

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

**WILTON ZONING BOARD OF APPEALS MINUTES *
SEPTEMBER 20, 2021 – REGULAR (ELECTRONIC) MEETING**

PRESENT: Anthony Cenatiempo, Chairman; Monty Du, Vice-Chairman; Tom Gunther, Secretary; Libby Bufano; Jaclyn Coleman; Gerald Holdridge, Alternate; and Keith Denning, Alternate.

ABSENT:

A. CALL TO ORDER

Mr. Cenatiempo called the meeting to order at approximately 7:16 P.M. He briefly reviewed the hearing process for applications that come before the Zoning Board of Appeals.

B. PUBLIC HEARINGS

1. 21-09-16 CUTLER (APPEAL) 24 DANBURY ROAD

Hearing was called to order at approximately 7:17 P.M. Members seated were Bufano, Cenatiempo, Du, Gunther and Coleman.

Present were Doug Cutler, appellant; and Timothy Bunting, Zoning Enforcement Officer.

Mr. Cutler presented details of his appeal of a Cease and Desist Order dated July 20, 2021 pertaining to self-storage units constructed without a permit and which are not allowed in the DRB zone. Mr. Bunting rebutted, explaining that said conditions violate Sections 29-6.A.2 & 29-12.D.1 of Wilton Zoning Regulations. Mr. Cutler was given an opportunity to respond. Some discussion ensued.

No public comment was received.

Hearing was closed at approximately 7:45 P.M.

2. 21-09-18 PERESE (APPEAL) 235 CANNON ROAD

Hearing was called to order at approximately 7:45 P.M. Members seated were Bufano, Cenatiempo, Du, Gunther and Coleman.

Present were Dogan Perese, appellant; and Timothy Bunting, Zoning Enforcement Officer.

Mr. Perese presented details of his appeal, referring to what he believed were errors and incorrect interpretations of specific provision in the Zoning Regulations relating to the Zoning Enforcement Officer's decision to grant a recent building permit for the subject property. He referenced in particular driveway/accessway length, wetlands, floodplain, false/deceptive information provided on the zoning application, and environmental/conservation issues unique to the parcel in question.

Mr. Bunting rebutted, addressing each of the aforementioned issues, emphasizing the grandfathered nature of the approved nonconforming lot and its driveway/accessway length, the fact that there were no changes to the lot lines since the lot was created in 1991, and noting that he has no purview over inland wetland issues/permits. Mr. Perese was given an opportunity to respond. Extensive discussion ensued between the parties.

Public comment was received from:

Mr. Hickey, address not given;
Sara Curtis, 290 Cannon Road;
Mr. Weder, 23 Black Alder Ln;

Hearing was closed at approximately 9 P.M.

3. 21-07-15 BRINA 455 THAYER POND ROAD

Withdrawn.

4. 21-09-17 MEI 20 FAIRVIEW LANE

Hearing was called to order at approximately 9 P.M. Members seated were Bufano, Cenatiempo, Du, Gunther and Coleman.

Present were Mr. and Mrs. Mei, applicants.

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Hardship cited was the undersized nature of the 1-acre lot which is located in and constrained by 2-acre zoning requirements.

No public comment was received.

Hearing was closed at approximately 9:08 P.M.

5. 21-09-19 O'BRIEN/RING'S END INC. 53 DANBURY ROAD

The application was not heard due to incorrect notice.

It was determined that the application would be re-noticed and heard at the next regular ZBA meeting on October 18, 2021.

C. APPLICATIONS READY FOR REVIEW AND ACTION

1. 21-09-16 CUTLER (APPEAL) 24 DANBURY ROAD

A brief discussion ensued, with the Board determining that the ZEO acted appropriately, and noting further that an avenue does exist for the appellant to remedy the situation.

MOTION was made by Mr. Cenatiempo, seconded by Mr. Gunther, and carried unanimously (5-0) to **uphold/affirm** the Zoning Enforcement Officer's decision in the matter.

2. 21-09-18 PERESE (APPEAL) 235 CANNON ROAD

The Board discussed the issues raised during the hearing. It was the consensus of the Board to request a review/opinion from Town Counsel with respect to the issue of nonconforming lots, particularly as regards free cuts and driveway/accessway length; and to obtain clarification as to whether the ZEO has authority to decline a zoning permit based on the action or decision of the wetlands authority.

MOTION was made by Mr. Cenatiempo, seconded by Mr. Du, and carried unanimously (5-0) to adjourn decision on this matter until the next regular ZBA meeting on October 18, 2021, pending a review/opinion from Town Counsel on the aforementioned matters.

3. 21-07-15 BRINA 455 THAYER POND ROAD

Withdrawn.

4. 21-09-17 MEI 20 FAIRVIEW LANE

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.

5. 21-09-19 O'BRIEN/RING'S END INC. 53 DANBURY ROAD

Application will be re-noticed and heard on October 18, 2021.

D. OTHER BUSINESS

1. Minutes – July 19, 2021

MOTION was made by Mr. Cenatiempo, seconded by Ms. Coleman, and carried unanimously to approve the minutes of July 19, 2021.

E. ADJOURNMENT

MOTION was made by Mr. Du, seconded by Mr. Gunther, and carried unanimously to adjourn at approximately 9:33 P.M.

Respectfully submitted,

Lorraine Russo
Recording Secretary