

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

WILTON ZONING BOARD OF APPEALS MINUTES *
OCTOBER 18, 2021 – REGULAR ELECTRONIC MEETING (VIA ZOOM)

PRESENT: Anthony Cenatiempo, Chairman; Tom Gunther, Secretary; Jaclyn Coleman; Keith Denning, Alternate; Gerald Holdridge, Alternate (joined the meeting at the beginning of the Perese Appeal discussion)

ABSENT: Monty Du and Libby Bufano (both notified intended absences)

A. CALL TO ORDER

Mr. Cenatiempo called the meeting to order at approximately 7:18 P.M. He briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals.

B. PUBLIC HEARINGS

1. 21-09-19 O'BRIEN/RING'S END INC. 53 DANBURY ROAD

Hearing was called to order at approximately 7:18 P.M. Members seated were Cenatiempo, Coleman, Denning and Gunther.

Present were Kevin O'Brien and Matt Dewing, on behalf of the applicant. The applicant opted to move forward with only four members seated.

Hardships were cited, including the pre-existing nonconforming nature of both the significantly undersized lot and the 1940s-built structure. It was noted that the proposed location would be the least intrusive for surrounding properties, and the only conforming location (in the front near the existing driveway) would be problematic because of snow plowing.

No public comment was received.

Hearing closed at approximately 7:28 P.M.

2. 21-10-20 ZIEGLER 20 FULLIN LN

Hearing was called to order at approximately 7:28 P.M. Members seated were Cenatiempo, Coleman, Denning and Gunther.

Present was Dick Ziegler, owner/applicant.

The applicant opted to move forward with only four members seated.

Hardships were cited, including the pre-existing nonconforming nature of both the existing house and the narrow parcel shape. It was noted that the proposed addition over the garage would not add to the existing footprint except for a small proposed staircase.

No public comment was received.

Hearing closed at approximately 7:33 P.M.

3. 21-10-21 DAMATO 96 OLD MILL RD

Hearing was called to order at approximately 7:33 P.M. Members seated were Cenatiempo, Coleman, Denning and Gunther.

Present were Jonathan and Jessica Damato, owners; and Tom Lametta, builder.

They opted to move forward with only four members seated.

Hardships were cited, including the pre-existing nonconforming nature of the undersized lot and circa 1750 structure, as well as the unavailability of an alternative conforming location for the accessory dwelling unit. The challenging nature of the sloped property was also noted, in addition to the fact that there would be no expansion/change to the footprint of the barn or its roof.

No public comment was received.

Hearing closed at approximately 7:45 P.M.

C. APPLICATIONS READY FOR REVIEW AND ACTION

1. 21-09-19 O'BRIEN/RING'S END INC. 53 DANBURY ROAD

The application was approved as follows:

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (4-0) to **grant** the variance as requested, on grounds that sufficient hardship was demonstrated per hearing testimony. The Board specifically noted the application's compliance with all four required findings per Section 29-13.B.6 of zoning regulations.

2. 21-10-20 ZIEGLER 20 FULLIN LN

The application was approved as follows:

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (4-0) to **grant** the variances as requested, on grounds that sufficient hardship was demonstrated per hearing testimony. The Board specifically noted the application's compliance with all four required findings per Section 29-13.B.6 of zoning regulations.

3. 21-10-21 DAMATO 96 OLD MILL RD

A brief discussion ensued, with the application being approved as follows:

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (4-0) to **grant** the variances as requested, on grounds that sufficient hardship was demonstrated per hearing testimony. The Board specifically noted the application's compliance with all four required findings per Section 29-13.B.6 of zoning regulations.

4. 21-09-18 PERESE (APPEAL) 235 CANNON ROAD

After a brief recess, Mr. Holdridge was able to join the meeting, thus allowing 5 members to be seated for the discussion/vote on the matter. It was specifically noted that both Alternates (Messrs. Holdridge and Denning) were at the meeting last month when the appeal was heard.

Reference was made to a letter from Town Counsel Peter Gelderman, Berchem Moses PC, received earlier in the day. Mr. Cenatiempo read the letter into the record and noted that it had been emailed to the Board and also posted on the website under the subject application.

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After a brief discussion and in light of the aforementioned letter, the Board unanimously decided to uphold the Zoning Enforcement Officer's decision as follows:

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (5-0) to **deny** the appeal of the applicant and to **affirm** the Zoning Officer's decision to issue Zoning Permit #2021-70321, July 14, 2021 to allow development of a new single-family residence with 3-car garage, patio with outdoor kitchen, and screened porch, for property owned by Kara Kuchar consisting of 3.195+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #7, Lot #23-1.

D. OTHER BUSINESS

1. Minutes – September 20, 2021

MOTION was made by Mr. Gunther, seconded by Mr. Holdridge, and carried unanimously (5-0) to approve the minutes of September 20, 2021.

E. ADJOURNMENT

Mr. Cenatiempo adjourned the meeting at approximately 8:19 PM.

Respectfully submitted,

Lorraine Russo
Recording Secretary