED/ALLOWED		EXISTING		PROPOSED	
	Z	MAX.	MIN.	MAX.	MIN.	MAX.
LOT 3 (ACRES)	2	MAX.	MAX.	90.93'	90.93'	90.93'
LOT 4 (ACRES)	2	MAX.	MAX.	150.00'	150.00'	150.00'
LOT 5 (ACRES)	2	MAX.	MAX.	200'	200'	200'
LOT 6 (ACRES)	2	MAX.	MAX.	52.33'	52.33'	52.33'
REAR YARD (FEET)	50'	MIN.	221'±	221'±	221'±	221'±
REAR YARD (STORIES)	2 1/2	MAX.	2	2	2	2
BUILDING HEIGHT (FEET)	35'	MAX.	21'±	21'±	21'±	21'±
BUILDING COVERAGE (% OF LOT AREA)	7%	MAX.	28%	28%	28%	28%
SITE COVERAGE (% OF LOT AREA)	12%	MAX.	5.3%	5.3%	5.3%	5.3%

DATE	DESCRIPTION	BY
	PROPOSED SITE & PROPERTY LINE STAKING JOB	JM
	REVISIONS	

ZONING LOCATION SURVEY
PREPARED FOR
NICOLA & JOSEFINA MITRIONE
49 RIVERGATE DRIVE, WILTON, CT
SCALE: 1" = 20' DATE: SEPTEMBER 13, 2021
BY JAMES A. DENNISON L.S.
203-377-2091

RECEIVED

JAN 13 21

ZONING BOARD OF APPEALS

Roger Levy
43 Rivergate Dr
Wilton, CT 06897

12/12/2022

I do not object to Mr. Nickala Mitrione, my
next door neighbour erecting a shed on the location
shown on a map drawn on September 13, 2021





Doc ID: 002988770003 Type: LAN

BK **2536** PG **980-982**

RECORD & RETURN TO:

Atty Brad M. Aron
246 Post Road East -
Westport, CT 06880

WARRANTY DEED - STATUTORY FORM

TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE THAT **Bina Dev of 402 Duarte Lane, Lady Lake, FL 32159**, for consideration of FIVE HUNDRED EIGHTY FIVE THOUSAND & 00/100 DOLLARS (**\$585,000.00**), grants to **Nicola Mitrione and Josefina Mitrione of 65 Windermere Drive, Yonkers, New York** AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP, with WARRANTY COVENANTS, all that certain real property known as **49 Rivergate Drive, Wilton, CT 06897**, being more particularly described in *Schedule A* attached hereto and made a part hereof.

Said Premises are conveyed subject to:

1. Any and all provisions of any municipal, ordinance or regulation or public or private law with special reference to the provisions of any zoning regulations and regulations governing the said Premises.
2. Real property taxes on the current Grand List and any municipal liens or assessments becoming due and payable on or after the delivery of this Deed.
3. Such additional encumbrances, if any, as more particularly set forth in *Schedule A* attached hereto.

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed on this 13th day of July, 2021.

Bina Dev
Bina Dev, Grantor

Signed, sealed and delivered in the presence of or attested by:

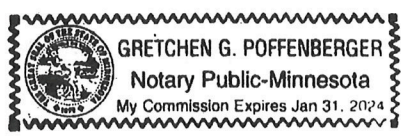
Witness: Brenda K. Reinhardt

Witness: Gretchen G. Poffenberger

CONVEYANCE TAX RECEIVED
TOWN: \$1,462.50 STATE: \$4,387.50
Oliver A. Sobolew
WILTON, CT TOWN CLERK

STATE OF Minnesota }
COUNTY OF Hennepin } ss.
}

Personally appeared Bina Dev, signer and sealer of the foregoing instrument, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained in the capacity therein stated, before me, on this 13th day of July, 2021.



