

ZONING BOARD
OF
APPEALS
Telephone (203) 563-0185
Fax (203) 563-0284



TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

WILTON ZONING BOARD OF APPEALS MINUTES *
MARCH 21, 2022 – REGULAR ELECTRONIC MEETING (VIA ZOOM)

PRESENT: Anthony Cenatiempo, Chairman; Jaclyn Coleman, Secretary; Libby Bufano; Justin Anderson; Tom Gunther; Gerald Holdridge, Alternate; Tara Pagano, Alternate

ABSENT:

A. CALL TO ORDER

Mr. Cenatiempo called the meeting to order at approximately 7:15 P.M. He briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals.

B. PUBLIC HEARINGS

1. 22-03-04 BRINA 455 THAYER POND RD

Request a variance of Section 29-5.D of the Zoning Regulations to permit a side yard setback of 35.0' to the roof of the second floor addition to the house, on the northerly side, in lieu of the required 40'; to permit a side yard setback of 36.4' to the roof of the second floor addition to the house, on the southerly side, in lieu of the required 40'; to permit a side yard setback of 19.3' to the roof of a second floor addition above the garage in lieu of the required 40' and to permit a side yard setback of 37.5' to the eave of a bay window in lieu of the required 40'. Said property is owned by Robert R. & Monica C. Brina and consists of 0.99+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #128, Lot #18.

Hearing was called to order at approximately 7:16 P.M. Members seated were Anderson, Bufano, Cenatiempo, Coleman, and Gunther.

The applicants, Mr. & Mrs. Brina, were having connectivity issues so were unable to join the meeting at this time.

MOTION was made by Mr. Cenatiempo, seconded by Ms. Coleman, and carried unanimously (5-0) to move on to the next public hearing, for application #22-03-05, and to return to this hearing later in the evening.

**2. 22-03-05 WILTON CHILD DEVELOPMENT PARK, LLC,
11 GRUMMAN HILL RD**

Request variances of Section 29-7.F.1 of the Zoning Regulations to allow the installation of decking and ramps 11.1 feet from the front yard setback in lieu of the required 50', and of Section 29-7.F.7 to allow site coverage of 54% in lieu of the maximum permitted 50%. Said property is owned by Wilton Child Development Park, LLC and consists of 0.85+/- acres in a Design Enterprise (DE-5) Zoning District as shown on Assessor's Map #68, Lot #21.

Hearing was called to order at approximately 7:20 P.M. Members seated were Anderson, Bufano, Cenatiempo, Coleman, and Gunther.

Present were J. Casey Healy and Kathleen Royle, attorneys; John Doyle, architect; and Lynn Hartigan (applicant); on behalf of Wilton Child Development Park, LLC.

Hardships were cited, including the pre-existing nonconforming nature of the 1750s property, specifically with respect to setbacks and coverage.

A discussion ensued regarding the possibility of redesigning the proposed ramp location/configuration to reduce setback impact, and an alternate/less intrusive design was proposed. The applicant also explained the need for the proposed site coverage increase.

No public comment was received.

At approximately 8:05 pm,
MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (5-0) to continue application 22-03-05 until the next ZBA meeting on April 18, 2022 to provide the applicant with additional time to determine the exact setback and site coverage impacts of the revised ramp design.

1. 22-03-04 BRINA 455 THAYER POND RD

At approximately 8:05 PM, with the applicants now in attendance (electronically), the hearing was again called to order and the same members were seated again (Anderson, Bufano, Cenatiempo, Coleman, and Gunther).

Present were Monica & Robert Brina, applicants; Oscar Ovalle, architect; and Tony O'Neill, builder.

Hardships were cited, including the odd oblong-shaped lot configuration of the pre-

ZBA Minutes – March 21, 2022 - Page 3

existing nonconforming 1930s property, which is only 100 feet wide. Extensive discussion ensued, including clarification regarding the need for a variance for the proposed garage height and its 1-foot roof overhang, as well as land elevation/future grading plans. Possible alternative ideas/plans were discussed with the applicants.

Public comment was received from:

Starr & Harvey Herscovitch, 451 Thayer Pond Road;
Anne Munkenbeck & Tom Sabia, 473 Thayer Pond Road;
Melissa & Michael Elmasry, 461 Thayer Pond Road.

At approximately 9:05 pm the public hearing was closed.

C. APPLICATIONS READY FOR REVIEW AND ACTION

1. 22-03-04 BRINA 455 THAYER POND RD

Extensive discussion ensued. Significant concerns were raised in connection with the proposed bay window on the south side of the property and the raising of the garage structure on the north side of the property.

The application was ultimately denied as follows:

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (5-0) to **deny** the variances as requested, on grounds that sufficient hardship was not demonstrated, with particular reference being made to the problematic nature of the bay window on the south side of the property and the proposed 2nd floor garage addition on the north side. It was specifically noted that while the applicant has the right to submit a new application within the next 6 months, the Board also has the right to decline to hear said application if it is determined to be not substantially different from the current application.

2. 22-03-05 WILTON CHILD DEVELOPMENT PARK, LLC, 11 GRUMMAN HILL RD

Tabled until April 18, 2022.

D. OTHER BUSINESS

1. Minutes – January 18, 2022

MOTION was made by Mr. Cenatiempo, seconded by Ms. Bufano, and carried unanimously (7-0) to approve, as drafted, the minutes of January 18, 2022.

E. ADJOURNMENT

MOTION was made by Mr. Gunther, seconded by Mr. Anderson, and carried unanimously (7-0) to adjourn at approximately 9:25 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary