

**TOWN OF EAST HAVEN, CT  
ZONING BOARD OF APPEALS  
MINUTES OF A REGULAR MEETING  
JULY 16, 2015 7:30 P.M. EAST HAVEN SENIOR CENTER**

**MEMBERS PRESENT:** ROBERT FALCIGNO-CHAIRMAN  
GEORGE HENNESSEY-VICE CHAIRMAN  
BEN GIAQUINTO  
CHARLES LANG  
TED MUSCO

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

**STAFF PRESENT:** ALFRED ZULLO-ATTORNEY  
ROSALIE DEPALMA-CLERK

Chairman Falcigno addressed the audience and informed them that he had to excuse himself from the Board as he was now a temporary employee of the Town and this prohibited him to sit or vote on the Board. Vice Chairman Hennessey called the meeting to order at 7:00 P.M. and explained the procedure of the Board to the audience and seated alternate, Joe Porto, to the Board in order to have a quorum. Ben Giaquinto stated the minutes of the previous meeting did not reflect he was absent. Ben Giaquinto made a motion to approve the amended minutes; second by Ted Musco. Motion carried unanimously.

15-10 (Continued from June Meeting)

**APPLICANT & PROPERTY OWNER:** Dan Gold (Applicant) Albert Landino (Owner); Property Affected: 220 Silver Sands Road; Zone R-2, Map 130, Block 1214, Lot 011

*Proposal to add 16'x32' addition to rear of structure, 6'x6' mudroom on both front and right side of structure.*

**VARIANCE:** Schedule B Line 7 – 25 feet required, seeks 6 feet reduction; Line 9 – 15 feet required; seeks 11 feet reduction on left side and 1 foot reduction on the right side.

Dan Gold addressed the Board on behalf of the applicant. He was seeking the aforementioned variances to add a 16 x32 ft. addition to the rear of the structure and a 6 x6 ft. mudroom on both the front and right side of the structure. The required certified receipts were submitted to the Board. Hardship: Owners are handicap and require additional area for handicap bath and access to bedroom. Proposed structure does not exceed setbacks of existing structure. No further comments were made.

15-12

**APPLICANT & PROPERTY OWNER:** Steven Falcigno; Property Affected: 25 Caroline Road; Zone R-3, Map 020, Block 0010, Lot 016

*Previously approved height variance of 9 feet on January 16, 2014. Requesting additional height variance of 3.8 feet to a total height of 42.8 feet.*

**VARIANCE:** Additional Setbacks – Section 25.4.3.

Steve Falcigno addressed the Board on his behalf. He was previously approved a height variance of 9 feet which permitted him a dwelling height of 39 ft. at the 1/16/14 ZBA meeting and then was wrongfully told he could raise the height to 42.8 ft. He was now seeking from the Board to legalize the 42.8 ft. height. The required certified receipts were submitted to the Board. Hardship: Storm damage from Hurricanes Sandy and Irene. No further comments were made

15-13

**APPLICANT & PROPERTY OWNER:** Gail Nettleton/ Maria Shine; Property Affected: 6 Gerrish Avenue; Zone R-1, Map 200, Block 2509, Lot 009

*Install above ground pool in previous pool location.*

**VARIANCE:** Schedule B Line 9: Side Property Line Setback.

Gail Nettleton and Maria Shine addressed the Board. They were seeking to install an above the ground pool in the previous pool location. The required certified receipts were not mailed therefore the Board could not hear the application and were in agreement to Table this application until the next scheduled meeting. No further comments were made.

**15-14**

**APPLICANT & PROPERTY OWNER:** Haley Veller & Jay Bodner; Property Affected: 36 Coe Avenue; Zone R-1, Map 030, Block 0316, Lot 003

*Proposed 16'x16' deck & spa with 6' fence on 3 sides. Location on street line (Bradford) because there is no back or side yard.*

**VARIANCE:** Non-Conforming Lot; Schedule B Line #7 - Setback: Reduction from 25 feet to 5.94 feet; Previous fence was 8 feet from house, seek 16 feet from house; Schedule B Line #11 Lot Coverage - Proposal occupies 4.6% of lot area. Net increase is 2.3%.

Haey Veller addressed the Board on her behalf. She was seeking the aforementioned variances to construct a 16 x 16 ft. deck and spa with a 6 ft. fence on three sides. The required certified receipts were submitted to the Board. Hardship: Nonconforming lot, back and side yards are 9 ft. and 10 ft. from property lines. No other space to place them. No further comments were made

**15-15**

**APPLICANT & PROPERTY OWNER:** Barbara Greene & Linda Leifer; Property Affected: 224B Cosey Beach Avenue; Zone R-1, Map 030, Block 0115, Lot 001

*Build new 168sf deck to comply with FEMA and Local Regulations.*

**VARIANCE:** Schedule B Line 9: West side setback reduction from 10 feet to 5.3 feet (1.7 feet existing), East side setback reduction from 10 feet to 6.2 feet (5.1 feet existing); Line 11: Increase of Maximum lot coverage to 43.4; Section 44.7 to allow enlargement of a non-conformity; section 44.9 to allow the change of a non-conformity; Section 44.11 to allow the construction of a structure on a parcel of land that does not meet the area, shape, or frontage requirements.

Charles Fisher, a surveyor, of Criscuolo Engineering LLC, 420 East Main Street, Branford, CT 06405 addressed the on behalf of the applicants. He was seeking the aforementioned variances to build a 168 sf. deck to overlook the water and comply with FEMA and local regulations. The required certified receipts were submitted to the Board. Hardship: The original house from early in the 1900's had a waterfront porch that was

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destroyed by Tropical Storm Irene. The property is an undersized lot that predates zoning. No further comments were made.

NO RECESS CALLED

SEE VOTING

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VOTING:

15-10

GRANTED-A motion was made by Charles Lang to accept application 15-10 second by Joseph Porto. Motion carried unanimously.

Hennessey – yes  
Musco - yes  
Lang – yes  
Giaquinto – yes  
Porto – yes

15-12

GRANTED- Joseph Porto made a motion to accept application 15-12, second by Charles Lang. Motion carried unanimously.

Hennessey – yes  
Musco – yes  
Lang – yes  
Giaquinto – yes  
Porto – yes

15-13

TABLED- A motion was made by Joseph Porto to table application 15-13, second by Ted Musco. Motion carried unanimously.

15-14

GRANTED WITH CONDITION – A motion was made by Charles Lang that a fence be constructed to surround the deck and hot tub, second by Ben Giaquinto. Motion carried unanimously.

Hennessey – yes with condition  
Lang – yes with condition  
Giaquinto – yes with condition

Porto – yes with condition  
Musco – yes with condition  
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15-15                      GRANTED- A motion was made by Joseph\ Porto to accept application 15-15, second by Charles Lang. Motion carried unanimously.

Hennessey – yes  
Musco – yes  
Porto – yes  
Lang – yes  
Giaquinto – yes

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

Vice Chairman Hennessey adjourned the meeting at 7:30 P.M.

Respectfully submitted,

Rosalie DePalma  
Clerk

