

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

**WILTON ZONING BOARD OF APPEALS MINUTES \***  
**APRIL 18, 2022 – REGULAR ELECTRONIC MEETING (VIA ZOOM)**

**PRESENT:** Anthony Cenatiempo, Chairman; Libby Bufano; Tom Gunther; Gerald Holdridge, Alternate

**ABSENT:** Jaclyn Coleman (notified intended absence); Justin Anderson, Tara Pagano

**A. CALL TO ORDER**

Mr. Cenatiempo called the meeting to order at approximately 7:16 P.M. He briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals.

**B. PUBLIC HEARINGS**

1. **22-03-05 WILTON CHILD DEVELOPMENT PARK, LLC,  
11 GRUMMAN HILL RD**

**CONTINUED FROM MAR 21, 2022:**

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 7:16 P.M. Members seated were Bufano, Cenatiempo, Gunther and Holdridge.

Although Mr. Holdridge was not seated on this application in March, he advised that he was present at that hearing and observed/listened to all the proceedings.

The applicant opted to move forward with only 4 board members in attendance.

Present were attorneys J. Casey Healy and Kathleen Royle; and John Doyle, architect; on behalf of the applicant.

## **ZBA Minutes – April 18, 2022 - Page 2**

Ms. Royle stated that the applicant, per the Board's request at the last hearing, was able to minimize its setback intrusion from 11.1 feet to 13.5 feet, and reduce its requested site coverage from 54% to 53.9%. The Board was appreciative of the applicant's efforts.

No public comment was received.

Hearing closed at approximately 7:24 P.M.

### **2. 22-04-06 83 FOREST LANE, LLC 83 FOREST LANE**

Request variance of Section 29-5.D of the Zoning Regulations to allow for the construction of a new dwelling, in-ground pool and shed with building coverage of 9.8% where a maximum of 7% is allowed. Said property is owned by 83 Forest Lane, LLC and consists of 1.02+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #129, Lot #12.

Hearing was called to order at approximately 7:24 P.M. Members seated were Bufano, Cenatiempo, Gunther and Holdridge.

The applicant opted to move forward with only 4 board members in attendance.

Present were Elizabeth Suchy, attorney; Joe Pozzi, principal/applicant; and Michael Finkbeiner, surveyor; on behalf of the applicant.

Hardships cited were the pre-existing nonconforming nature of the property, which was zoned R-1A when created in 1951, but subsequently upzoned to R-2A. The applicant noted the fully-compliant nature of the proposed new structure except for the need for a building coverage variance. It was further noted that current, existing setback nonconformities would be removed, and the requested building coverage variance would not be required had the property not been up-zoned to an R-2A zone.

Numerous neighbor letters of support were referenced.

Public comments of support were received from:  
Michele Cousins, 84 Forest Lane  
Mike & Christine Oliver, 77 Forest Lane.

Hearing closed at approximately 7:46 P.M.

**3.      22-04-07      BRINA      455 THAYER POND RD**

Request variance of Section 29-5.D to allow a 35.0-foot side yard setback on the north side and a 36.4-foot side yard setback on the south side, in lieu of the required 40 feet, for a second floor addition to a single-family dwelling. Said property is owned by Robert R. & Monica C. Brina and consists of 0.99+/- acre in a Residential (R-2A) Zoning District as shown on Assessor's Map #128, Lot #18.

Hearing was called to order at approximately 7:46 P.M. Members seated were Bufano, Cenatiempo, Gunther and Holdridge.

Present were Monica and Robert Brina, applicants; and Oscar Ovalle, architect. The applicants opted to move forward with only 4 board members in attendance.

Mr. & Mrs. Brina explained the differences that make the subject application substantially different from their prior application. They reviewed the application in detail, noting in particular that the garage will remain as is, with no structural changes proposed. Other additions/modifications to the existing structure and driveway configuration were highlighted.

Public comments in opposition were received from:  
Starr & Harvey Herscovitch, 451 Thayer Pond Rd;  
Melissa & Mike Elmasry, 461 Thayer Pond Rd;  
Anne Munkenbeck, 473 Thayer Pond Rd.

Due to numerous concerns raised by the neighbors concerning the driveway enlargement/configuration, proximity of the garage to the property line, and inadequate landscaping for screening purposes, particularly on the north side, the applicant requested a continuation of the hearing until May 16<sup>th</sup> so that further clarification regarding those issues could be provided. The Board encouraged additional reduction in nonconformity where possible.

At approximately 9 PM,  
MOTION      was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (4-0) to **continue** the hearing until May 16, 2022.

**C. APPLICATIONS READY FOR REVIEW AND ACTION**

- 1. 22-03-05 WILTON CHILD DEVELOPMENT PARK, LLC,  
11 GRUMMAN HILL RD**

The Board indicated its general support of the application as modified to reflect a **13.5-foot** front yard setback (versus the 11.1-foot originally proposed) and site coverage of **53.9%** (versus 54% originally proposed).

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 of this evening and March 21<sup>st</sup>. The Board specifically noted the application's compliance with all four required findings per Section 29-13.B.6 of zoning regulations, and its historical significance as part of a 1750s development.

- 2. 22-04-06 83 FOREST LANE, LLC 83 FOREST LANE**

The Board indicated its general support of the application.

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 this evening. The Board specifically noted the application's compliance with all four required findings per Section 29-13.B.6 of zoning regulations, and the fact that if the property had remained R-1A, no variance would have been required.

- 3. 22-04-07 BRINA 455 THAYER POND RD**

**Tabled.**

**D. OTHER BUSINESS**

- 1. Approval of Minutes – March 21, 2022**

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (4-0) to approve the minutes, as written, of March 21, 2022.

**E. ADJOURNMENT**

MOTION was made by Mr. Holdridge, seconded by Mr. Cenatiempo, and carried unanimously (4-0) to adjourn at approximately 9:12 P.M.

Respectfully submitted,

Lorraine Russo  
Recording Secretary