

1. February 9, 2026 Zoning Board Of Appeals Agenda (PDF)

Documents:

[FEBRUARY 9, 2026 ZBA MEETING.PDF](#)

2. Minutes For Approval

December 8, 2025 Meeting Minutes (PDF)

Documents:

[12-8, 2025 MINUTES.PDF](#)

**CITY OF TORRINGTON  
ZONING BOARD OF APPEALS  
MEETING AGENDA  
February 9, 2026**

**1. Call to Order:**

7:00 p.m. in-person at City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT, or via Zoom on-line.

**Microsoft Teams meeting**

Join on your computer, mobile app or room device

[Click here to Join the Meeting](#)

Meeting ID: 280 980 237 524 58

Passcode: po3TQ6Ga

**2. Roll Call and Announcements:**

**3. Minutes for Approval:**

- a. 12/8/2025 meeting minutes

**4. Old Business:**

None

**5. New Business:**

- a. Appeal of ZEO Decision  
Applicant: Kathi Schapp  
Location: 246 Mountain Road

- b. May 11, 2026 Training  
Attorney Dory Reiser

**6. Adjournment:**

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Land Use Office  
City of Torrington



**CITY OF TORRINGTON  
ZONING BOARD OF APPEALS  
Regular Meeting Minutes  
December 8, 2025**

Present in-person: Marc Trivella (Chair), James Steck, Randall Stelma, and Ivy Altman (Alternate)  
Present via Teams: Frank Baba (Alternate)  
Staff: Nate Nardi-Cyrus – Assistant City Planner & Zoning Enforcement Officer  
Not Present: Ken Edwards and Stephen Thompson

1. Call to Order:

Marc Trivella called the meeting to order at 7:00 p.m. in person at City Hall Auditorium Room 218, 140 Main Street, Torrington, CT. The meeting was also conducted via Teams online.

2. Roll Call and Announcements:

Mr. Trivella stated present and serving this evening are Board Members Frank Baba (via Teams), Randall Stelma, James Steck and Ivy Altman (Alternate) seated. Also present is Nate Nardi-Cyrus, Assistant City Planner/ZEO.

3. Minutes for Approval

a. 10/14/2025

MOTION by Mr. Stelma to approve the 10/14/25 minutes, seconded by Mr. Baba, unanimously carried with Ms. Altman abstaining.

4. Old Business:

None.

5. New Business:

a. **Variance**

**Applicant:** Eric Ortiz  
**Location:** 27 Pearl Street  
**Proposal:** Variance to change front yard setback and lot width

MOTION by Mr. Steck to open the public hearing, with Chairman Trivella, himself, Randall Stelma, Ivy Altman and Frank Baba seated. Seconded by Mr. Stelma, carried unanimously.

Mr. Nardi-Cyrus read the legal notice into the record.

Erick Ortiz, the applicant, introduced himself.

Mr. Nardi-Cyrus gave the Board the background on the application which stemmed from a zoning violation. The home was built in 1930 and was at that time a legal 2-family, but in 2003 the use was changed from 2-family to single family for tax purposes, but the units were never removed. Upon inspection, they discovered there were now 4 units in the property, and this was how it was sold to Mr. Ortiz.

Mr. Ortiz said he purchased the house last year and the owner offered Mr. Ortiz an attorney, and his understanding was that it was her responsibility to check to make sure that the house was in compliance with the city. Mr. Ortiz has email documentation of these communications.

When he received notification from the city, he was surprised, particularly after meeting with Mr. Nardi-Cyrus who told him all the issues of the house. Mr. Ortiz is ignorant of all this and wants to comply. He met the previous owner, who admitted that he knew the issues and did not disclose them. Now Mr. Ortiz now has to use all his savings to fix the issue.

He is working closely with Mr. Nardi-Cyrus to guide him through this process.

Mr. Nardi-Cyrus said there was a meeting with the Building Department because they had some enforcement in progress regarding the illegal apartments in the basement.

Mr. Steck asked if the purpose of the application was to allow Mr. Ortiz to convert back to a two-family. Mr. Nardi-Cyrus confirmed and explained the mechanics of the process.

Mr. Steck asked if the setbacks were the same for single- and two-family home.

Discussion of the history of this property ensued

Mr. Ortiz told the Board that he bought the house as an investment, and lives in New York, not in the house. He discussed other issues he is having with the city caused by the previous owner's lack of communication.

Mr. Nardi-Cyrus read the Assistant City Planner Memo into the record.

Chairman Trivella opened the hearing to public comment.

Michael Magistralli introduced himself to the Board and to Mr. Ortiz as a neighbor at 400 Prospect Street. He said his wife is the owner of record and he is a first-floor tenant. Mr. Magistralli noted that 27 Pearl Street has been a problem for a long time, and he appreciates that the problems preexisted his ownership, but he wants to talk about how granting the variance may impact neighbors. He said there are 3, maybe 4 occupied units. The biggest issue is the square footage requirement, because there is no parking, and the tenants park in such a manner that it becomes an issue for his building. Whoever owned the house prior to Mr. Ortiz was selling cars out of the front yard. The tenant in the occupied illegal apartment who is

suspected of selling drugs from that location and became engaged in a confrontation with a neighbor down the street. A neighbor who tried to intervene in a domestic violence situation was attacked by this tenant with a knife. He would urge Mr. Ortiz to get rid of the basement tenant.

