

Wallingford Zoning Board of Appeals

July 21, 2025

7:00 p.m.

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

Minutes

Present: Raymond Rys, Vice Chair; Board Members: Thomas Wolfer; Karen Raddatz; Robert Gross; Robert Prentice; and Amy Torre, Zoning Enforcement Officer.

Vice Chair Rys called the meeting to order at approximately 7:00 p.m. The Pledge of Allegiance was recited.

Voting members tonight are Gross, Wolfer, Raddatz, Prentice, and Vice Chair Rys.

Vice Chair Rys noted that tonight’s decisions will be published in the Record-Journal on Friday, July 25, 2025. The effective date of your variance will be Friday, July 25, 2025, the date a certified copy is recorded on the land records. The statutory 15-day appeal period will expire on Sunday, August 10, 2025. If you commence operations and/or construction during the appeal period, you do so at your own risk.

PUBLIC HEARINGS

1. #25-019/Variance Request/22 South Branford Road, LLC/22 South Branford Road

Ms. Raddatz read the staff notes into the record. The applicant seeks Variance Approval for a front yard of 45 ft., where 75 ft. is required and 25 ft. exists to construct an addition and attached garage at 22 South Branford Road in an RU-120 District. The parcel is a 10.8-acre lot with a single-family dwelling built in 1900 (well pre-dating the inception of zoning) and constructed entirely within the current required front setback. The proposed addition and attached garage are oriented to the dwelling's rear and northern side, which increases the existing front setback by 20 ft. (from 25 ft. to 45 ft.) and reduces the existing setback non-conformity. A Variance is required despite this reduction as the area of the total dwelling occupying the front setback is expanding. Correspondence included an Inter-Departmental Memo from the Health Department, received July 3, 2025.

Paige Birney, 238 South Main Street, property owner, and Bob Wiedenmann, 1443 Durham Road, Sunwood Development, presented.

Ms. Birney explained that the house was built around 1850 and is similar to other farmhouses in town. They plan to renovate the house, add an attached garage, rebuild the addition, and add a mudroom between the addition and the garage. The hardships are the existing setback, the topography, as the property slopes steeply behind the house, multiple mature trees that they want to keep, and the location of the septic tank. The attached garage and mud room are only possible in that location. They won't alter the character of the neighborhood. They want to bring the farmhouse into the 21st century. The project aligns with the POCD dated 2016.

Mr. Gross asked if the property is subdividable. Ms. Torre noted that subdivision is not on the agenda today. Ms. Birney replied that she doesn't know but has no intention of subdividing. Mr. Gross asked

about the location of the garage. Ms. Birney confirmed it will be on the left as you look at the house. There are mature trees to the right. They will replace the addition as it's not structurally sound. The slope of the property prevents building anything in the back. She stated that she will live there. Mr. Wiedenmann noted that there is an 8 ft. grade change from the front to the back of the house. He added that wetlands are approximately 100 ft. away. Mr. Gross stated that there appears to be an opportunity to put the garage behind the house. Cost is not a hardship. Mr. Wiedenmann agreed in theory, but that would mean adding fill to extend the driveway. They are trying to connect the garage to the house. They want to keep the garage accessible from the street but not block the views to the back. Mr. Gross stated that he can't support the garage.

Hearing no public comment, Vice Chair Rys closed the public hearing and asked for discussion or possible action.

Mr. Wolfer: Motion to approve #25-019 for a Variance Request for 22 South Branford Road, LLC, for a front yard of 45 ft. to construct an addition and attached garage at 22 South Branford Road as shown on Subdivision Property of C.O. Young & Sons, Inc. South Branford Road, dated December 10, 1996, and submitted plans received June 11, 2025, subject to:

- 1. Comments from the Health Department dated July 3, 2025.**

Ms. Raddatz: Second

Vote: Gross – no to approve; Wolfer – yes to approve; Raddatz – yes to approve; Prentice - yes to approve; and Vice Chair Rys – yes to approve.

The application is approved.

2. #25-020/Special Exception Request/Kroher/38 Pieper Drive

Ms. Raddatz read the staff notes into the record. The applicant seeks a total garage area of 1,464 sq. ft. (where a max. 936 sq. ft. is permitted as of right) in order to construct a 936 sq. ft. detached garage where a 528 sq. ft. attached garage exists at 38 Pieper Drive in an R-18 District. The applicant proposes a compliant location on the parcel to locate the detached garage and building dimension, including height, on the proposed spec sheet from Eversafe Buildings also compliant.

Tom Kroher, 38 Pieper Drive explained that the existing garage is not high enough for his vehicles. He needs an additional garage in the back yard for his cars and an antique boat.

Mr. Gross asked where the driveway will be. Mr. Kroher stated that they will put a driveway in the backyard. The driveway beside the house is 10 ft from the property line. Mr. Gross stated that a three-car garage on top of the two-car garage is out of character for the neighborhood. The size of the garage is pretty close to the size of a house.

Ms. Torre stated that there are no setbacks for driveways. She explained that the applicant is using the Special Exception process to ask for more than they can have as of right. The application is based on the particulars of this site. The Board is to decide if it is appropriate. She added that the Board can consider the character of the neighborhood, appropriate size, necessary or not, making the dwelling subordinate, etc.

Ms. Raddatz asked whether the applicant would consider a smaller structure. Mr. Kroher replied that he wants a three-car garage for workshop space. In reply to a question, he stated that he will not do commercial work.

Mr. Gross asked if he would be working on cars or the boat in that garage. Mr. Kroher replied to the wooden hull powerboat only.

Vice Chair Rys stated that he looked at the neighborhood and there is no other structure like this in the area. He would like to see it downsized.

Hearing no public comment, Vice Chair Rys closed the public hearing and asked for discussion or possible action.

Mr. Wolfer: Motion to approve #25-020 for a Special Exception Request for Kroher at 38 Pieper Drive for a total garage area of 1,464 sq. ft. to construct a 936 sq. ft. detached garage as shown on Plot Plan, Lot No. 42 Pieper Drive, dated February 1973, and submitted plans received June 12, 2025.

Ms. Raddatz: Second

Vote: Gross – no to approve; Wolfer – no to approve; Raddatz – no to approve; Prentice - no to approve; and Vice Chair Rys – no to approve.

The application is denied.

3. #25-021/Variance Request/Diaz/62 Ridgeland Circle

Ms. Raddatz read the staff notes into the record. The applicant seeks Variance Approval for a side yard of 4.37 ft. where 12.37 ft. exists and 20 ft. is required to construct an attached carport at 62 Ridgeland Circle in an R-18 District. The parcel is a compliant, conforming lot, and the house was constructed compliantly after the inception of zoning. At the time of construction (1959), regulations allowed an attached garage to be constructed a minimum of 5 ft. from the side boundary, as per current regulations regarding only detached garages today. The Board should discern the hardship creating a non-conformity from an existing compliant lot, especially with a proposed side yard of less than 5 ft. (which is the minimum setback for any structure, primary or accessory, in any zone). The applicant should consider detaching the 242 sq. ft. carport and locating it compliantly behind the dwelling where a 5 ft. side yard is permitted. Correspondence included a letter from John & Darlene Loukides, dated June 16, 2025, and a letter from Jack Oliveira, dated June 19, 2025.

Danielle Ruiz and Jonas Diaz, 62 Ridgeland Circle, presented.

Mr. Diaz explained that the house is behind Sheehan High School. The garage was built five years after the house. It is a single-car garage with a single lane driveway. The family is growing. They currently have three cars and three working people. They want to build a carport next to the house and widen the driveway. They will build a retaining wall due to the steep hill.

Ms. Ruiz noted that another house in the neighborhood has a carport. She added that the lot lines go at an angle. To put the carport in the back, they wouldn't be able to get a driveway to it.

Mr. Gross stated that they could go through the existing garage and double the depth. Ms. Ruiz stated that it would still be too close to the property lines or would have to be detached. Ms. Torre noted that a detached garage is allowed to be 5 ft. away. Zoning changed, so they can't do an attached garage at 5 ft. She noted that there is room for a driveway. The carport can be built behind the house. She added that the lack of walls doesn't affect the regulations. A driveway alongside the house is an option. It would be compliant and not require a variance.

Mr. Wolfer asked their thoughts on going through the garage and having a driveway down the side. Mr. Diaz stated that detached from the driveway beside is possible if all the way back in the property. The problem is cars in and out, and moving cars all the time.

Mr. Gross stated that putting the driveway on the side to go to the back yard would give access for multiple cars. Mr. Diaz replied that he would have to discuss this with his neighbor.

Ms. Torre stated that if the driveway is the width of the carport, there is ample space. You can turn in and have about 550 sq. ft. of garage area as of right. You could do a two-car carport. Just has to be behind the foundation line. She suggested putting the driveway around the house and turning right into the face of the garage. A driveway doesn't require a retaining wall. You end up with more garage space. This is something compliant that can be done. Ms. Torre suggested making an appointment to meet at the office to go over alternatives.

Hearing no public comment, Vice Chair Rys closed the public hearing and asked for discussion or possible action.

Mr. Wolfer: Motion to approve #25-021 for Ruiz at 62 Ridgeland Circle for a Variance Request for a side yard of 4.37 ft. to construct an attached carport at 62 Ridgeland Circle in an R-18 District as shown on Proposed Plot Plan, Land of Danielle Ruiz, 62 Ridgeland Circle dated June 12, 2025 and submitted plans received June 13, 2025.

Ms. Raddatz: Second

Vote: Gross – no to approve; Wolfer – no to approve; Raddatz – no to approve; Prentice - no to approve; and Vice Chair Rys – no to approve.

The application is denied.

CONSIDERATION OF MINUTES

1. June 16, 2025, Regular Meeting

Ms. Raddatz: Motion to accept the June 16, 2025, Zoning Board of Appeals Minutes as submitted.

Mr. Gross: Second

Vote: Unanimous with Mr. Wolfer abstaining

ADJOURNMENT

Ms. Raddatz: Motion to adjourn the July 21, 2025, regular meeting of the Zoning Board of Appeals at 7:40 p.m.

**Mr. Wolfer: Second
Vote: Unanimous**

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary