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Town of East Haven  
**Zoning Board of Appeals**  
Regular Meeting Minutes – May 19, 2022

**I. Roll Call and Pledge of Allegiance**

In attendance: Judy Mison, chair, John Wobensmith, vice-chair, David Gersz, Cindy Sparago, Kevin Coyle.

Also in attendance: Joseph Budrow, Planning and Zoning Administrator/ZEO, Assistant Town Attorney Jennifer Coppola

Meeting began at 7:12pm. The Pledge of Allegiance was recited.

Ms. Mison stated how the meeting will be run. Mr. Budrow stated that the applicant for Application 22-06 has submitted a need for extension time to the June meeting. He also shared that the April minutes were mailed out last-minute and could be voted on in June.

**II. Review and Action on Prior Meeting Minutes**

**MOTION:** Mr. Wobensmith made a motion to move the approval of April minutes to June. Ms. Sparago seconded the motion. **All were in favor. Motion carried, 5-0.**

Ms. Sparago noted that the March minutes on the Town website were not the minutes amended minutes. Mr. Budrow stated he would look into it.

**III. Public Hearings and Deliberations**

**Application 22-02 - on behalf of Majed Albakkour, 36 Pirot Circle**

Mr. Albakkour was accompanied by his son, Mohammed.

Ms. Mison asked if there was a drawing of the proposal. The answer was 'no.' Mr. Budrow shared that there was a request for drawings but there were none submitted. The Board asked questions about the size and width of the porch. Mohammed Albakour explained the porch would match the house and improve safety. Mr. Gersz was concerned about voting on the proposal without a sketch of the proposed porch.

Ms. Sparago asked if the Town has an interpreter to help with applicants when there are questions about setbacks. There were questions about if there will be a roof over the porch. The Board reminded the applicant they will need a drawing of the porch. A question was asked about who will build the porch. The answer was “a friend.”

**MOTION:** Mr. Gersz made a motion to continue the application to June so that a sketch of the porch can be submitted. Ms. Sparago seconded the motion. **All were in favor. Motion carried, 5-0.**

Mr. Wobensmith stated that the 198 Beach Avenue application was continued to the June meeting.

**Application No. 22-07 – on behalf of Edward Wysocki, 124 Vista Drive**

Mr. Wysocki presented. He explained that the deck roof was built about three years ago. Ms. Mison clarified that the roof was built already. The accessory structure was more recent. Mr. Budrow stated to the Board that the deck was received a Variance and was approved in 2002. A roof would have required a Variance if it was proposed prior to construction. Mr. Wysocki explained the accessory structure is needed to protect a vehicle called a “slingshot.” He replaced the use of a tarp. He said his neighbor was asked if they were okay with it and he submitted a letter of support from Mr. Christopher Pizzorusso. Mr. Budrow read the letter.

Mr. Budrow stated that there are two setback regulations. One of them is for accessory buildings that are 15 feet or less in height and under 500 square feet. The structure at 124 Vista Drive would get a 4-foot setback although the agenda states 10 feet is required. There was a question about a Zoning Regulation, Section 25.4.10.1, that allows some accessory structures to a point 4 feet from any property line. Ms. Sparago said that Regulation states that structures must be 50 feet from a street line.

Discussion turned to the space between the accessory structure and the house. A stoop was in the way. Ms. Sparago asked if the roof and the accessory structure can be separated for voting. Ms. Mison reclarified that the roof is built. Ms. Sparago asked what the roof is like. Mr. Wysocki showed a photo from his phone. Mr. Budrow reminded him that he will have to submit the photo to him via email.

There was no comment from the public.

Attorney Coppola stated the photos will have to be submitted for the record.

**MOTION:** Mr. Wobensmith made a motion to close the public hearing. Mr. Coyle seconded the motion. **All were in favor. Motion carried, 5-0.**

3b. Discussion and possible decision on **Application No. 22-07** – on behalf of Edward Wysocki, 124 Vista Drive.

Mr. Wobensmith had no issue with the roof over the deck. He had an issue with the accessory structure being too close to the street. Mr. Gersz felt the storage shed was an issue for the building official and if he (the building official) didn't have a problem with it neither did he (Mr. Gersz). Ms. Sparago echoed Mr. Wobensmith's feeling about the roof. She stated there was plenty of room in the back yard area. Mr. Wobensmith mentioned there is a lot of room in the rear yard. Mr. Coyle stated that the further back he goes with the accessory structure could have to be raised due to the Farm River.

**MOTION:** Mr. Wobensmith made a motion to split the proposal into two parts. Ms. Mison seconded the motion. **All were in favor. Motion carried, 5-0.**

**MOTION:** Mr. Wobensmith made a motion to approve the location of the roof structure over the deck with a condition that the building official approves the construction. Ms. Sparago seconded the motion. **All were in favor. Motion carried, 5-0.**

**MOTION:** Mr. Wobensmith made a motion regarding the accessory structure that he would only approve it if it was further back on the property and 4 feet from the fence. Ms. Sparago felt that she would like to have the application be back with a final location. Mr. Budrow clarified that a vote would be to vote or deny and the applicant could come back with a new location if nonconforming. Attorney Coppola spoke. Ms. Mison asked if the portion of the hearing regarding the accessory structure could be left open. The answer was 'yes.' Mr. Wobensmith amended his motion so that the applicant could find a more acceptable location. Mr. Coyle seconded the motion. Attorney Coppola stated the application should be re-noticed in the paper. **All were in favor. Motion carried, 5-0.**

**Application No. 22-08 – on behalf of James Dowd, 54 Coe Avenue**

Mr. Dowd presented his proposal for an 8' x 30' front porch. He explained, at the last meeting, he was unsure he could have changed his proposal on the fly without his builder present. Mr. Wobensmith stated that the previous proposal had stairs straight off the front of the porch and that the new plan had stairs toward the driveway. Mr. Gersz was impressed with the proposed change with the stairs relocated. Ms. Sparago thanked Mr. Dowd for making changes.

There was no comment from the public.

**MOTION:** Mr. Wobensmith made a motion to close the public hearing. Mr. Gersz seconded the motion. **All were in favor. Motion carried, 5-0.**

- 4b. Discussion and possible decision on **Application No. 22-08** – on behalf of James Dowd, 56 Coe Avenue. Ms. Mison stated that the discussion appeared to aim

toward an approval. The plan was better than the last time the proposal was in front of the Board.

**MOTION:** Mr. Gersz made a motion to approve the application. Mr. Wobensmith seconded the motion. **All were in favor. Motion carried, 5-0.**

**MOTION** Ms. Sparago made a motion to go into Executive session. Mr. Wobensmith seconded the motion. **All were in favor. Motion carried 5-0.**

**MOTION** Mr. Wobensmith made a motion to exit Executive Session. Ms. Sparago seconded the motion. **All were in favor. Motion carried 5-0.**

#### **IV. Adjournment**

**MOTION** Mr. Wobensmith made a motion to adjourn the meeting at 8:40pm. Ms. Mison seconded the motion. **All were in favor. Motion carried 5-0.**