

**Town of East Haven  
PLANNING AND ZONING  
Public Hearings**

The East Haven Planning and Zoning Commission held certain public hearings Wednesday, February 4, 2009, at 7:00 p.m. at the East Haven Community Center, 91 Taylor Avenue, East Haven, CT in order to transact the following:

Chairman Cappelloni called the meeting to order at  
Roll Call – 5 Present (Cappelloni, Ruocco, Raymond, Murch, and Piccirillo)  
Alternate Michael Giamattei (sitting not voting)  
Staff Present: David Anderson, Zoning Official, James Staunton, PE, Town Engineer, and James Cirillo, Esq., Town Attorney

Chairman Cappelloni changed the order of the public hearings due to the amount of public present for the second hearing.

**Public Hearing #2**

The petition of Timothy Lee, Esquire on behalf of 216 Laurel Street LLC for a zone change involving 219 Bradley Street, 267 Bradley Street, and a portion of 216 Laurel Street to change the existing R1 & R2 Zoning to a proposed RA-1 Zone for future expansion of the age restricted residential development known as Tivoli Gardens.

Attorney Timothy Lee, 388 Orange Street, New Haven stated that Tivoli Gardens is currently an 84 unit age-restricted rental property. We are seeking a zone change at 216 Laurel Street and 219 Bradley Street, which were acquired through a foreclosure sale. We seek this change for several reasons, it is consistent with the surrounding and abutting properties and it is consistent with the town's Plan of Development and Conservation. This is a benefit for the town without the zone change the property owner can develop with single family homes which are a burden to the school system. With the zone change, the assessment will triple. Last year the owner was approved for an additional 29 units with the additional property the owner would like to increase those units to 113. We are aware that there are concerns with the increase in traffic. The designs are not formal for

submission and are subject to modification. This zone change makes good sense, it will increase the tax base.

Dennis Amendola, 232 McLay Avenue here to speak on behalf of his father as well as himself. Some years ago the property owners on Laurel Street had to give up part of their front yards through eminent domain in order to widen the road because of the additional traffic. His father lives at 81 Laurel Street and at times it takes 20 minutes to exit his driveway and now you want to put an additional 300 cars on this road, it is a residential neighborhood and should remain that way. The properties on the odd side of the street have parcels that are approximately 400 ft. deep and were denied development of rear lots through variances due to traffic concerns and the density. The Tivoli Gardens are well maintained and should remain at the number of units they have now. I believe the understanding at the time of purchase was he could not increase the amount of units. He and his father are opposed to this zone change.

Debbie Healy, 250 Laurel Street stated that she is speaking on behalf of many concerned neighbors who strongly oppose this zone change. It is not concurrent with the old neighborhood, most of the residents have lived there most of their lives. They should not be allowed to continue to build; it will only increase an already existing traffic problem. The town's Plan of Development and Conservation states: Preserve the integrity of the current residential neighborhoods. Preserve older neighborhoods with compliant land use. Preserve natural resources, this should be of the highest priority, and to keep more harmonious with the current development...

Barbara Tucker, 258 Laurel Street also opposes the zone change. She and Debbie Healy presented a petition of names which are opposed to this zone change. No copy was submitted but Mrs. Healy will provide a copy to the Zoning Official.

Sal Esposito, 264 Laurel Street opposed due to the traffic increase.

Michael Oliverio, 188 Laurel Street opposed. No privacy, litter everywhere, and sewer connection will be a problem.

Kevin Lawlor, 47 Laurel Street opposed, fix the current traffic problem before causing more traffic, it is very dangerous for children and preserve the natural resource.

Kevin Volpe stated that he understands the benefits of elderly housing but single family homes are not such a bad idea in this very distress economic time where people's homes are their key asset. This development, certainly will devalue those homes in the area. The homes of our parents, who can't earn more money to purchase a house elsewhere and will take a negative hit if they choose to sell. We should leave it the way it is now.

Kim O'Malley Lendroth, 200 Laurel Street is opposed to the zone change. She is fourth generation who has lives in this area, they love their home along with the wooded area. The Tivoli is beautiful but no further building should take place. Every night we watch and enjoy the wildlife and the kids play in the wooded area.

Marty Lendroth, 200 Laurel Street is opposed because the proposal is way too big for the area. This road is 1.9 miles of traffic problems which bottle neck at the North High Street Bridge. The previous development sat idle for 20 years, there are no guarantees that it will remain 55 and older.

Meagan O'Malley Lendroth, 200 Laurel Street is opposed. She is concerned that construction will destroy animal habitat. We want to save our neighborhood!

Attorney Timothy Lee responded first to the traffic concerns; their initial traffic study indicated no significant increase, an increase of approximately 10 cars. The project will remain 55 and older and the owner is willing to place that restriction on the deed. This project benefits families as well as the elderly. As elderly empty nesters move into these units young families will move into those homes. We realize it is not a popular project but it is a good project for those that want to stay in town. It will cost Mr. Vigliotti a significant amount of money to replace the water line which will benefit the town's infrastructure he runs a first class operation.

Chairman Cappelloni recommends that the public hearing remain open and the commission will continue to accept written communication.

## **Public Hearing #1**

The petition of Jim Schapperow for a Special Exception to establish a rooming/boarding house in his home located at 147 Highland Avenue, East Haven, CT

Jim Schapperow, 9 Pine Orchard Road stated that he intends to move into the first floor of 147 Highland Avenue. He has invested \$27,000 to rehabilitate and refinished the basement. He is discriminating as to who he rents to, there is really no disruption to the neighborhood, and there will be only a total of 4 cars, which there is room for. He is here in order to adhere to the zoning regulations.

Commissioner Murch asked what the total amount of tenants would be?

Mr. Schapperow indicated three.

David Anderson, Zoning Official stated that Mr. Schapperow did not fully disclose that he has had problems with two of tenants and the police were called. Aside from that Mr. Schapperow's application meets the minimum criteria of a boarding house.

Donna Deleon, 85 Highland Avenue and her neighbor addressed the commission with regard to the request for "Special Exception," both are opposed to this request. This house has been a problem in the past and now that the neighborhood is rid of those neighbors. The owner is looking to make a boarding house which we are opposed to and why wasn't the entire street notified.

Mr. Anderson stated that Mr. Schapperow met the legal requirement for notification which is to notify the abutting property owners.

Chairman Cappelloni closed the public hearing at 8:06 p.m.

Respectfully submitted,

Roberta A. DeLuca  
Commission Clerk