

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 *
MAY 16, 2022 – REGULAR ELECTRONIC MEETING (VIA ZOOM)

PRESENT: Anthony Cenatiempo, Chairman; Tom Gunther, Vice-Chairman; Jaclyn Coleman, Secretary; Libby Bufano; Gerald Holdridge, Alternate

ABSENT: Justin Anderson and Tara Pagano

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. ELECTION OF VICE CHAIR

MOTION was made by Mr. Cenatiempo, seconded by Mr. Holdridge and Ms. Bufano, and carried (4-0), with all four regular members voting, to nominate and elect Tom Gunther to the position of Vice-Chairman of the Zoning Board of Appeals.

C. PUBLIC HEARINGS

1. 22-04-07 BRINA 455 THAYER POND RD

CONTINUED FROM APRIL 18, 2022:

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 7:17 P.M. Members seated were Bufano, Cenatiempo, Gunther and Holdridge.

Present were Monica Brina, applicant/owner; Bill McMorris, attorney; and Oscar Ovalle, architect.

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Discussion focused on site modifications proposed since the last meeting, including a landscape planting plan to address screening and light pollution; as well as a reconfigured non-encroaching gravel driveway.

Hardships were reiterated, including in particular the narrowness and nonconforming nature of the property. The removal of an encroaching portion on the front of the structure was highlighted.

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

Concerns were expressed about the location of the underground propane tank, and about the suitability of proposed arbor vitae screening, in terms of height and its attractiveness to deer. The owner noted that the property would be fully fenced against deer intrusion and agreed to confirm the safety of the propane tank location with the installer

Hearing closed at approximately 8:15 P.M.

2. 22-05-08 GOODWIN 226 RIDGEFIELD ROAD

Request variance of Section 29-5.D of the Zoning Regulations to allow the installation of two (2) A/C units with a side yard setback of 12 feet in lieu of the minimum 40 feet required; and to allow a front yard setback of 46 feet in lieu of the minimum 50 feet required. Said property is owned by Michael & Elizabeth Goodwin and consists of 1.376+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #89, Lot #12.

Hearing was called to order at approximately 8:16 P.M. Members seated were Bufano, Cenatiempo, Coleman, Gunther and Holdridge.

Present was Buffy Goldwin, applicant/owner.

Hardships were cited, including the existing, nonconforming nature of the circa 1825 home and the ease of access from the proposed HVAC location into the basement/utility room of the home, in addition to the importance of climate control in mitigating mold and humidity in an older home.

No public comment was received.

Hearing closed at approximately 8:25 P.M.

C. APPLICATIONS READY FOR REVIEW AND ACTION

1. 22-04-07 BRINA 455 THAYER POND RD

Discussion ensued, with the application ultimately being approved as follows:

MOTION was made by Mr. Gunther, seconded by Ms. Bufano, to **grant** the variances as requested, on grounds that sufficient hardship was demonstrated per hearings' testimony. Mr. Gunther specifically noted the application's compliance with all four required findings per Section 29-13.B.6 of zoning regulations and noted further the reduction of existing nonconformities with respect to the front setback and the driveway.

The motion was amended by Mr. Cenatiempo to add the following conditions: that there be planting on the north side of the property at the property line of approximately 50 trees, 5 feet tall at time of planting and 4 feet apart, in accordance with submitted plans, and similarly on the south side of the property parallel to the trees on the north side, and similarly on the entirety of the east side property line. The amendment was seconded by Mr. Gunther and carried unanimously (4-0).

The motion, as amended, carried unanimously (4-0).

2. 22-05-08 GOODWIN 226 RIDGEFIELD ROAD

Discussion ensued, with the application ultimately being approved as follows:

MOTION was made by Mr. Cenatiempo, seconded by Ms. Bufano, and carried unanimously (5-0) to **grant** the variances as requested, on grounds that sufficient hardship was demonstrated per hearing testimony, and with the condition that screening shrubbery of at least 3 feet in height be planted surrounding the HVAC units and surrounding the propane tanks as well. The Board specifically noted the application's compliance with all four required findings per Section 29-13.B.6 of zoning regulations.

D. OTHER BUSINESS

1. **Approval of Minutes – April 18, 2022**

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther and carried (4-0-1) to approve the minutes of April 18, 2022, with Ms. Coleman abstaining.

E. ADJOURNMENT

MOTION was made by Ms. Bufano, seconded by Mr. Gunther, and carried unanimously (5-0) to adjourn at approximately 8:50 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary