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Town of East Haven
Zoning Board of Appeals
East Haven Senior Center, 91 Taylor Avenue

Regular Meeting Minutes – December 15, 2022

I. Roll Call and Pledge of Allegiance

In attendance: John Wobensmith, vice-chair, David Gersz, Cindy Sparago, Chuck Page, Bridget McCann (alternate) and Bill Carbone (alternate).

Also in attendance: Joseph Budrow, Planning and Zoning Administrator/ZEO.

Meeting began at 7:00pm. The Pledge of Allegiance was recited. Ms. McCann was seated for absent member, Judy Mison. Mr. Wobensmith, as acting chair, described the process of the meeting. He added that the Board would enter into an Executive Session at the end of the meeting.

Mr. Wobensmith was asked if there changes to the agenda. Mr. Budrow said there were no meeting minutes for August 15 or October 20. The November 17 minutes were ready for a vote. Also, Applications 22-21 and 22-22 could not be heard because the applicant failed to properly notify their abutters.

II. Review and Action on Prior Meeting Minutes

MOTION: Mr. Page made a motion to approve the November 17 meeting minutes. Ms. Sparago seconded the motion. All were in favor. **Motion carried, 5-0.**

It was noted that the 2023 meeting calendar was not mailed and thus could not be voted on tonight.

III. Public Hearings and Deliberation

Application No. 22-24 - on behalf of Cody Green, 301 Mansfield Grove Road.

Mr. Green presented. He said he and his wife are buying the home and would like to expand to have a 2nd floor. He said the neighbor up the hill is in favor of the proposal as it would be better than looking at the existing tarp.

Mr. Page asked how long the house has been vacant. Mr. Green said about one year. Ms. Sparago asked if he'll live in the house. Mr. Green said "yes."

Mr. Budrow described there are site plans stating the yellow highlights accent the portion of the existing house that is nonconforming, and one showing the difference between the current height of the house and the proposed height. There is an approximate 8-foot height increase. No phone calls have come to the office with concerns.

There was no public comment.

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

Discussion and possible decision on **Application No. 22-24 - on behalf of Cody Green, 301 Mansfield Grove Road.**

Ms. Sparago said anything will surely help as the property is in disrepair. Mr. Page said there is no impact on the neighbor to the left. Mr. Gersz noted that there were no complaints from the neighbors.

MOTION: Mr. Gersz made a motion to approve **Application No. 22-24** with the condition recommended by Mr. Budrow. Ms. Sparago seconded the motion. All were in favor. **Motion carried, 5-0.**

Application No. 22-25 - on behalf of Michael Masiello, 329 Bradley Street.

Mr. Masiello presented. He stated the new construction is a way to battle the sun and he wants to be comfortable. The addition will match the house roof lines. A 6' fence will help hide the addition. He said the pie-shaped lot makes it hard to make improvements.

Ms. Sparago confirmed that he was not looking to enclose the space. He confirmed. She asked if it will be tied in to the existing gable roof. He answered, "yes."

Ms. Sparago said the agenda said "front line" where she would call it a side line. Mr. Budrow said a street line is a front line as it is along the street.

MOTION: Ms. Sparago made a motion to close the public hearing. Ms. McCann seconded the motion. All were in favor. **Motion carried, 5-0.**

Discussion and possible decision on **Application No. 22-25 - on behalf of Michael Masiello, 329 Bradley Street.**

Ms. Sparago said there is a unique hardship as the lot is V-shaped and is a corner lot.

MOTION: Mr. Page made a motion to approve Application No. 22-25. Mr. Gersz seconded the motion. All were in favor. **Motion carried, 5-0.**

Application No. 22-26 – on behalf of Jesrael E. Garzon, 836 Foxon Road.

Mr. Garzon presented. Mr. Wobensmith asked how long he has been at the property. Mr. Garzon answered, “Six months.” Mr. Wobensmith stated that this proposal is for the same property that has been in front of the Board before. Previous approvals were granted.

Ms. Sparago was concerned that the property owner rents spaces without getting tenants approved by the zoning office. Mr. Budrow said he has been responsive lately.

There was no public comment.

MOTION: Ms. Sparago made a motion to refer Application No. 22-26 to the Planning and Zoning Commission for a comment. Mr. Page seconded the motion. All were in favor. **Motion carried, 5-0.**

Application No. 22-27 - on behalf of Ron Johnson, 210B Cosey Beach Avenue.

Mr. Johnson presented. He bought the house in September, 2021. There is no storage for outside items. He handed out a photo of the rear of the property. He said it is 22 feet from the seawall to the back door. He said there are some furnishings on the deck and that rough weather takes a toll. He said the garage will allow his cars to be farther from his neighbor. He said he wants his car in a garage and inside storage.

Mr. Budrow asked if his neighbor is here. Mr. Paul Frame introduced himself and lives at 210D Cosey Beach Avenue. He was not sure if he was for or against the proposal. He saw plans today and had three concerns. He wondered if his right of way on the east side of the Johnson house was impeded. He wondered if his view past the west side of the Johnson house would be affected. He also wondered if the new garage would hinder his vehicle access. He said if those three concerns were not affecting him, he had no concerns.

Mr. Wobensmith asked if a shown stairwell was interior or exterior. Mr. Johnson answered that they were inside the garage and going up to a storage area above. Mr. Wobensmith asked if he had a detailed floor plan of the garage showing both levels. Mr. Gersz agreed that floor plans were important for showing what was going on inside.

Ms. Sparago asked of the inside of the 2nd story will be connected to the house. Mr. Johnson said “yes.” He said that the space will not be living space.

Mr. Page asked if that area will be heated. Mr. Johnson answered, “yes.” Mr. Gersz said there are a lot of questions.

Mr. Wobensmith said they will need detailed floor plans for the garage, the storage area and the connection to the house.

Mr. Robert Falsano of 210C Cosey Beach Avenue was not sure if he was opposed. He had concerns about site lines and if access for fire trucks will be an issue. Mr. Page asked if he was the closest house to the street. Mr. Falsano answered, “Yes.”

MOTION: Mr. Wobensmith made a motion to continue Application No. 22-27 to the January meeting. Mr. Gersz seconded the motion. All were in favor. **Motion carried, 5-0.**

Ms. Sparago made a motion to enter into Executive Session to discuss some pending litigation. Mr. Page seconded the motion. All were in favor. **Motion carried 5-0.**

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

IV. Adjournment

MOTION: Mr. Wobensmith made a motion to adjourn the meeting at 7:47 PM. Mr. Page seconded the motion. All were in favor. **Motion carried 5-0.**

Joseph Budrow
Planning and Zoning Administrator
Town of East Haven