Mr. Trivella asked if this is the white house next to his. He said when they first purchased their property, the house was a single family and everything was working out well, but they lost it to foreclosure and problem began. The house further down was even worse. Mr. Magistralli did his own research and believes that Mr. Ortiz's attorney did not do right by him, which is a different issue.

Mr. Ortiz said that the tenant in the basement knows he must move.

Mr. Steck said that it appears there is an easement in favor of the neighboring property that gives perpetual right in common for driveway.

Mr. Nardi-Cyrus said the business at hand is a variance to relax the bulk regulations to allow him to get an administrative permit for a 2-family. He noted that 4 parking spaces would be required for the 2-family use, though it doesn't limit the number of cars that can park there.

Mr. Trivella believes the house was built before 1930 and was built as a single family.

Mr. Magistralli noted that he and his wife have no objection to this being a 2-family house. He has an issue with the illegally occupied basement apartment and told Mr. Ortiz to serve that tenant with a notice to quit as opposed to just waiting for him to leave.

Mr. Ortiz told the Board and Mr. Magistralli that he is doing the mitigation step by step in conjunction with the city.

MOTION by Mr. Steck to close the public hearing. Seconded by Mr. Stelma, carried unanimously.

MOTION by Mr. Steck to APPROVE the requested variance. Second by Mr. Stelma.

Roll call vote was as follows:

Mr. Steck—Aye  
Mr. Stelma—Aye  
Ms. Altman—Aye  
Mr. Trivella—Aye  
Mr. Baba—Aye

Motion to APPROVE passes.

b.     **Variance:**  
          **Applicant:**     Gary Lucia  
          **Location:**     85 Revere Street

MOTION by Mr. Steck to open the public hearing, with Chairman Trivella, himself, Randall Stelma, Ivy Altman and Frank Baba seated. Second, by Mr. Baba, carried unanimously.

Mr. Nardi-Cyrus read the legal notice into the record.

Mr. Lucia asked if his neighbor could speak first. The Board agreed.

Todd Coelho of 100 Revere Street, directly across from Mr. Lucia's property, explained that Mr. Lucia would like one larger detached structure instead of two smaller detached structures for his garage and that he and his family would prefer that arrangement aesthetically as it is in keeping with norms of the neighborhood.

Mr. Lucia said he is allowed to build two buildings that total 1200 square feet. He wants to build an 880 square foot building, which he can do with two buildings, but he'd prefer to do with one single garage. He feels this will have less impact on the property and look better because it will be less driveway, less square footage and less of a building.

Mr. Nardi-Cyrus displayed Mr. Lucia's survey with the proposed structure and explained the regulations for accessory structures. The size of the property limits the size and number of accessory structures.

Mr. Steck asked if the other sheds had to be removed for him to put up his garage. Mr. Lucia said the one on the left of the house is bigger and he planned on leaving it, but the other is a temporary metal shed he can take down if it is an issue.

Mr. Trivella asked if Mr. Lucia has no garage. Mr. Lucia replied that it does and it is under the house.

Mr. Nardi-Cyrus answered Mr. Steck's question by confirming that Mr. Lucia would have to remove smaller structures so only two in total remained.

Mr. Stelma asked for the square footage of the lot. Mr. Nardi-Cyrus answered that it is approximately 26,000 s.f..

Mr. Steck asked if conditions can be put on variances. Neither he nor Mr. Nardi-Cyrus knew the legal answer. Mr. Nardi-Cyrus pulled up the regulations at Mr. Stelma's request. They discussed the current regulations for accessory structures.

Ms. Altman asked if the 600 s.f. limit would still apply if it was an attached structure. Mr. Nardi-Cyrus answered that it would not, as it would count on an addition, and the regulations don't limit the size of the principal structure, except in the bulk regulations. They allow a maximum of 30 percent of the lot, which would be a 7,800 square foot footprint.

Mr. Lucia said that attaching the garage to the house has some problems. He would have to give up two windows on the house. Also the lot slopes up, so he would have to excavate 4 ft. Detached is a better option. Mr. Stelma asked if Mr. Lucia would have to build a 4ft retaining wall at the end of the garage. Mr. Lucia said yes.

Chairman Trivella asked where the retaining wall would go. Mr. Stelma answered that the retaining wall would be outside the structure to the right to hold the land in place.

Vern Leblanc who lives next door to Mr. Lucia and is a builder, said that attaching the garage is possible but a headache. Mr. Leblanc said it would look like a commercial site if there was a retaining wall to his property. Since it's a separate building lot, Mr. Lucia could put a 7-car garage with a house above it. He would give up a lot of natural light by attaching the garage to his house. He proposes you allow this for the aesthetic of the neighborhood and Mr. Lucia's hardship.

