

PLANNING & ZONING  
COMMISSION  
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TOWN HALL ANNEX  
238 Danbury Road  
Wilton, Connecticut 06897

**WILTON ZONING BOARD OF APPEALS MINUTES\***  
**MAY 15, 2023 MEETING**  
**(CONDUCTED ELECTRONICALLY VIA ZOOM)**

**PRESENT:** Anthony Cenatiempo, Chair, Justin Anderson, Libby Bufano, Jacklyn Coleman

Also present was Town Planner, Michael Wrinn

**REGULAR MEETING**

**A. Call to Order** – Mr. Cenatiempo called the meeting to order at approximately 7:20 PM.

**B. PUBLIC HEARINGS**

**1. 23-03-05 Harrell 39 Warncke Road**

Ms. Coleman read the details of the application as follows:

Request a variance of Section 29-5.D to construct a sport court, with a 4.5' side yard setback in lieu of the required 40', and of Section 29-4.E.5 to allow 110' of solid wood fence over 6' tall. Said property is owned by Benjamin and Ruth Harrell and consists of 2.104+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #60, Lot #30.

Mr. Wrinn commented that this request, held over from the March 20 meeting, was revised to include a fence to provide screening for neighbors.

Mr. and Ms. Harrell presented their request. They stated that they have had discussions with their neighbors, the Kane family, regarding noise and privacy. They agreed that 110' of fencing on the south side of the maple trees that separate their properties was a better option to provide privacy than removing the maples and replacing with more privacy providing trees, such as thuja. Mr. Harrell then read an email from the Kanes expressing their support of the revised

application.

The hearing was opened up to the public. No one wished to testify. The hearing was closed.

**2.      23-05-07                      Casinelli                      44 Forest Lane**

Ms. Coleman read the details of the application as follows:

Request a variance of Section 29-5.D to allow an addition with a 34' side yard setback in lieu of the required 40', and building coverage of 7.7% in lieu of the required 7%. Said property is owned by Jesse and Emily Casinelli and consists of 1.19+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #116, Lot #23.

Mr. and Ms. Casinelli presented their request. Their home is a small cape and doesn't have the storage they would like, remarking that a lack of basement and attic are contributors to the problem. Based on existing limitations, including setbacks, well, and wetlands, their proposed location for an addition is between the home and detached garage. The square footage of the addition's footprint will be 1,770 square feet, and be comprised of a kitchen/dining area, garage, and screened porch. There will also be a master bedroom over the kitchen and a multipurpose room over the garage.

At conclusion of presentation, Mr. Wrinn confirmed that P&Z had received no comments from neighbors. The hearing was opened to the public with no respondents. The hearing was then closed.

**3.      23-05-08                      Jackson                      7 Deerfield Road**

Ms. Coleman read the details of the application as follows:

Request a variance of Section 29-4.C.5 to allow a patio with 0.0' front yard setback in lieu of the required 20' minimum. Said property is owned by Gregory Jackson and Brianna Siegel and consists of 0.458+/- acres in a Residential (R-1A) Zoning District as shown on Assessor's Map #57, Lot #33.

Gregory Jackson presented their request. They would like to install a pervious patio with dimensions of approximately 600 square feet on their 0.458+/- acre lot. The placement would abut fencing that is outside of the property line. It was suggested by Mr. Cenatiempo that the patio border should be 2' inside of the property line. According to Mr. Wrinn this would be acceptable as the advertised front yard setback 0.0 ft. This was acceptable to Mr. Jackson. Mr. Jackson also acknowledged an email of support from James Burch of 8 Evergreen Avenue which was read into the record. The board had no further questions.

The hearing was opened up to the public. No one wished to testify. The hearing was closed.

