

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 *
JULY 18, 2022 – REGULAR ELECTRONIC MEETING (VIA ZOOM)

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

ABSENT: Tara Pagano (notified intended absence)

A. CALL TO ORDER

Mr. Cenatiempo called the meeting to order at approximately 7:19 P.M. He briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals.

B. PUBLIC HEARINGS

- 1. 22-07-09 CASINELLI 44 FOREST LANE**
Request a variance of Section 29-5.D to allow a second floor addition to existing garage/barn, permitted by existing variance #93-09-28, with a side yard setback of 37.1 feet in lieu of the required 40-foot minimum. Said property is owned by Jesse and Emily Casinelli and consists of 1.2+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #116, Lot #23.

Application was **WITHDRAWN**.

- 2. 22-07-10 PENNIMAN 30 LIBERTY STREET**
Request a variance of Section 29-5.D to allow addition of shed with a side yard setback of 32 feet in lieu of required 40-foot minimum, and a rear yard setback of 3 feet in lieu of required 50-foot minimum, and building coverage of 8.9% in lieu of 7% allowed maximum. Said property is owned by Nicole and Phil Penniman and consists of 0.454+/- acre in a Residential (R-2A) Zoning District as shown on Assessor's Map #18, Lot #51.

Hearing was called to order at approximately 7:19 P.M.

Members seated were Anderson, Bufano, Cenatiempo, Coleman and Gunther.

Present was Nicole Penniman, applicant/owner.

Hardships were cited, including the pre-existing nonconforming nature of the under-sized property, as well as its irregular shape and sloping, rocky topography, requiring a setback variance for any proposed shed location.

No public comment was received.

Hearing closed at approximately 7:26 P.M.

- 3. 22-07-11 LEVY 38 SALEM ROAD**
Request a variance of Section 29-5.D to allow propane tanks with a 13.4 foot side yard setback in lieu of the required 30-foot minimum; and to allow a generator with a 26-foot side yard setback in lieu of the required 30-foot minimum. Said property is owned by Nicole Woods and Samuel Levy and consists of 1.128+/- acres in a Residential (R-1A) Zoning District as shown on Assessor's Map 55, Lot #56.

Hearing was called to order at approximately 7:26 P.M.

Members seated were Anderson, Bufano, Cenatiempo, Coleman and Gunther.

Present were Nicole Woods and Samuel Levy, applicants/owners.

Hardships were cited, including the pre-existing, nonconforming nature of the structure and the pre-existing location of underground utilities, drainage lines, leaching fields and electrical lines. It was further noted that the variances became necessary as the result of an upgrade to a higher-efficiency, environmentally-friendly HVAC system requiring improved ventilation, and thus a new location, to comply with current Building Codes.

No public comment was received.

Hearing closed at approximately 7:37 P.M.

C. APPLICATIONS READY FOR REVIEW AND ACTION

1. 22-07-09 CASINELLI 44 FOREST LANE
Application was **WITHDRAWN**.

2. 22-07-10 PENNIMAN 30 LIBERTY STREET

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

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (5-0) 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. 22-07-11 LEVY 38 SALEM ROAD

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

MOTION was made by Mr. Cenatiempo, amended by Mr. Gunther to note hardship imposed by existing underground pipes/lines, then seconded by Mr. Gunther, and carried unanimously (5-0) 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.

D. OTHER BUSINESS

1. Minutes – May 16, 2022

MOTION was made by Mr. Cenatiempo, seconded by Mr. Holdridge, and carried unanimously (6-0) to approve the minutes of May 16, 2022.

E. ADJOURNMENT

MOTION was made by Mr. Gunther, seconded by Mr. Cenatiempo, and carried unanimously (6-0) to adjourn at approximately 7:47 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary