

*Stacy Quirino, CEC*

TOWN CLERK

**TOWN OF EAST HAVEN, CT  
ZONING BOARD OF APPEALS  
MINUTES OF A REGULAR MEETING  
October 15, 2015 7:00 P.M. EAST HAVEN SENIOR CENTER**

**MEMBERS PRESENT:** ROBERT FALCIGNO-CHAIRMAN  
GEORGE HENNESSEY-VICE CHAIRMAN  
BEN GIAQUINTO  
CHARLES LANG  
JOSEPH PORTO

**ALTERNATES PRESENT:** DONALD THOMAS  
RONALD VESTUTI-ABSENT

**STAFF PRESENT:** ALFRED ZULLO-ATTORNEY  
CHRISTOPHER SOTO -ZEO  
ROSALIE DEPALMA-CLERK

Chairman Falcigno addressed the audience and informed them that he had to excuse himself from the Board as he presently was a temporary employee of the Town and this prohibited him to sit or vote on the Board. At this time 7:00 P.M., Chairman Falcigno addressed the Board stating application 15-25 had been withdrawn as it was heard by P & Z, seated Donald Thomas to the Board in order to have a quorum, and requested the Public Hearing on 60 Brown Road be opened. Charles Lang made a motion to open the Public Hearing on 60 Brown Road, second by Ben Giaquinto. Roll call vote: Lang – yes, Thomas – yes, Hennessey- yes, Porto-yes, Giaquinto – yes. Chairman Falcigno read into record Notice of Appeal. On 60 Brown Road. Vice Chairman Hennessey called the regular ZBA meeting to order at 7:45 P.M. and explained the procedure of the Board to the audience. Ben Giaquinto made a motion to accept the

minutes of the previous meeting, second by Donald Thomas. Motion carried unanimously.

**\*\*PUBLIC HEARING\*\***

The Public Hearing regarding **60 Brown Road**, which was tabled at the request of the appellant at the September 17, 2015 meeting, will be heard tonight prior to the regular meeting.\*\*

Nicki Whitehead 68 Brown Road, East Haven, CT. 06512 addressed the Board. She was challenging if former ZEO Biancur correctly determined and was in compliance with zoning regulations the approval a 7 x10 'shed could be placed on property 60 Brown Road. Ms. Whitehead challenged the shed placement exceeded the maximum lot coverage and this did not comply with zoning regulations and believed the preliminary approval of the Zoning Permit was not published. Ms. Whitehead submitted five exhibit packets on the history of this property (on file in Zoning Office) substantiating her claims and appeal. Wally Erickson 60 Brown Road, East Haven, CT spoke in opposition. Mr. Erickson stated he had gone to the Zoning Office, spoke to former ZEO Biancur and was told he did not need a building permit as the shed was under 200 sq. ft. Donald Thomas questioned if the shed was portable, Mr. Erickson replied it was and if he had to remove the shed he would. Mr. Erickson also noted he had been before the Board regarding other variances for buildings and lot coverage on this property and was granted the variances. ZEO Soto addressed the Board noting he had reviewed the file and appeal and believed Mr. Erickson was erroneously advised on the placement of the shed and the lot coverage was already at maximum coverage and this appeal should be upheld. He further noted Mr. Erickson had the opportunity to come back before the Board to apply for a variance. No further comments were made.

**15-23**

**APPLICANT & PROPERTY OWNER:** Robert Bishop; Property Affected: 250 Cosey Beach Avenue; Zone R-1, Map 030, Block 0214, Lot 021

*Move house 12 inches west to be completely on the site, remove existing foundation and replace with a new pier foundation, add exterior stairs and landings to reach the new height, remove and replace rear deck.*

**VARIANCE:** Schedule B Line 9: min setback from side: 10 Ft required. 5' West and -.86' East Existing. 1.7' West and 0.14' East proposed. 8.3' West and 9.86' East relief requested.

Arthur Seckler, III and Louis Maldonado of Lothrop Associates LLP, 333 Westchester Avenue, White Plains, New York 10604 addressed the Board on behalf of the applicant. They were seeking a variance to move the house 12 inches west to be completely on the site, remove existing foundation and replace with a new pier foundation, add exterior stairs and landing to reach new height, remove and replace rear deck. Mr. Seckler noted this applicant was before the Board in March and they were granted to remove a seawall, and they were now requesting to retain the seawall. The required certified receipts were submitted to the Board. Hardship: The dwelling is in a storm surge area and must be raised above the flood plain per FEMA regulations. Some of the existing setbacks and minimum site size requirements are currently non-conforming to current zoning regulations, building is encroaching on the neighboring lot and will be moved to within the lot. Expanding exterior stairs to accommodate the new height will add to some of the existing nonconforming setbacks. The existing dwelling cannot be contained within the existing lot setback requirements. No further comments were made.

**15-25**

**APPLICANT & PROPERTY OWNER:** Steve Tracy (applicant), Wayne & Christine Sandford (owner); Property Affected: 112 Hemingway Avenue; Zone R-1, Map 190, Block 2015, Lot 008

*No exterior work to be done, request for professional office use.*

**VARIANCE:** Schedule A Permitted Uses #6A relief from requirement for office user to reside in dwelling unit.

Chairman Falcigno stated this application was WITHDRAWN.

NO RECESS CALLED

SEE VOTING

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ZBA

VOTING

Ben Giaquinto made a motion to Uphold Appeal on 60 Brown Road, second by Donald Thomas. Motion carried unanimously.

Hennessey – yes  
Thomas – yes  
Lang - yes  
Giaquinto – yes  
Porto – yes

15-23

GRANTED – Donald Thomas made a motion to approve and accept application 15-23; second by Ben Giaquinto. Motion carried unanimously.

Thomas – yes  
Lang- yes  
Giaquinto - yes  
Porto – yes  
Hennessey – yes

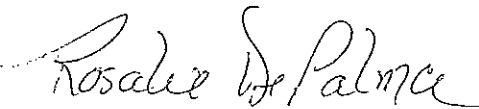
15-25

WITHDRAWN

Charles Lang made a motion to adjourn; second by Joseph Porto. Motion carried unanimously.

Vice Chairman Hennessey adjourned the meeting at 8:00 P.M.

Respectfully submitted,

A handwritten signature in cursive script, reading "Rosalie DePalma".

Rosalie DePalma  
Clerk