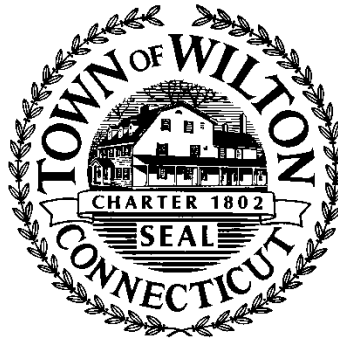


PLANNING & ZONING
COMMISSION
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TOWN HALL ANNEX
238 Danbury Road
Wilton, Connecticut 06897

WILTON ZONING BOARD OF APPEALS MINUTES*
MARCH 20, 2023 MEETING
(CONDUCTED ELECTRONICALLY VIA ZOOM)

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

ALSO PRESENT: Town Planner, Michael Wrinn

REGULAR MEETING

A. Call to Order – Mr. Cenatiempo called the meeting to order at approximately 7:17 PM

B. PUBLIC HEARINGS

1. 23-03-04 Lasky 86 Old Mill Road

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

Request a variance of Section 29-5.D. to construct a hot tub/spa, 18' x 7'6" with a 21.2' front-yard setback in lieu of the required 40', in an R1-A zone. Said property is owned by Mitchell and Iris Lasky and consists of 2.126 +/- acres in a Residential (R-1A) Zoning District as shown on Assessor's Map #11, Lot #9-4.

Mr. & Ms. Lasky presented their request, noting the slopes and rock on the property. Said they have a variance for a larger pool but would be willing to give that up as they have no intension of building that. Discussion over other possible locations, Mr. Laskey showing how challenged the parcel is. Questions about landscaping, which will be boxwoods and grasses. Mr. Laskey went over the history of the former pool on the property, that a variance was received and the pool was installed in the wrong location by the contractor, on the adjacent property. Pool was evidentially removed and the matter was settled.

Mr. Czarnecki, 84 Old Mill Road, was opposed to the application, described the problems with the previous variance and pool, which went on his property. Discussion over retaining wall locations, which proved to be already in place.

The hearing was closed at 7:55 PM.

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', in an R-2A zone. 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.

The project was opened up to the public:

There was a discussion over landscaping by the Board, which asked Mr. Harrell if he was willing to explore additional landscaping along the common property lines with the Kane's. A motion was made by Mr. Cenatiempo seconded by Mr. Gunther, passed 5-0 to keep the public hearing open until the next meeting, April 17, to review a landscaping plan.

Ms. Coleman read the details of the application as follows:
Request a variance of Section 29-8.B.8.e.(3) to allow driveways serving the same lot to be 96 feet apart in lieu of the required 150', and for a variance of Section 29-8.B.8.b.(3) to allow a driveway to have a grade in excess of 5% at 30' from the centerline of the road, in lieu of the required 35'. Said property is owned by Kay Phelan and consists of 1.009 +/- acre in a Residential (R-2A) Zoning District as shown on Assessor's Map #43, Lot #21.

Tom Nelson, PE of McChord Engineering was representing the applicant. Shared his plans, explained the challenges of the site with the steep grades, a short existing driveway which only allowed for cars to back out onto the roadway, which was not safe. Proposal is to create a second driveway to the west to allow a safe situation with traffic, The plans have been reviewed by Police and DPW, both of which approved with conditions (centering on removal of landscaping in the right of way which is blocking sight lines). In closing, Mr. Nelson stated the difficulties of the site: narrow lot frontage, steep slopes and bad sight lines. The proposal would resolve the safety issues at the site.

The hearing was opened up to the public. No public wishing to testify. As such, the hearing was closed at 8:25 PM.

C. APPLICATIONS READY FOR REVIEW AND ACTION:

1. 23-03-04 Lasky 86 Old Mill Road

After discussion, Mr. Cenatiempo made a motion to approve the pool spa and referenced the four findings per Section 29-5.D. of the zoning regulations. The pool spa will be screened with grasses and boxwoods. As offered by the applicants, the previous variance granted (#05-07-22) for a pool will be extinguished, as allowed and directed by Town Counsel.

This motion was seconded by Mr. Gunther and the motion to approve the variance was approved unanimously 5-0.

2. 23-03-05 Harrell 39 Warncke Road

This item was carried over to the next meeting.

3. 23-03-06 Phelan 110 Dudley Road

Mr. Cenatiempo noted that the house and garage are in a non-conforming location, sloping away from the road; approved by both Police and DPW. Adding the driveway would make it safer for the occupants and the public on the roadway. Mr. Cenatiempo made a motion to approve the driveway location and grading as shown, referenced the four findings per Section 29.13.B.6 of the zoning regulations. This motion was seconded by Ms. Bufano and passed 5-0

D. APPROVAL OF MINUTES

- 1. February 21, 2023 – Regular Meeting** –Ms. Bufano made a motion to approve, seconded by Ms. Pagano, motion passed 4-0

E. ADJOURNMENT

Mr. Gunther made a motion to adjourn, seconded by Ms. Bufano and carried unanimously (5-0) to adjourn at approximately 8:45 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>**