Mr. Stelma asked if the building was detached would it still require a retaining wall? Mr. Lucia answered no, it wouldn't.

Mr. Leblanc said there are large natural stones on the property and those would go up against his property making a natural retaining wall instead of a concrete retaining wall.

Mr. Lucia said he was confused about the other sheds on his property. Mr. Steck answered that the regulations limit him to 2 accessory structures, but he already has 2: a little shed and a big shed, so if he puts up another structure, one of the others must come down.

Mr. Nardi-Cyrus read the Assistant City Planner Memo into the record.

Mr. Nardi-Cyrus defined the nature of a zoning hardship for the Board.

Mr. Steck asked why Mr. Lucia needed an 880 s.f. structure instead of a 600 s.f. structure. Mr. Lucia stated that he doesn't like asymmetry and 880 would allow him to have two doors that are the same size in which he could store 4 cars.

Mr. Leblanc spoke again in favor of Mr. Lucia's variance request. Mr. Nardi-Cyrus explained to the Board that the lots had been combined, so he would have to subdivide again to put a single-family home on that lot. And the primary structure would have to be a dwelling unit with a garage.

Mr. Stelma asked Mr. Lucia to state what hardship requires he ask for the variance. Mr. Lucia stated that he doesn't think there is a hardship, just that his proposal is better than the regulations.

Mr. Leblanc interjected that Mr. Lucia gave an incorrect answer and that his hardship is the road and the grade, because he would have to put a large portion of his garage under the earth. The grade of the road causes too much excavation.

Ms. Altman asked if that is the hardship for an addition. Mr. Leblanc answered that his hardship is the grade. Mr. Stelma said that the hardship is the grade, making it difficult to put in an addition. Ms. Altman said, there is no hardship for two 600 s.f. structures. Mr. Leblanc said, yes, two structures could be placed wherever, but it wouldn't look good.

Mr. Nardi-Cyrus asked where Mr. Lucia's current garage is situated. Mr. Leblanc answered that it is under the left side of the building. Mr. Nardi-Cyrus asked if he had one bay. Mr. Lucia said he has two bays now and would like an additional 4 car garage.

More discussion of the grades ensued. Mr. Steck said that topography can be a hardship. Mr. Nardi-Cyrus said with the proper engineering, it could get permitted. Mr. Stelma said that if they needed a commercial grade retaining wall, he sees that as a hardship. Mr. Nardi-Cyrus said that the statutes clearly state that the hardship considered cannot be a financial hardship.

Mr. Steck said that he has seen regulations that allow percentage increases to use. Mr. Nardi-Cyrus said there is nothing in the regulations now, though there are certain types of discretionary permits requiring a Special Exception, but that doesn't exist for accessory structures. Mr. Nardi-Cyrus read the regulation to the Board again.

Mr. Steck said that from his perspective, it seems like a good idea in terms of reducing the total square footage of potential builds and having one accessory structure. It seems silly there isn't a way to do that in our regulations. Mr. Nardi-Cyrus said he agreed in that it would be easier to enforce, whereas you can't condition a variance, you can condition a special exception so that you can have this one structure greater than 600 s.f, but you have to extinguish your right to another or have it add up to another number. But this is all hypothetical.

Mr. Steck asked if there was a catch-all Special Exception. Mr. Nardi-Cyrus said there was nothing general about Special Exceptions in that way. The other possibility is to ask for a text amendment to the Zoning Regulations.

Mr. Lucia asked what a Special Exception is and Mr. Steck explained it, as well as why his application does not show a hardship. He advised Mr. Lucia to put together a special exception regulation that allows a person to combine their two 600 s.f. accessory structure into a size that suits him. He feels that this is a good regulation modification.

Mr. Lucia said that if he hears the Board correctly, they are saying this makes sense, and therefore they should just grant the variance.

Mr. Stelma said that this is the wrong body for this request because it isn't a permissible hardship, but Mr. Steck just laid a pathway through the Planning and Zoning Commission.

Mr. Nardi-Cyrus explained that Mr. Lucia would have to go to Planning and Zoning to change the zoning regulation for accessory structures.

Discussion of a regulation change process ensued.

MOTION by Mr. Steck to close the public hearing. Second, Mr. Stelma, carried unanimously.

A short discussion of lack of permissible hardship ensued.

MOTION by Mr. Steck to APPROVE the variances as requested by Mr. Lucia. Second, Mr. Stelma.

Roll call vote was as follows:

Mr. Steck—Nay  
Mr. Stelma—Nay  
Ms. Altman—Nay  
Mr. Trivella—Nay  
Mr. Baba—Nay

Motion to APPROVE fails.

c. Draft Meeting Schedule can be published

6. Adjournment:

MOTION by Mr. Steck to adjourn, seconded by Mr. Stelma, carried unanimously at 8:50 PM

*Nate Nardi-Cyrus*

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Zoning Enforcement Officer  
City of Torrington, Land Use Office