**4.      23-05-09                      Lorig                      192 Sturges Ridge Road**

Ms. Coleman read the details of the application as follows:

Request a variance of Section 29-5.D to allow for a 7.6% building coverage in lieu of the required 7.0%. Said property is owned by Steven and Meredith Lorig and consists of 2.04+/- acres in a Residential (R-2A) Zoning District as shown on Assessor's Map #5, Lot #47.

Mr. and Ms. Lorig presented request. The issue is that the work that has been completed, including a patio with an impermeable roof over a patio, and a pool, have put the property out of building coverage compliance. Potential remedies were discussed to alleviate the problem, including the removal of the patio roof, or the filling-in of the pool. These were considered prohibitively expensive and would take away significant value of the house, which is under contract with a buyer. It would also not add enough square footage to bring them into compliance.

The hearing was opened to the public. Four respondents, including three neighbors and one realtor, expressed strong approval for the variance, based on the significant upgrade of the appearance of the property versus the prior owner. The public hearing was closed.

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

**1.      23-03-05                      Harrell                      39 Warncke Road**

After discussion, Mr. Cenatiempo made a motion to approve the sport court. The noise and vision concerns voiced by neighbors, the Kanes, were rectified with the approval of the Kane's based on a revised application which included a 110' fence with a height of over 6'. Consideration was also given to the property topography and well location affecting placement of the court, limiting alternative placement options.

Motion by Mr. Cenatiempo was seconded by Mr. Anderson and the motion to approve the variance was approved unanimously, 4-0.

**2.      23-05-07                      Casinelli                      44 Deforest Lane**

Mr. Cenatiempo stressed the fact that 44 Deforest Lane is a non-conforming lot, being 1.19+/- acres in an R-2A zoning district. If this lot were in an R-1A zoning district, the requested 34' setback would be in compliance (30' in R-1A). Also taken into consideration were the location of septic as well as wetlands, which both limited options for the placement of the addition.

Mr. Cenatiempo indicated his support of the application and made a motion of approval, which was seconded by Ms. Bufano. The variance was then approved unanimously, 4-0.

**3. 23-03-08 Jackson 7 Deerfield Lane**

Mr. Cenatiempo stated the unique nature of the lot, with non-conformity based on being 0.458+/- acres in an R-1A zoning district. The applicants agreed to amend their proposal to allow for the placement of a patio with a 2' front yard setback, versus 0' in the original application. Also considering a letter of approval from a neighbor (James Burch), Mr. Cenatiempo expressed support for the application.

Mr. Cenatiempo made a motion to approve, with Ms. Coleman seconding. The motion to approve the variance was then approved unanimously, 4-0.

**4. 23-03-09 Lorig 192 Sturges Ridge Road**

Mr. Cenatiempo opened by noting the significant community support for the application. He also noted the GC's misinterpretation of the zoning regulations, and the Lorig's efforts to minimize coverage by taking up their paved driveway and replacing with gravel.

It was also noted that potential solutions, including tearing down the roofs of porches, as well as the filling-in of the pool, would be significantly harmful to the value and attractiveness of the home. Also, the requested variance of 7.6% coverage versus 7.0% would in no way be injurious to the neighbors or the Town of Wilton.

Mr. Cenatiempo then made a motion of approval which was seconded by Ms. Bufano. The motion to approve the variance was then approved unanimously, 4-0.

**D. APPROVAL OF MINUTES**

1. March 20, 2023 – Regular Meeting –Mr. Cenatiempo made a motion to approve, seconded by Ms. Coleman, motion passed 4-0

**E. ADJOURNMENT**

Mr. Cenatiempo made a motion to adjourn, seconded by Ms. Coleman and carried unanimously (4-0) to adjourn at approximately 8:30 PM.

**\*MINUTES HAVE NOT BEEN REVIEWED BY THIS COMMISSION  
AND MAY BE SUBJECT TO REVISION IN FUTURE MINUTES. FULL  
AUDIO RECORDING OF MEETING IS AVAILABLE AT:**

**<https://www.wiltonct.org/node/91/minutes-agendas>**