Gretchen G. Poffenberger
Notary Public/Commissioner of the Superior Court

SCHEDULE A

PROPERTY DESCRIPTION

ALL THAT CERTAIN piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of Wilton, County of Fairfield and State of Connecticut, known and designated as Lot No. 3, as more particularly shown on a certain map entitled, "Map Prepared for Rivergate Park, Inc., Wilton, Connecticut", dated August 10, 1956, made by Henrici Associates and filed on August 17, 1956 as Map No. 1635 in the Office of the Wilton Town Clerk, more particularly bounded and described as follows:

NORTHERLY: by Lot No. 4, as shown on said map, 361.97 feet;
EASTERLY: by other land now or formerly of Rivergate Park, Incorporated, 194.00 feet;
SOUTHERLY: by land now or formerly of The Connecticut Light and Power Company, as shown on said map, 206.51 feet;
SOUTHWESTERLY: by Lot No. 2, as shown on said map, 313.69 feet; and
NORTHWESTERLY: by Rivergate Drive, as shown on said map, by an arc having a radius of 400.00 feet, in length, 150.00 feet.

TOGETHER WITH a right of way for all lawful purpose in, over and upon the streets and ways shown on said map, in common with others to whom such right may be granted.

Said Premises are subject to the following:

1. Rights of others in and to the watercourse as flows through the subject premises and to such of the subject premises as may be situated below the mean high-water line thereof, as now or formerly established.
2. Notations and conditions as shown on Map No. 1635 on file in the Office of the Wilton Town Clerk.

Received for Record at Wilton, CT
On 07/22/2021 At 10:20:00 am

Oliver A. Sobrank

WORKSHEET TO USE WHEN LISTING NEIGHBORING PROPERTY OWNERS

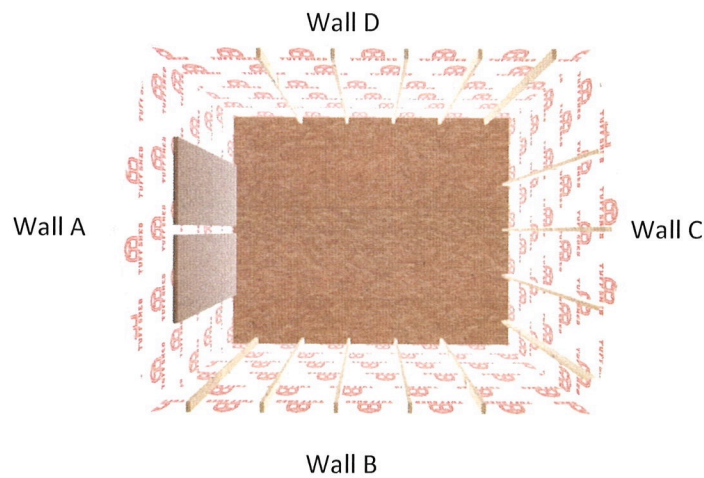
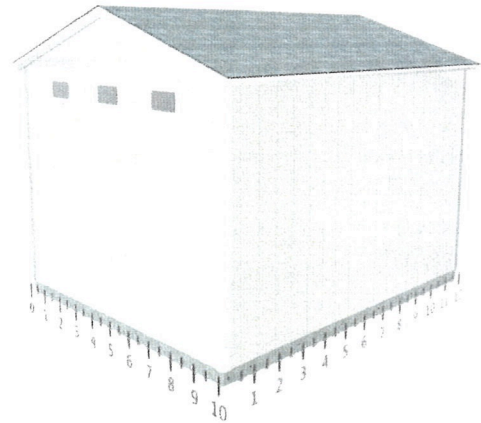
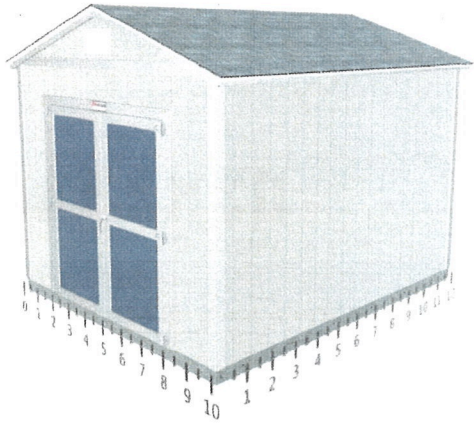
Please see directions for compiling list at: owner_list_500_ft_gis_directions.pdf (wiltonct.org)

Be sure you address the envelopes with the mailing address of all owners.

