

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

WILTON ZONING BOARD OF APPEALS MINUTES*
FEBRUARY 21, 2023 MEETING
(CONDUCTED ELECTRONICALLY VIA ZOOM)

PRESENT: Anthony Cenatiempo, Chair, Tom Gunther, Vice-Chair, Libby Bufano and Tara Pagano

ALSO PRESENT: Town Planner, Michael Wrinn

REGULAR MEETING

A. Call to Order – Mr. Cenatiempo called the meeting to order at approximately 7:15 PM

B. PUBLIC HEARINGS

1. #23-02-02 O'Halloran 65 Hurlbutt Street

Request a variance of Section 29-5.D to construct an in-ground pool, 38' x 20' with an impervious patio, stairs and landing and a pool equipment pad resulting in a building coverage of 7.5% and site coverage of 12.8% in lieu of the maximum allowed building coverage of 7% and site coverage of 12% in the R-2A zone.

Said property is owned by James L. and Becky A. O'Halloran and consists of 1.327+/- acre in a Residential (R-2A) Zoning District as shown on Assessor's Map #31, Lot #25.

Raymond Mazzeo of Redniss and Mead Engineering of Stamford/ Wilton was representing the applicants. Noted that the patio is intended to be pervious, that it was mislabeled on the drawing as impervious when the patio should have been labeled pervious; said the requested variances numbers are still correct. Commissioners confirmed that this is a non-conforming lot from the 1930's and Mr. Mazzeo confirmed that this would be in compliance if it were a conforming lot or it is was a R-1A zone.

The project was opened up to the public and no public comment was received.

The hearing was closed.

2. #23-02-03 Mitrione 49 Rivergate Drive

Request a variance of Section 29-5.D to allow a shed with a 33.4' side yard setback in lieu of the required 40'.

Said property is owned by Nicola Mitrione and consists of 2.08 +/- acre in a Residential (R-2A) Zoning District as shown on Assessor's Map #15, Lot #18.

Ms. Mitrione was representing her parents, the property owners, who were also present. Stated that the reason for the side yard variance was the slope and the location of the septic and underground utilities. Mr. Gunther asked if the platform could be moved towards the middle of the yard, answer was there were utilities there. It was stated that there would be no electric to the shed, just a storage shed for generator, snow thrower, etc.

Applicants confirmed there is a 2-car garage, to be used for car storage.

It was noted that a letter in support was received from the shed side neighbor, Mr. Levy.

The project was opened up to the public and no public comment was received.

At 7:35 PM, the hearing was closed.

C. APPLICATIONS READY FOR REVIEW AND ACTION:

1 – #23-02-02 – O'Halloran – 65 Hurlbutt Street

Mr. Cenatiempo said that the lot was from the 1930's and he would move to approve the application. Mr. Gunther said that this would be well below the required coverages if it were a 2-acre lot.

Mr. Cenatiempo made a motion to approve the 20' x 38' pool with pervious patio and referenced the four findings per Section 29.13.B.6 of the Zoning Regulations.

This was second ended by Ms. Pagano and the motion to approve the variance was approved unanimously 4-0.

2 – #23-02-03 – Mitrione – 49 Rivergate Drive

Discussion on the application included the sloping nature of the backyard, the need for easy access to property maintenance equipment and the fact that the most impacted neighbor wrote a letter in support. General consensus that the underground utilities would restrict the location of the shed.

A motion was made by Mr. Gunther to approve the request, noting the four findings in Section 29.13.B.6 of the Zoning Regulations. This was seconded by Mr. Cenatiempo and the motion to approve the variance was approved unanimously 4-0.

D. APPROVAL OF MINUTES

February 1, 2023 – Special Meeting –Mr. Cenatiempo made a motion to approve, motion passed 4-0.

E. ADJOURNMENT

Mr. Cenatiempo made a motion to adjourn, seconded by Mr. Gunther and carried unanimously (4-0) to adjourn at approximately 7:45 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>**