

**TOWN OF EAST HAVEN, CT
MINUTES OF A REGULAR MEETING
ZONING BOARD OF APPEALS
APRIL 16, 2009 7:30 P.M. E.H. SENIOR CENTER**

MEMBERS PRESENT: CHARLES LEMONS - CHAIRMAN
JOSEPH PORTO – VICE CHAIRMAN
ANTHONY REDENTE
LAWRENCE LAMOTHE
RONALD DESENA - ABSENT

ALTERNATES PRESENT: FRED D’ALBERO
DONALD W THOMAS
ROBERT SCHUMITZ-ABSENT

MEMBERS PRESENT: DAVE ANDERSON -ZEO
JAMES CIRILLO-ATTORNEY - ABSENT
ROSALIE DEPALMA-CLERK

The meeting was called to order at 7:30 P.M. by Chairman Charles Lemons. Chairman Lemons explained the procedure of the Board to the audience. Donald Thomas made a motion to accept the minutes of the previous meeting, seconded by Vice Chairman Porto. Motion carried unanimously.

Chairman Lemons seated alternates Donald Thomas and Fred D’Albero in order to have a quorum.

09-04 APPLICANT & PROPERTY OWNER: JOHN HALL; PROPERTY AFFECTED: 99 WILLIAM STREET; ZONE: R-1 AN AS BUILT SURVEY FOR A NEWLY CONSTRUCTED SINGLE-FAMILY HOME SHOWED THAT A DECK ENCROACHES INTO THE SIDE YARD SETBACK. VARIANCE REQUIRED: SCHEDULE "B", LINE 9: - SIDE PROPERTY LINE SETBACK FROM 10 FT. TO 8 FT.

The applicant did not show for this application and ZEO Anderson gave a synopsis of this application. Mr. Anderson informed the Board when he had received this application the deck was inadvertently omitted from the zoning application but was shown on the building plans. The Zoning Department did not sign off but allowed the CO to go through as long as applicant would apply for a variance from the ZBA Board. ZEO Anderson read into record a letter from Patrick and Brenda Abbate, 107 William Street (See Exhibit A). The Board was in agreement the letter was not relative to the variance but asked Mr. Anderson to address the issue stated in the letter. No further comments were made.

09-05 APPLICANT & PROPERTY OWNER: MICHAEL & DANIEL KATZ
PROPERTY AFFECTED: 532 AND 540 MAIN STREET; ZONE: CD;
TO ALLOW VEHICULAR PARKING AND OUTSIDE STORAGE OF MATERIALS, SUCH AS SNOW MELT AND MULCH, IN THE REAR YARD OF GOODY'S HARDWARE WITHIN A DISTANCE OF THREE (3) FEET FROM THE PROPERTY LINE. VARIANCES REQUIRED: SECTIONS 25.7.2 AND 25.8.4

Attorney Tony Avallone of New Haven addressed the Board on behalf of the applicants. He was seeking a variance to allow vehicular parking and outside storage of materials such as snow melt and mulch in the rear yard of Goody's Hardware not more than 6ft. 8 inches; all to be allowed with a setback of three feet from the property line. Attorney Avallone noted these items mulch and snow melt would be wrapped when stored. In his presentation, Attorney Avallone stated Mr. Katz had met with Mr. Russo and they agreed to remove the storage containers and replace them and noted Mr. Russo Sr. and his son had no objection and supported this application. The required certified receipts were submitted. No further comments were made.

09-06 APPLICANT: CHARLES GRAY; PROPERTY OWNER: LLOYD JAMES; PROPERTY AFFECTED: 212 COSEY BEACH AVENUE; ZONE: R-1; TO ALLOW A SHED TO BE LOCATED IN THE FRONT YARD OF THE PROPERTY. VARIANCES REQUIRED: SECTION 25.4.10 –ACCESSORY BUILDING IN RESIDENCE DISTRICTS; STREET LINE SETBACK FROM 50 FT. TO 9 ½ FT, SIDE PROPERTY LINE SETBACK FROM 4 FT. TO 1 FT.

Anita Delcorte and Charles Gray of 212 Cosey Beach Avenue addressed the Board on their behalf. They were seeking a variance to allow a 5 x 8 ft shed to be located in the front yard of their property. It was determined the shed was partially constructed but no building permit was obtained and a cease and desist order was placed which the applicants had complied with. ZEO Anderson read into record a letter from William B. Cowles 216 Cosey Beach Avenue (See Exhibit B) requesting shed be moved to the other side of the yard. Hardship: No back yard, shed was needed to protect belongings. Property stolen multiple times in past. The required certified receipts were submitted. No further comments were made.

09-07 APPLICANT & PROPERTY OWNER: CYNTHIA RANCIATO HENNINGER; PROPERTY AFFECTED: 79 CHARNES DRIVE; ZONE: R-4; CONSTRUCTION OF A 2-CAR GARAGE WITHIN THE REQUIRED SIDE PROPERTY LINE SETBACK. VARIANCE REQUIRED: SCHEDULE “B”, LINE 9 – SIDE PROPERTY LINE SETBACK FROM 25 FT. TO 19 FT.

Cynthia Henninger addressed the Board on her behalf. She was seeking a variance to construct a two car garage with a master bedroom, bathroom, and closet above for her growing family. Ms. Henninger noted there would be access from her home to the addition. The required certified receipts were submitted. Hardship: Only portion where addition can be built. Rear yard drops down has walk out basement, other side of property is all rock.

AT THIS TIME 8:00 P.M. CHAIRMAN LEMONS CALLED A TEN MINUTE RECESS.

MEETING RECONVENED
SEE VOTING

VOTING:

09-04.1 GRANTED WITH CONDITION - \$250 FINE IMPOSED

Lemons – yes with condition

Porto – yes with condition

Redente – yes with condition

Thomas – yes with condition

D'Albero – yes with condition

09-05 GRANTED

Lemons – yes

Porto – yes

Redente – yes

Thomas – yes

D'Albero – yes

09-07 GRANTED

Lemons – yes

Porto – yes

Redente – yes

Thomas – yes

D'Albero - yes

09-05 GRANTED

Lemons – yes

Porto – yes

Redente – yes

Thomas – yes

D'Albero – yes

Vice Chairman Porto made a motion to adjourn; seconded by Donald Thomas.

Motion carried unanimously.

Chairman Lemons adjourned the meeting at 8:15 P.M.

Respectfully submitted,

Rosalie DePalma

Clerk