

**TOWN OF EAST HAVEN, CT
MINUTES OF A REGULAR MEETING
ZONING BOARD OF APPEALS
OCTOBER 15, 2009 7:30 P.M. EAST HAVEN SENIOR CENTER**

MEMBERS PRESENT: CHARLES LEMONS – CHAIRMAN -ABSENT
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 Vice Chairman Porto explained the procedure of the Board to the audience. Anthony Redente made a motion to accept the minutes of the previous meeting, seconded by Larry LaMothe. Motion carried unanimously.

Vice Chairman Porto seated alternates Fred D’Albero and Donald Thomas to the Board in order to have a quorum. Ronald DeSena abstained from the Board as he was applying for a variance.

09-29 APPLICANT & PROPERTY OWNER: JOHN REYES; PROPERTY AFFECTED: 98 HEMINGWAY AVENUE; ZONE: CA-2; PROPOSAL TO CONVERT SECOND STORY OFFICE SPACE INTO A TWO BEDROOM APARTMENT. VARIANCES REQUIRED: SCHEDULE "A" PERMITTED USES; USE VARIANCE TO ALLOW MIXED USE BUILDING. TABLED FROM PREVIOUS MEETING.

ZEO Anderson stated to the Board the applicant was out of Town. Attorney Robert Smith 98 Hemingway Ave. spoke on behalf of the applicant. Attorney Smith explained the existing structure is a two story structure and is currently zoned for business and they were seeking a use variance to convert the second floor to a two bedroom apartment thus allowing a mixed use building with the first floor office space and the second floor an apartment. Hardship: Zoning regulations do not currently provide for mixed use buildings. The required certified receipts were submitted to the Board. No further comments were made.

09-32 APPLICANT & PROPERTY OWNER: RONALD DESENA; PROPERTY AFFECTED: 13-15 KIRKHAM AVENUE, ZONE: R-1; TO CREATE A THREE FAMILY HOME BY ADDING AN APARTMENT ON THE THIRD FLOOR OF AN EXISTING TWO-FAMILY HOME. VARIANCES REQUIRED: SCHEDULE "B" LINE #2, MINIMUM LOT AREA PER DWELLING UNIT, FROM 7,200 SQUARE FEET TO 2,178 SQUARE FEET.

Mr. Ronald DeSena addressed the Board on his behalf. He was seeking a variance to create living space in an existing 3rd floor two bedroom attic. The existing dwelling is currently a two family. Anthony Redente questioned if the roof had to be raised, applicant replied it did not. The required certified receipts were submitted to the Board. Hardship: Undersized lot. Donald Thomas questioned parking spaces. Applicant replied there would be sufficient parking as he would expand driveway. No further comments were made.

09-33 APPLICANT & PROPERTY OWNER: JOHN DILUSTRO; PROPERTY AFFECTED: 2 GUILFORD COURT; ZONE: CB-1; TO CONSTRUCT A HANDICAP RAMP TO PROVIDE ACCESS TO THE FIRST FLOOR RETAIL SPACE. VARIANCES REQUIRED: SCHEDULE "B" LINE #7, MINIMUM SETBACK FROM STREET LINE, FROM 16 FEET TO 10 FEET.

John DiLustro 22 Briarwood Ln., Branford, CT. addressed the Board on his behalf. He was seeking a variance to build a handicap ramp to allow access to his retail store on the first floor and steps for non-handicap customers. Hardship: Dwelling will not be handicap accessible without this variance. The required certified receipts were submitted to the Board. ZEO Anderson noted this application had previously come before the Board. No further comments were made.

09-34 APPLICANT & PROPERTY OWNER: VINCENT ARPINO; PROPERTY AFFECTED: 33 HARTMAN AVENUE; ZONE: R-1; REMOVE DETERIORATING GARAGE AND BREEZEWAY AND REPLACE WITH NEW TWO CAR GARAGE AND ROOM ABOVE. VARIANCES REQUIRED: SCHEDULE "B" LINE #9, MINIMUM SETBACK FROM SIDE PROPERTY LINES, FROM 10 FEET TO 4 FEET.

Vincent Arpino addressed the Board on his behalf. He was seeking a variance to remove existing garage and breezeway and replace them with a new breezeway and two car garage with a room above. The room above would be a bedroom. The required certified receipts were submitted to the Board. Hardship: Building is deteriorating and needs extra space for vehicles and the room above will provide him to care for his elderly parents. Larry LaMothe questioned access to room above garage, applicant replied it would be through the breezeway. Donald Thomas questioned if there would be plumbing in the room proposed, applicant replied there was no plumbing. John Astorino 42 Hartman Ave. spoke in favor of this application. No further comments were made.

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09-35 APPLICANT & PROPERTY OWNER; BETH PURCELL; PROPERTY AFFECTED: 23 JEFFRY ROAD; ZONE: R-4; CONSTRUCT A 16FT. ADDITION TO THE REAR OF THE HOUSE. VARIANCES REQUIRED: SCHEDULE "B" LINE #9, MINIMUM SETBACK FROM SIDE PROPERTY LINES, FROM 25 FEET TO 16 FEET.

Beth Purcell addressed the Board on her behalf. She was seeking a variance to construct a 16 x 16 ft. addition to the rear of the existing dwelling. The room would consist of a sun room and living room. Hardship: No access from house to addition and removal of Bilco door if addition were moved to satisfy 25 ft. side setback. The required certified receipts were submitted to the Board. No further comments were made.

AT THIS TIME 7:50 P.M. VICE CHAIRMAN PORTO CALLED A TEN MINUTE RECESS.

MEETING RECONVENED

SEE VOTING:

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VOTING:

09-29

GRANTED

Porto – yes
LaMothe – yes
D’Albero – yes
Thomas – yes
Redente – yes

09-32

DENIED – LOT UNDERSIZED

Porto – no
LaMothe – no
Thomas – no
D’Albero – abstained
Redente – no

09-33

GRANTED

Porto – yes
LaMothe – yes
Thomas – yes
D’Albero – yes
Redente – yes

09-34

GRANTED

Porto – yes
LaMothe – yes
Thomas - yes
D’Albero – yes
Redente – yes

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09-35

GRANTED

Porto – yes

Thomas – yes

D'Albero – yes

Redente – yes

LaMothe – yes

Anthony Redente made a motion to adjourn, seconded by Larry LaMothe. Motion carried unanimously.

Vice Chairman Porto adjourned the meeting at 8:10 P.M.

Respectively submitted,

Rosalie DePalma

Clerk

