

Wallingford Zoning Board of Appeals

Monday, October 16, 2023

7:00 p.m.

**Robert F. Parisi Council Chambers
Town Hall – 45 South Main Street**

Minutes

Present: Chairman Joseph Rusczeck; Board Members: Raymond Rys, Vice Chair; Thomas Wolfer; Karen Harris; Alternate: Robert Gross; and Kevin Pagini, Town Planner.

Chairman Rusczeck called the meeting to order at approximately 7:00 p.m. The Pledge of Allegiance was recited.

Voting members tonight are Gross, Wolfer, Harris, Rys, and Rusczeck.

Chairman Rusczeck noted that tonight's decisions will be published in the Record-Journal on Friday, October 20, 2023. The effective date of your variance will be Friday, October 20, 2023; the date a certified copy is recorded on the land records. The statutory 15-day appeal period will expire on Sunday, November 5, 2023. If you commence operations and/or construction during the appeal period, you do so at your own risk.

PUBLIC HEARINGS

#23-020/Variance Requests/Mancini/17 Jenna Road

Ms. Harris read the staff notes into the record. The applicant seeks building coverage of 17% where 14% exists and a 15% maximum is permitted and a side yard of 17 ft. where 20 ft. is required to construct a 416 sq. ft. single-story addition to the dwelling at 17 Jenna Road in an R-18 District. The parcel is non-conforming in area as it was developed before the inception of Zoning. However, the property is currently conforming with regard to bulk standards (setbacks and building coverage) for the R-18 District. If the applicant were to propose an addition in the same location without the side 4 ft. bump out (i.e. maintain existing house width of 36 ft.) the side yard variance would not be necessary and the building coverage variance request would be reduced.

Christopher Mancini, 17 Jenna Road explained that the lot is non-conforming as far as the square footage of the side yard. The front corner is the only thing that comes into the 17 feet. Past that it is conforming. The hardship is that the lot is deemed an R-18 when he has 1488 sq. ft. So it fits an R-15 better. In an R-15 he'd be allowed 20% coverage.

Chairman Rusczeck asked why the 4 ft. bump out is needed. Mr. Mancini replied that it makes it a square room and makes it more usable.

Mr. Gross asked about the size of the addition. Mr. Mancini replied that the master bedroom will be 14 x 12, including the 4 ft. bump out. The other rooms on that side that are being expanded are a bathroom and kitchen. Mr. Gross asked what the hardship was. Mr. Mancini replied that the hardship is that the extra 4 ft. makes it a usable room.

Hearing no public comment, Chairman Rusczek closed the public hearing and asked for discussion or possible action.

Ms. Harris asked about the size of the lot for an R-18 district. Ms. Torre replied that it impacts the building coverage. Ms Harris stated that it is an undersized lot.

Mr. Gross asked what the sideyard setback would be if it was a genuine R-18. Ms. Torre replied 20 ft. She added that it is compliant today with all the setbacks and the building coverage. The front corner that is the closest is grandfathered in. We are only talking about the 4 ft. bump out is non-conforming.

Mr. Rys: Motion to approve #23-020 for Mancini, 17 Jenna Road for a Variance Request for Building Coverage of 17% where 14% exists and 15% maximum is permitted to construct an addition at 17 Jenna Road as shown on Zoning Location Survey of Map 61, Lot 166 Property of Christopher M. Mancini dated September 25, 2015 and submitted rendering received August 11, 2023.

Mr. Wolfer: Second

Vote: Gross – yes to approve; Wolfer – yes to approve; Harris – yes to approve; Rys - yes to approve; and Chairman Rusczek – yes to approve.

The application is approved.

Mr. Rys: Motion to approve #23-020 for Mancini, 17 Jenna Road for a Variance Request for a side yard of 17 ft. where 22 ft. exists and 20 ft. is required to construct an addition at 17 Jenna Road as shown on Zoning Location Survey of Map 61, Lot 166 Property of Christopher M. Mancini dated September 25, 2015 and submitted rendering received August 11, 2023.

Mr. Wolfer: Second

Vote: Gross – no to approve; Wolfer – yes to approve; Harris – yes to approve; Rys - yes to approve; and Chairman Rusczek – yes to approve.

The application is approved.

2. #23-025 – Special Exception Request/Blum/264 Cook Hill Road

Ms. Harris read the staff notes into the record. The applicant seeks a total garage area of 1,264 sq. ft. where 1,106 sq. ft. maximum is permitted and 484 sq. ft. exists to construct a 780 sq. ft. detached garage at 264 Cook Hill Road in an RU-40 District. The proposed garage is located properly on the parcel and compliant with all setbacks, height requirements, and building coverage requirements. The Special Exception request is minor and amounts to 156 sq. ft. of additional garage area than what is permitted as of right.

Richard Blum, 264 Cook Hill Road explained that he wants to build a detached garage to get more room to park a car and truck. There would be no commercial work done.

Ms. Harris asked if this would be in addition to the existing garage. Mr. Blum replied yes. The existing garage is too small.

Hearing no further public comment, Chairman Rusczek closed the public hearing and asked for discussion or possible action.

Mr. Rys: Motion to approve #23-025 for Blum, 264 Cook Hill Road for a Special Exception Request for a garage area of 1,264 sq. ft. where 484 sq. ft. exists and 1,106 sq. ft. maximum is permitted to construct a 780 sq. ft. detached garage as shown on Building Location Map, Zoning As-Built, Lot 1 Nathan's Wood, 264 Cook Hill Road dated April 28, 1997 and submitted plans received September 14, 2023.

Mr. Wolfer: Second

Vote: Gross – yes to approve; Wolfer – yes to approve; Harris – yes to approve; Rys - yes to approve; and Chairman Rusczek – yes to approve.

The application is approved.

3. #23-026 – Variance Request/Howard/107 Ridgewood Road

Ms. Harris read the staff notes into the record. The applicant seeks a side yard of 10 ft. where 20 ft. is required and 21.3 ft. exists to add a single-story, single bay (242 sq. ft.) to the attached garage at 107 Ridgewood Road in an R-18 District. The 10 ft. side yard request is relative only to the minimum point of the front corner of the garage as the lot is "pie-shaped" with the rear corner of the proposed garage 16 ft. from the side boundary. As is customary, the Board should discern any hardship and evaluate whether any alternative detached, etc. structure may enable compliance.

Ruth Howard, 107 Ridgewood Road explained that she purchased the house two years ago. It looks like the garage was constructed over a carport. It needs a lot of work. When she reconstructs it she would like to extend it to allow storage and make it more functional.

Chairman Rusczek asked if it is attached to and has an entrance to the house. He asked if it could be placed anywhere else. Ms. Howard confirmed it has access to the house and noted that if she built it on the other side, she would still need a variance and it would enter into the bedroom. She would like it attached to the house, so building it behind is not an option.

Mr. Gross asked if she needed it for storage, could it go deeper? Could she build out the back of the garage? Ms. Howard replied that the existing garage is very narrow for a car and it would be costly to add only two feet to the width.

Hearing no public comment, Chairman Rusczek closed the public hearing and asked for discussion or possible action.

Mr. Rys: Motion to approve #23-026 for Howard, 107 Ridgewood Road for a Variance Request for a side yard of 10 ft. where 21.3 ft. exists and 20 ft. is required to construct an additional garage bay to the existing single-car attached garage as shown on Limited Property/Boundary Survey, Zoning Location Survey, Land of Ruth Howard, 107 Ridgewood Road dated August 2, 2023 and submitted plans received September 15, 2023.

Mr. Wolfer: Second

Vote: Gross – no to approve; Wolfer – yes to approve; Harris – yes to approve; Rys - yes to approve; and Chairman Rusczek – yes to approve.

The application is approved.

CONSIDERATION OF MINUTES

4. September 18, 2023, Regular Meeting

Mr. Wolfer: Motion to accept the September 18, 2023, Zoning Board of Appeals Minutes as submitted.

Ms. Harris: Second

Vote: Unanimous

ADJOURNMENT

Chairman Rusczek: Motion to adjourn the October 16, 2023, regular meeting of the Zoning Board of Appeals at 7:25 p.m.

Mr. Wolfer: Second

Vote: Unanimous

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary