

Wallingford Zoning Board of Appeals

September 15, 2025

7:00 p.m.

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

Minutes

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

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

Voting members tonight are *Gross, Wolfer, Prentice, Rys, and Chairman Rusczek*.

Chairman Rusczek noted that tonight's decisions will be published in the Record-Journal on Friday, September 19, 2025. The effective date of your variance will be Friday, September 19, 2025, the date a certified copy is recorded on the land records. The statutory 15-day appeal period will expire on Sunday, October 5, 2025. If you commence operations and/or construction during the appeal period, you do so at your own risk.

PUBLIC HEARINGS

1. #25-022/Variance Request/St. Hillaire/15 Gaylord Farm Road

Mr. Prentice read the staff notes into the record. The applicant seeks Variance Approval for a side yard of 21.5 ft., where 30 ft. is required, and 21.5 ft. exists to construct a dormer/vertical expansion along the rear expanse of the dwelling at 15 Gaylord Farm Road in an RU-40 District. The property and the dwelling predate the inception of Zoning. The property is over three acres, yet the buildings are located within the Western side yard. The applicant is proposing a vertical addition to the structure with no change to the footprint, necessitating Variance Approval to expand a non-conformity. In addition, there are two pieces of correspondence: a letter from Sonia LaBabera, Gaylord Specialty Healthcare, dated June 30, 2025, and an email from Donna Onofrio, dated July 16, 2025.

Shannon St. Hillaire, 15 Gaylord Farm Road, and Ken Welch, 21 Pleasant Street, presented. Ms. St. Hillaire explained that they are adding a dormer to the back and will go straight up. Ms. St. Hillaire stated that they will add a bathroom and expand the two bedrooms.

Chairman Rusczek verified that they will not change the footprint of the house. Ms. St. Hillaire confirmed.

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

Mr. Rys: Motion to approve application #25-022 for a Variance Request for a side yard of 21.5 ft. to construct a vertical addition at 15 Gaylord Farm Road as shown on Zoning Location

Survey, Land of Shannon M. St. Hillaire, dated 7/3/2025, and submitted plans received July 14, 2025.

Mr. Wolfer: Second

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

The application is approved.

2. #25-023/Special Exception Request/Cotrona/134 Chimney Hill Road

Mr. Prentice read the staff notes into the record. The applicant seeks a garage area of 2,107 sq. ft. where 924 sq. ft. exists and 1,600 sq. ft. is permitted to erect a 1,183 sq. ft. detached garage at 134 Chimney Hill Road in an RU-40 District. The parcel is a 6.87-acre, rear lot with a dwelling of +/- 3,200 sq. ft. The Special Exception request is for 507 sq. ft. of garage area more than what is permitted as of right. The proposed detached garage is located compliantly well within all required setbacks, within the maximum height allowance, and not visible from the street line.

Don Cotrona, 134 Chimney Hill Road, explained that he wants to build a pole barn garage to store tractors, implements, and woodshop space, and for general storage.

Chairman Rusczek asked if there would be any commercial work. Mr. Cotrona replied No, just storage and workshop.

Mr. Gross asked what was stored in the other garage. Mr. Cotrona replied, motor vehicles and storage.

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

Mr. Wolfer: Motion to approve application #25-023 for a Special Exception Request for a total garage area of 2,107 sq. ft. to construct a 1,183 sq. ft. detached garage at 134 Chimney Hill Road, as shown on Site Plan, prepared for Donald Cotrona, 134 Chimney Hill Road, dated 7/22/2025 and submitted plans received 7/23/2025, modified 8/8/2025, subject to:

1. Comments of the Health Department dated 8/26/2025.

Mr. Rys: Second

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

The application is approved.

3. #25-024/Variance Request/Landino/869 North Farms Road

Mr. Prentice read the staff notes into the record. The applicant requests variance approval for the rear lot area of 44,954 sq. ft., where 62,500 sq. ft. is required to divide the 2.33-acre lot at 869 North Farms Road in an RU-40 District. The parcel was a 40,028 sq. ft. compliant lot in 1988. In 1988, North Farms Estates Subdivision proposed a new lot of +40,000 sq. ft. abutting the rear. Re-subdivision of North

Farms Estates in 1991 transferred 61.567 sq. ft. of the 1988 subdivision land, including the 1988 abutting rear lot, to 869 North Farms Road, creating the current lot as a single 2.33-acre lot. The applicant proposes a lot split of the 2.33-acre lot, creating a rear lot. Rear lot regulations require more than the required 40,000 sq. ft. lot area for the RU-40 zone (62,500 sq. ft.). The area of the accessway must be deducted from this requirement. The rear lot proposed = +/- 53,924 sq. ft., less the accessway of +/- 8,970 sq. ft. = rear lot area of +/- 44,954 sq. ft. The rear lot still has ample area for a non-rear lot located in this zone.

Giovani Landino, 869 North Farms Road, explained that his parents purchased the first lot and then later bought the rear lot, which has its own accessway. The intent was to sometime in the future build a house in the rear. He wants to do that now and include an in-law apartment for his parents. The distances from the other houses will be between 160 ft. and 400 ft.

Chairman Rusczek asked Amy for the history. Ms. Torre replied that the original lot was standard for the district. In 1988, the subdivision came in. It included an as-yet-unaddressed lot abutting the rear of 869 with its own access. There was a re-subdivision in 1991, leaving excess land along 869 North Farms. This land would have been landlocked. It was transferred the two pieces of property were transferred to 869, creating a larger lot. For a rear lot, a 25 ft. accessway is needed. They have 30 ft, so plenty of room. Regulations require 50% again of the lot area for a rear lot. They don't have 50% more, but there is ample room for something to be erected to meet the requirements and setbacks. Ms. Torre added that there is over 40,000 sq. ft., even after dividing that area.

Mr. Gross asked where the driveway would be. Mr. Landino replied that it will be between #861 and #869. Mr. Gross clarified that it was not sold as a buildable lot. Ms. Torre replied that it was a transfer of excess land from a subdivision added to #869. It was not a separate address. Mr. Landino stated that originally, the developers were going to use the accessway, but they went further down the road. So his parents purchased that lot.

Chairman Rusczek clarified that they have the access driveway. Ms. Torre replied that it was to be a road.

Mr. Gross asked for clarification of the current driveways. Mr. Landino clarified the locations.

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

Mr. Rys: Motion to approve #25-024 Variance Request for rear lot area of 44,954 sq. ft. to split the lot/revise the lot line, as shown on Limited Property/Boundary Survey, Subdivision Map, land of ARGS Living Trust, 869 North Farms Road line, dated 5/12/2025 and received 7/31/2025, subject to:

1. Comments of the Health Department dated 8/26/2025

Mr. Wolfer: Second

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

The application is approved.

4. #25-025/Variance Request/Ojard & Faugno/70 Hill Avenue

Mr. Prentice read the staff notes into the record. The applicant requests a Variance Approval for a Front yard of 36.18 ft., where 36.18 ft. exists and 40 ft. is required, and a Side yard of 13.57 ft., where 13.57 ft. exists and 20 ft. is required to construct a 2nd story addition to the eastern portion of the dwelling at 70 Hill Avenue in an R-18 District. The existing home is currently a single-family ranch pre-dating the inception of Zoning. The applicant proposes no change to the existing footprint, yet the vertical addition requires variance approval to expand these non-conformities.

Kevin Faugno, 70 Hill Avenue, stated that they have been in the house for 10 years, and it only has two bedrooms. They want to grow their family. This addition over the garage will add two bedrooms.

Chairman Rusczek clarified that it will just go straight up. Mr. Faugno confirmed.

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

Mr. Wolfer: Motion to approve #25-025 Variance Request for Front yard of 36.18 ft. to construct a vertical addition at 70 Hill Avenue as shown on Existing Building Location Survey, property of Kevin J. and Courtney Faugno, 70 Hill Avenue, dated 7/14/2025, and submitted plans received 8/4/2025.

Mr. Rys: Second

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

Mr. Wolfer: Motion to approve #25-025 Variance Request for Side yard of 13.57 ft. to construct a vertical addition at 70 Hill Avenue as shown on Existing Building Location Survey, property of Kevin J. and Courtney Faugno, 70 Hill Avenue, dated 7/14/2025, and submitted plans received 8/4/2025.

