

From: Melissa Elmasry <melissaelmasry@icloud.com>
Sent: Thursday, March 17, 2022 2:05 PM
To: Wrinn, Michael <Michael.Wrinn@WILTONCT.ORG>
Subject: Brina Application 22-03-04

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Michael Wrinn and Town of Wilton Planning and Zoning Board of Appeals Commission,

We are owners of two parcels of land that share property line with 451 Thayer Pond Road. We oppose the following application 22-03-04.

The Thayer Pond neighborhood is two acre going. The owners of the homes in the area purchased here, in two acre zoning, to enjoy the privacy and quiet it provides. We expect our town officials to uphold the established rules and zoning regulations that protect our interests, the interests of our neighbors, and the interest of our Wilton community.

The Brinas are attempting to construct an over sized home on this undersized lot. The hardship Mr. and Mrs Brina claim is self imposed. Mr. Brina is a construction attorney and Mrs. Brina is the Architectural Designer an owner of Balance, Harmony and Proportion Design LLC. It was the Brinas responsibility to consider the limitations of this property with the Town of Wilton Zoning regulations and understand the limitations for renovation and construction prior to their purchase. What is happening is the opposite of hardship. It is opportunism on their part. They knew the inherent, peculiar and the existing condition of the property configuration itself on a .99 AC non-conforming lot. We believe Mr. and Mrs. Brina did not anticipate the strong neighborhood feeling that the Thayer Pond residents have for the protection of the two acre privacy and property conservation.

While the Brinas submission indicates that they are 'essentially within the existing footprint' this is misleading. There are extensive new setback violations in vertical space, with the newly planned second floor and roof. The plan they proposed adds an overwhelming and inappropriate volume to the structure given its undersized lot. (See attached photos and diagram)

The proposed second story garage is additional volume that is absolutely inappropriate for a .99 acre lot. Further, it is especially disturbing because it is within 20 feet of our property line. The elevation over the garage would be a disturbance with even more privacy lost. The existing structure is for a one story uninhabited two car garage. The new vertical violation and second story bedroom would have light and much more noise providing an adverse effect. It is inconceivable that our town officials would approve such a request.

The Brinas in Schedule A reference that "the northern border enjoys a current setback of 20'3" at the existing garage". The setback is 40 feet so this is half of what is required. Rather than further violate the towns regulations by adding to this non-conforming structure, we request that if the garage is removed/reconstructed, that the original setbacks be enforced. We do not believe there is a variance for the current garage.

We would also like to record our concern that damage has already been done to our property. The Brina installed a fence directly on the property line which trespassed on our property. They dug up our land and our rocks, ledge and soil without permission to install cement foundation for the fence poles. When we

brought our concerns to the Brina attention we were told that they would remove and reposition the fence poles and repair the damage. To date the poles and cement remain in their original location.

We have lived in Wilton for over 20+ years and are in favor of revitalization. We hope that the Brina can create a home that will meet their needs without such egregious violations of our valuable and important zoning regulations. We are not in favor of any of the requested variances and we are opposed to the second story/fourth bedroom over the garage. This second story/fourth bedroom over the garage would be injurious to us and the neighborhood. The second story additional volume is above any minimum adjustment necessary to accomplish the purpose of a variance as granted by the Zoning Board of Appeals.

Respectfully,
Melissa and Mike Elmasry
461 Thayer Pond Road

Elm Ventures
463 Their Pond Road







