

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

MEMBERS PRESENT: BEN MAZZUCCO-CHAIRMAN-ABSENT
DAVID DORSA-VICE CHAIRMAN
CHARLES LEMONS-ABSENT
JOSEPH PORTO

ALTERNATES PRESENT: FRED D'ALBERO
LAWRENCE LAMOTHE
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 Dorsa. Vice Chairman Dorsa seated alternates Fred D'Albero and Larry LaMothe to the Board in order to have a quorum. Vice Chairman Dorsa explained the procedure of the Board to the audience. A motion was made by Fred D'albero to accept the minutes of the previous meeting; seconded by Joseph Porto. Motion carried unanimously. Attorney Cirillo explained to the applicants because there were only four members present a unanimous vote had to be rendered and the applicants had the opportunity to withdraw until the next scheduled meeting.

08-38 550 MAIN ST.; APPLICANT: MICHAEL & DANIEL KATZ;
TABLED FROM OCTOBER MEETING.

Attorney Avallone addressed the Board on behalf of the applicants Michael & Daniel Katz. For the record, Attorney Avallone stated that all parties involved in negotiations acted in a gentlemanly manner. Both parties were in agreement the trailers in subject located on record at 540 Main Street would be re-located to 550 Main Street, ZEO Anderson would revoke the notice of violation imposed, requirements for proposed fence had been satisfied, landscaping would be approved by ZEO Anderson, and Attorney Avallone would be filing a series of zoning releases to reduce the setbacks for outdoor storage and parking. Attorney Cirillo noted all conditions were acceptable to the Town from a legal perspective. No further comments were made.

09-01 APPLICANT: EUGENE KIMBALL & KAREN MUTH;
PROPERTY OWNERS: EUGENE KIMBALL & KAREN
MUTH; PROPERTY AFFECTED: 74 WARNER ROAD;
ZONE: R-5; CONSTRUCT A DETACHED GARAGE WITH
STORAGE ABOVE AT A PROPOSED HIGHT OF 20
FEET WHEN 15 FEET IS REQUIRED: VARIANCES
REQUIRED: SECTION 25.3.1.

Mr. Eugene Kimball and Karen Muth addressed the Board on their behalf. They were seeking a variance to construct a 24 x 24 ft. garage with above storage and a height of 20 ft. The required certified receipts were submitted. Hardship: No garage at present, others in area have tall structures and their dwelling is small with very little storage. Vice Chairman Dorsa questioned applicant that there was no intent for living quarters above garage, applicant replied the space would be used only for storage. No further comments were made.

09-02 APPLICANT: JOHN & DONNA DILUSTRO; PROPERTY
OWNERS: JOHN & DONNA DILUSRO; PROPERTY

AFFECTED: 2 GUILFORD COURT; ZONE: CB-1; RENOVATION OF AN EXISTING SINGLE FAMILY HOME TO A MIXED USE BUILDING WITH A JEWELRY STORE ON THE FIRST FLOOR AND AN APARTMENT ON THE SECOND FLOOR. VARIANCES REQUIRED: SECTION 24. SCHEDULE "A"

Mr. & Mrs. John DiLustro of 22 Briarwood Lane, Branford, CT. addressed the Board on their behalf. They were seeking a variance for renovation of an existing single family home to a mixed use building with a jewelry store on the first floor 600 sq. ft and a two bedroom apartment on the second floor. The required certified receipts were submitted. There would be no change to the footprint of the house. Mr. D'Albero questioned parking, ZEO Anderson replied requirements were met for tenants and patrons. Hardship: The existing house on lot "pre-existing" zoning 1948. Property will be utilized as retail without variance already zoned CB1. Mr. Bob Cubellotti 55 Bishop Street and Mr. Alan Quiello 262 Clintonville Lane, North Haven spoke on behalf of his parents at 6 Guilford CT. spoke in favor of this application. No further comments were made.

OTHER BUSINESS: Attorney Cirillo noted that Mr. Mazzucco requested that a discussion regarding Chairman Mazzucco's letter to Attorney General Blumenthal be put on agenda, however, Chairman Mazzucco was not in attendance.

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

MEETING RECONVENED

SEE VOTING:

VOTING:

08-38 WITHDRAWN

09-01 GRANTED

Dorsa – yes
Porto – yes
LaMothe –yes
D’Albero – yes

09-02 GRANTED

Porto – yes
LaMothe – yes
D’Albero – yes
Dorsa – yes

Joseph Porto made a motion to adjourn; seconded by Larry LaMothe.
Motion carried unanimously.

Vice Chairman Dorsa adjourned the meeting 8:10 P.M.

Respectfully submitted,

Rosalie DePalma
Clerk