Mr. Rys: Second

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

The application is approved.

5. #25-026/Variance Request/ABR Construction Inc./20 Docker Drive

Mr. Prentice read the staff notes into the record. The applicant proposes a front yard +/- 32 ft., where 40 ft. is required and 40 ft. exists to expand the covered front porch by +/- 147 sq. ft. The parcel is located at the end of a cul-de-sac with a significant wetlands boundary/buffer necessitating the house be constructed (in 2016) at an angle to remain out of any upland review area. As such, the Variance

request is only relative to the Southwest corner of the covered front porch, with the majority of the front porch compliant.

Bill Cremin, ABR Construction Inc., and Paul Clark, 20 Docker Drive, presented. Mr. Cremin explained that they want to enclose the existing front step to make a mudroom, then add an approximately 110 sq. ft. deck that would be covered by a roof. The corner of the roof and the deck impose on the front yard setback.

Chairman Rusczek asked how much goes over the setback. Mr. Cremin stated that it will be about 10 or 12 ft wide and 6 or 7 ft deep. Chairman Rusczek asked about the covered porch. Mr. Clark replied that they will enclose the covered front stoop and put the porch where the front garden is.

Mr. Gross noted that the house was built in 2016 and met all the zoning requirements at that time. Ms. Torre noted that Wetlands limited the positioning of the house, but it is currently compliant. Mr. Gross asked if this would make it non-compliant. Ms. Torre replied that a corner of the front porch would be in the setback by about 8 ft. Mr. Gross clarified that there is no problem with enclosing the front stoop.

Mr. Clark noted that only one corner would be non-compliant, and that is due to the cul-de-sac. The circle was extended in 2016 when more houses were built.

Mr. Gross asked what the hardship is. Mr. Clark replied that the mudroom will be compliant, and they can't build half a porch. They want the porch to watch their children play in the circle. Mr. Gross asked if they could build off to the right side. Mr. Clark replied no, because wetlands are there. The fence marks the wetlands.

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

Mr. Wolfer: Motion to approve #25-026 Variance Request for a front yard of +/- 32 ft. to construct a covered front porch at 20 Docker Drive as shown on As-Built Plan for Lot No. 4, Knollwood Place, 20 Docker Drive, dated 11/18/2015, and submitted plans received 8/7/2025.

Mr. Rys: Second

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

The application is approved.

6. #25-027/Variance Request/374 NCR, LLC/374 North Colony Street

Mr. Prentice read the staff notes into the record. The applicant seeks a Side yard of 2 ft. where 2 ft. exists to expand an existing garage to construct a two-story residential dwelling unit at 374 North Colony Road in a CB-40 District. The parcel consists of two buildings: one multi-unit residential/commercial building and a 480 sq. ft. single-story residential building. The request pertains to the existing 480 sq. ft. residential structure. This existing structure is currently located 2 ft. from the Southwest side boundary. This side boundary is in common with an existing cemetery with no structures and is bounded by the Railroad to the rear. The applicant proposes to expand the structure to the rear

of the property, as well as adding a vertical addition. Expansion of this legal, non-conforming structure requires Variance Approval before proceeding to the Planning & Zoning Commission for Site Plan Approval per Section 6.38 (Middle Housing) of the Zoning Regulations.

Valerie Votto, Counsel for 374 North Colony Street, with an address in Guilford and Shrom Shopo, North Branford, representing the construction company, North Branford, presented. Atty. Votto explained that they want to expand the existing structure fourfold and take advantage of the change in zoning.

Chairman Ruscsek asked if they would take down three walls. Atty. Votto replied that it all has to come down. They just want to place the corner of a larger structure where the current one is now. They will expand 160 ft along the cemetery.

Chairman Ruscsek asked for clarification of the change in zoning. Ms. Torre replied that they should only focus on the structure. The Middle Housing Use allows the development of multiple units in certain zones. This property doesn't comply with setbacks. The applicant is just putting a structure where there already is one, except that it will be longer and taller. They will need to go to Planning and Zoning with their Site Plan. Chairman Ruscsek clarified that the board is not to look at the size of the building, just the two feet of the corner. Ms. Torre explained that they are to determine if it is appropriate there. Not the use, just the structure.

Mr. Gross asked about the setback. Atty. Votto replied that the property is 50 ft wide and the setback is 20 ft. The structure can be compliant on one side. She stated that they would not be able to be compliant with 20 ft. setbacks on each side. The lot is narrow and deep. Ms. Torre stated that the Board is to determine if the structure is appropriate to be two feet off the borderline.

Chairman Ruscsek noted that it is beside an old cemetery, so it is not next to another building.

Atty. Votto noted that the hardship is that a strict application of zoning would result in a 10-foot-wide building, so the property would be impossible to build on.

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

Mr. Rys: Motion to approve #25-027 Variance Request for a Side yard of 2 ft. to construct a multi-unit dwelling at 374 North Colony Street, as shown on Limited Zoning Location Survey, 374 North Colony Street, prepared for 374 NCR, LLC, dated 9/21/2021, and submitted plans received 8/11/2025.

Mr. Wolfer: Second

Vote: Gross– no to approve; Wolfer – yes to approve; Prentice – yes to approve; Rys - yes to approve; and Chairman Ruscsek – yes to approve.

The application is approved.

7. #25-028/Special Exception Request/Carrara/1363 Durham Road

Mr. Prentice read the staff notes into the record. The application is for a Special Exception for a Total Garage area of 1,536 sq. ft., where a maximum of 1,240 sq. ft. is permitted as-of-right, 960 sq. ft. exists, and a 576 sq. ft. two-car garage is proposed at 1363 Durham Road in an RU-80 District. The applicant seeks less than 300 sq. ft. of additional garage area. The parcel is +/- 12.9 acres with the proposed detached garage located compliantly on the property and of compliant height.

Lisa Carrara, 1363 Durham Road, explained that they want to add a two-car detached garage. One bay would be her workshop/play space. It will include a loft to be finished at a future date for office space.

Chairman Rusczek asked if there would be commercial activity. Ms. Carrara replied no, just storage and her play space.

Mr. Gross asked if this is in addition to the existing three-car garage and if it will be heated. Ms. Carrara replied yes, but no plumbing. They may add a mini-split if they do add the office space, but it will not be living space.

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

Mr. Wolfer: Motion to approve #25-028 Special Exception Request for total garage area of 1,636 sq. ft. to construct a 676 sq. ft. detached garage at 1363 Durham Road as shown on Limited Property/Boundary Survey, Zoning Location Survey, proposed garage, land of Lisa Carrara and Suzanne Bousquet, 1363 Durham Road, and submitted plans received 8/12/2025, subject to:

1. Comments of the Health Department dated 8/26/2025

Mr. Rys: Second

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

The application is approved.

8. #25-030/Special Exception Request/CT Proton Therapy Ctr., LLC/932 Northrop Road

Mr. Prentice read the staff notes into the record. The applicant seeks a total sign area of 85.87 sq. ft., where 64 sq. ft. is the maximum permitted as-of-right to allow two new ground signs and one new wall sign at 932 Northrop Road in a WI District. The applicant seeks to add 20 sq. ft. of sign area for the new Proton Therapy facility, where no signage currently exists. The new sign regulations, adopted 6/13/25, allow additional signage by Special Exception Application, as it should be permitted on a case-by-case basis relative to the total request and particular parcel rather than requiring Variance Approval as per history. This office has no objection to this minimal sign allowance increase request at this particular location. Correspondence included letters from Atty. Jim Loughlin dated August 15, 2025, and September 11, 2025.

Jim Loughlin, Loughlin Law Firm, 221 North Main Street, and Pete Carbone with Proton International presented. Atty. Loughlin explained that this is the new cancer treatment center that is currently under

construction. This is a special exception, so no hardship is necessary. The Board is to determine if the sign is appropriate for the area. They are only asking for 21 ft. more.

Chairman Rusczek clarified that the locations will be at the entrance and a sign on the back of the building facing Rt. 91. Mr. Carbone replied that the wall facing I-91 is considered the side, but yes. Also, a small monument sign is in front of the building with directions for parking and entrance.

Mr. Gross asked for the size of the sign on Northrop. Mr. Carbone replied that it will be a monument sign, about 6 ft.

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

Mr. Wolfer: Motion to approve #25-030 Special Exception Request for total sign area of 85.87 sq. ft. and two ground signs at 932 Northrop Road, as shown on plans submitted 8/15/2025 and a copy of the Landscape Plan, Site Plan of CT Proton Therapy Center-Outpatient Facility received 8/15/2025.

Mr. Rys: Second

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

The application is approved.

9. #25-031/Special Exception Request/Carey/25 Fair Street

Mr. Prentice read the staff notes into the record. The applicant seeks Special Exception Approval to operate a Child Daycare facility with expected enrollment of 20 at 25 Fair Street in a CLB District. The property was formerly a medical office with identified off-street parking. A Special Exception Approval serves as a Change of Use Zoning Approval. Fair Street is also a one-way road, naturally limiting the number of vehicles and any through-traffic, which will enhance safe drop-off and pick-up capability.

Carissa Carey, 375 Ward Street, explained that she has a behavioral health company and is looking to expand her business out of her house and into a physical location. This will be a pre-school serving children between the ages of 3 and 5 years, including children on the autism spectrum. Her specialty is social, emotional learning, and behavioral therapy in children with challenging behavior, and she uses an intensive therapy model.

Chairman Rusczek asked for the hours and the number of children. Ms. Carey replied that her hours would be 7 am to 6 pm, and she would have up to 20 children. Chairman Rusczek stated a concern with the safety of the children during drop-off and pick-up. Ms. Carey noted that arrival and departure times are staggered. She explained that she will have only four staff at any time, and there is off-street parking for the staff. There is street parking, and she is talking with her landlord and neighboring businesses about using some of their parking spaces. She is looking into renting some of the spaces in the back of this building. Chairman Rusczek asked if this would be for the staff. She replied yes. Chairman Rusczek expressed concern about the narrow street, and there is cut-through traffic.

Mr. Gross stated that he likes what Ms. Carey is doing but is concerned about safety. He asked how the students would enter the building. Ms. Carey replied from the front door. Mr. Gross noted the bushes between this building and the parking lot next door. He suggested that she get parking commitments and come back. Ms. Torre stated that coming back will not be necessary. The Board can set a condition, such as entering into a formal parking arrangement with abutting properties. She noted that they can't condition on a public road.

Ms. Carey confirmed that they have asked for two parking spots from the side property and have just started talking to the business in the rear. She stated that they can use the building's parking lot for drop off, as there is a backside door, and have staff park elsewhere. She can designate the parking along the side of the building for pick-up and drop-off. Chairman Rusczyk asked if there would be enough staff to monitor both doors. Ms. Carey replied Yes. She added that they will be fencing in the back door and a play area in the back. The side of the building has four spaces. There will be enough room to back out and exit straight out, even if there are four cars there at a time. They expect no more than two drop-offs at a time.

Chairman Rusczyk encouraged Ms. Casey to get four spaces in the McGuire lot for pick-up and drop-off and some spaces in the Gallagher lot for the staff.

Ms. Torre noted that the Board cannot make a condition on someone else's property. What they can do is have a condition to restrict on-site parking to drop-off and pick-up only. A second condition can be made to find alternate formal parking arrangements for staff to park elsewhere. The Board can only condition relative to this site. She does not have to come back with the formal agreement.

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

Mr. Wolfer: Motion to approve #25-031 Special Exception Request for a Child Care Facility with enrollment of 20 at 25 Fair Street as shown on submitted plans dated 8/15/2025, subject to the following condition:

- 1. On-site parking to be used for drop-off and pick-up only.**

Mr. Rys: Second

Vote: Gross— no to approve; Wolfer – yes to approve; Prentice – yes to approve; Rys - yes to approve; and Chairman Rusczyk – yes to approve.

The application is approved.

CONSIDERATION OF MINUTES

10. July 21, 2025, Regular Meeting

Mr. Wolfer: Motion to accept the July 21, 2025, Zoning Board of Appeals Minutes as submitted.

Mr. Rys: Second

Vote: Unanimous

ADJOURNMENT

Mr. Rys: Motion to adjourn the September 15, 2025, regular meeting of the Zoning Board of Appeals at 8:20 p.m.

Mr. Wolfer: Second
Vote: Unanimous

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary