

**TOWN OF EAST HAVEN, CT
MINUTES OF A REGULAR MEETING
ZONING BOARD OF APPEALS
MAY 21, 2009 7:30 P.M. E.H. SENIOR CENTER**

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

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

MEMBERS PRESENT: DAVE ANDERSON -ZEO
JAMES CIRILLO-ATTORNEY
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. Vice Chairman Porto made a motion to accept the minutes of the previous meeting, seconded by Anthony Redente. Motion carried unanimously.

09-09 APPLICANT & PROPERTY OWNER: MADELYN & VINCENT CAMERA; PROPERTY AFFECTED 43 FORBES PLACE ZONE R-1; PROPOSAL TO DEMOLISH AN EXISTING BARN AND CONSTRUCT A 20 FOOT X 24 FOOT DETACHED GARAGE. VARIANCES REQUIRED: SECTION 25.3.1- HEIGHT, DETACHED RESIDENTIAL (PRIVATE) GARAGE; FROM 15 FEET TO 19 FEET AND SECTION 25.4.10 (a) ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS; TO ALLOW AN ACCESSORY STRUCTURE EXCEEDING 15 FEET IN HEIGHT TO EXTEND WITHIN FOUR FEET OF A PROPERTY LINE.

Vincent Camera addressed the Board on their behalf. He was seeking a variance to demolish an existing barn and construct a 20 x 24 ft. garage. They were seeking a 4 ft. height variance increasing maximum garage height from 15 ft. to 19 ft. Hardship: Existing barn on property is over 23 ft. tall, the new garage would only be 19ft., also having a storage area above the garage is reason for building garage. The required certified receipts were submitted to the Board. No further comments were made.

09-10 APPLICANT & PROPERTY OWNER: CLEMENTE BUILDERS, PROPERTY AFFECTED: 179 BORELLI ROAD; ZONE: R-3; PROPOSAL TO SUBDIVIDE PARCEL INTO TWO LOTS FOR CONSTRUCTION OF TWO SINGLE-FAMILY DWELLINGS. VARIANCES REQUIRED: SCHEDULE "B", GENERAL BULK STANDARDS; LINE #3, MINIMUM DIMENSION OF SQUARE ON THE LOT, L FROM 100 FEET TO 84.3 FEET; LINE#4, MINIMUM LOT FRONTAGE, FROM 100 FEET TO 84.73 FEET (PARCEL "A") AND 90.27 FEET (PARCEL "B"); LINE #9, MINIMUM SETBACK FROM SIDE PROPERTY LINES, FROM 20 FEET TO 15 FEET.

Attorney Michael Albis addressed the Board on behalf of the applicant. He was seeking a variance to subdivide a parcel into two lots (each 40,000 sq. ft) for the construction of two single family dwellings which would be consistent to the area. Attorney Albis noted the existing structure on the lot would be demolished. Variances seeked: minimum dimension of square on the lot., from 100 ft. to 84.3 ft, minimum lot frontage variance from 100 ft. to 84.73 ft., minimum setback from side property lines from 20 ft. to 15 ft.. Hardship: The requirements of an R-3 Zone would require a larger lot size and the shape of the lot. The required certified receipts were submitted. No further comments were made.

09-11 APPLICANT: DANIEL CUSACK, SR.; PROPERTY OWNER: MARILYN VECCHIO-HAGGERTY; PROPERTY AFFECTED: 15 ELLIS ROAD; ZONE: R-3; TO CONSTRUCT A SINGLE-FAMILY HOME. VARIANCES REQUIRED: SECTION 25.4.3, ADDITIONAL SETBACKS; REQUESTING WAIVER FROM THE ADDITIONAL SET BACK REQUIREMENT FOR BULDINGS EXCEEDING 30 FEET IN HEIGHT (PROPOSED BUILDING HEIGHT IS 37.5 FEET IN HEIGHT); SCHEDULE "B", GENERAL BULK STANDARDS, LINE #9 MINIMUM SETBACK FROM SIDE PROPERTY LINES, FROM 20 FEET TO 5 FEET; LINE #11, MAXIMUM LOT COVERAGE AS A PERCENTAGE OF LOT AREA, FROM 20% TO 37%, LINE #12, MAXIMUM FLOOR AREA AS A PERCENTAGE OF LOT AREA, FROM 40% TO 52%.

Daniel Cusack, 5 Tipping Drive, Branford, Ct. addressed the Board on behalf of the applicant. He was seeking a variance to construct a single family home. Variances needed: relief from R3 maximum height of 30 ft. proposed ridge height 37.5 ft., relief from maximum lot coverage of 20%, proposed lot coverage 37%, relief from maximum floor coverage of 40%, proposed floor coverage 52%, relief from minimum setback from side property lines of 20ft, proposed side setbacks 5 ft. from south side property line and 5 ft. from north side property line. Hardship: property size and location. The property is in the Coastal High Hazard Area and is required to meet the Flood Damage and Control Ordinance which produces additional hardships to meet maximum height for R3 of 30ft. The property requires first floor living space to be 12 ft. above high tide. The required certified receipts were submitted. Sara Erba, 7 Ellis Road spoke neutrally on this application. No further comments were made.

09-12 APPLICANTS: JEFF & DOMENICA MAY; PROPERTY OWNER: ESTATE OF CARLO PARISI; PROPERTY AFFECTED: 14 KIMBERLY AVENUE; ZONE:R-1; CONVERT CARPORT INTO A MEW (BIRD ENCLOSURE) TO HOUSE A RED TAILED HAWK FOR FALCONRY. VARIANCE REQUIRED: SCHEDULE "A", LINE #1(a), USE VARIANCE TO ALLOW THE KEEPING OF A RED TAILED HAWK AND A REDUCTION OF THE REQUIRED SIDE PROPERTY LINE SETBACK FOR THE ENCLOSURE FROM 20 FEET TO 5 FEET.

Jeff and Domencia May addressed the Board on their behalf. They were seeking a variance to convert a carport into a mew (bird enclosure) half of the carport will be totally enclosed with bar windows, the second half would be all barred and open to the elements. They were requesting a side setback reduction from 20 ft. to 5 ft. Hardship: Style and size of mew would not conform to 20 ft. of property line with size of lot. Ronald DeSena questioned noise factor, applicant replied with training noise level is minimal. The required certified receipts were submitted. No further comments were made.

09-13 APPLICANTS & PROPERTY OWNERS: LUKE & DEBRA THOMPSON; PROPERTY AFFECTED: 119 SILVERS SANDS ROAD; ZONE: R-2; INSTALLATION OF 14 FOOT BY 28 FOOT IN GROUND SWIMMING POOL. VARIANCES REQUIRED: SECTION 25.4.13 (F), SWIMMING POOLS, REDUCE THE REAR PROPERTY LINE SETBACK FROM 15 FEET TO 10 FEET AND THE SIDE PROPERTY LINE SETBACK FROM 15 FEET TO 4 FEET.

VOTING CONTINUED:

09-12 GRANTED

Lemons – yes
LaMothe – yes
DeSena – yes
Redente – yes
Porto – yes

09-13 GRANTED

Lemons – yes
LaMothe – yes
DeSena – yes
Redente – yes
Porto – yes

Vice Chairman Joseph Porto made a motion to adjourn, seconded by Anthony Redente. Motion carried unanimously.

Chairman Lemons adjourned the meeting at 8:20 P.M.

Respectfully submitted,

Rosalie DePalma
Clerk