Map #	Lot #	Name/Address of neighboring property owners	Map #	Lot #	Name/Address of neighboring property owners
	15-6	KOZIKOWSKI ANETA & MARIUSZ 20 BLUE RIDGE LA WILTON, CT 06897		15-19	LEVY ROGER & EDYTHE F 43 RIVERGATE DRIVE WILTON, CT 06897
	15-7	LABOSKY LAURA M & 14 BLUE RIDGE LA WILTON, CT 06897		15-20	IPE J BRUCE & RUTH A 31 RIVERGATE DRIVE WILTON, CT 06897
	15-7-1	PANDIT NITISH & VAIBHAVI 30 RIVERGATE DR WILTON, CT 06897		15-21	BRAGG MICHAEL J & CHRISTINE M 15 RIVERGATE DRIVE WILTON, CT 06897
	15-8	PANDIT NITISH & VAIBHAVI 30 RIVERGATE DRIVE WILTON, CT 06897		15-22	CONN LIGHT & POWER CO THE 11 RIVERGATE DRIVE WILTON, CT 06897
	15-9	MATHEW THOMAS & 46 RIVERGATE DRIVE WILTON, CT 06897		15-25	BURKI JEFFREY A 85 EAST MEADOW DRIVE WILTON, CT 06897
	15-10	LYONS GRANT A & SUSAN P 62 RIVERGATE DRIVE WILTON, CT 06897		15-26	MARTIN WILLIAM E 79 EAST MEADOW ROAD WILTON, CT 06897
	15-12	VON BARTHELD PETER & JINA 155 RIVERGATE DRIVE WILTON, CT 06897		15-28-1	DUGAN MICHAEL J & AMANDA M 71 EAST MEADOW ROAD WILTON, CT 06897
	15-13	RUBIN KATHLEEN H 153 RIVERGATE DRIVE WILTON, CT 06897		15-28-2	DORMER JAMES A & PATRICIA R 69 EAST MEADOW ROAD WILTON, CT 06897
	15-14	VALENTE CARLO 151 RIVERGATE DRIVE WILTON, CT 06897		15-28-13	MOGELOF SCOTT & 17 WOODWAY LANE WILTON, CT 06897
	15-15	BURGER E PETER & SUSAN 67 RIVERGATE DRIVE WILTON, CT 06897		15-56	SCHWARTZ DIANE & JONATHAN 249 NEWTOWN TPKE WILTON, CT 06897
	15-16	RITTER ERIK & 61 RIVERGATE DRIVE WILTON, CT 06897		15-57	SHANNON JAMES L & ANISSA M 271 NEWTOWN TPKE WILTON, CT 06897
	15-17	KEASLER K ANDREWS & 55 RIVERGATE DRIVE WILTON, CT 06897		15-58	DIURNO LORENZO & FILOMENA M 73 EAST MEADOW ROAD WILTON, CT 06897



Nicola Mitrione
49 Rivergate Drive
Wilton CT 06897
Q5748190-5738024



Base Details

Building Size & Style

TR-800 - 10' wide by 12' long

Paint Selection

Base: Tundra Frost, Trim: Delicate
White, Accent (Doors): Goblin

Roof Selection

Weathered Gray 3 Tab

Drip Edge

White

Is a permit required for this job?

No, If local jurisdiction requires a permit, fees will be added before installation can take place

Options Details

Doors

3' x 6'7" Double Shed Door (6')

Transoms

3 Ea Transom Window (16"x8")

Walls

355 Sq Ft House Wrap

Roof

139 Sq Ft Radiant Barrier Roof Decking

Vents

2 Ea 16"x8" Wall Vent - White

Jobsite/Installer Details

Do you plan to insulate this building after Tuff Shed installs it?

Yes

Is there a power outlet within 100 feet of installation location?

Yes

The building location must be level to properly install the building. How level is the install location?

Within 4" of level

Will there be 18" of unobstructed workspace around the perimeter of all four walls?

Yes

Can the installers park their pickup truck & trailer within approximately 200' of your installation site?

Yes

Substrate Shed will be installed on?

Not Anchored to Concrete with Shed Floor

DocuSigned by:

Signature:

Nicola Mitrione

Date: 8/13/2022

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