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EAST HAVEN, CONN.

*Stacy Gravano, CTC*

TOWN CLERK

TOWN OF EAST HAVEN, CT  
ZONING BOARD OF APPEALS  
MINUTES OF A REGULAR MEETING  
NOVEMBER 17, 2016 7:00PM EAST HAVEN SENIOR CENTER

MEMBERS PRESENT: ROBERT FALCIGNO-CHAIRMAN  
GEORGE HENNESSEY-VICE CHAIRMAN  
CHARLES LANG  
JOSEPH PORTO  
DONALD THOMAS-ABSENT

ALTERNATES PRESENT: VINCENT LETTIERI

STAFF PRESENT: ALFRED ZULLO-ATTORNEY  
CHRISTOPHER SOTO-ZEO  
SUSAN IANNONE-CLERK

Chairman Falcigno called the meeting to order at 7:00 P.M. and after roll call stated they had a quorum. He then explained the procedure of the Board to all in attendance.

Joseph Porto made a motion to approve the minutes from last month's meeting. Motion seconded by Vincent Lettieri. Motion carried unanimously.

Charles Lang made a motion to accept the ZBE meeting dates for 2017. Joseph Porto seconded the motion. Unanimous motion carried.

*Public Hearing Appeal #16-33: An appeal by Gloria Rispoli, the owner of 12 Smith St. of the Zoning Enforcement Officer's Notice of Violation (un-permitted use: Rooming/ Boarding House) dated August 23, 2016.*

Chairman Falcigno explained the appellant, Gloria Rispoli, requested an extension of time to appear in January and that there would be no public hearing until then. ZEO Soto read aloud the letter from Ms. Rispoli that explained she would be out of town for the November meeting and requested the board grant her a 65-day extension. Attorney Zullo stated she only gets one extension, therefore, at the next meeting there will be an open public hearing and a decision by the board. Chairman Falcigno explained to a resident, who can't make the meeting in January, that she could send in a letter.

Charles Lang made a motion to table the hearing until January 17, 2017. Joseph Porto seconded the motion. Unanimous motion carried.

**16-31 (Tabled from 10/20/16)**

**APPLICANT:** Sergio & Maria Ramirez; Property Affected: 371 Thompson St.; Zone R-4, Map 540, Block 6530, Lot 002 – *legalize kitchen addition (already built)*.

**VARIANCE:**Schedule B, Line 9: side yard setback: 25 ft. required, 20.84 ft. proposed

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Applicant was not present at the meeting. On the recommendation of Atty. Zullo, Chairman Falcigno postponed any vote until 7:30 to allow for any misunderstanding of time.

**16-38**

**APPLICANT:** Christine Straub; Property Affected: 11 Phillip St.; Zone R-1, Map 030, Block 0215, Lot 021 – *Elevation of home (Correction of Previously Granted Variance)*.

**VARIANCE:**Schedule B, Line 7: street line setback: 25 ft. required, 3 ft. proposed/ existing

The applicant's son, Adam Straub, 131 Kenneth St., East Haven, spoke on behalf of his mother who was not present. His mother just elevated her house and the contractor did not follow the plans correctly. The front steps are 3' too forward and an addition on back deck was there previously but not on the current plans. ZEO Soto further explained the initial variance requested was measured wrong (measured to house, not to extent of decks). Need to change front yard set back. Did not take the stairs into account when they measured. A portion of the deck in side yard set back was not removed and now it will remain.

In favor: none

Opposed to: none

Chairman Falcigno closed hearing 16-38.

Charles Lang made a motion to approve. Joseph Porto seconded the motion. Unanimous motion carried.

**16-39**

**APPLICANT:** Diane Mc Donough & John Reina; Property Affected: 23 Pequot St.; Zone R-3, Map 010, Block 0104, Lot 025 – *Elevation of home*.

**VARIANCE:**Schedule B, Line 7: street line setback: 32 ft. required (per 25.4.3), 14.7 ft. proposed/ existing; Line 9: side yard setback: 27 ft. required (per 25.4.3), (west side) 2 ft. proposed/ existing & (east side) 20.8 ft. proposed/ existing; Section 25.4.3: Additional setback for height above 30 ft.

Diane Mc Donough & Joh Reina stated their hardship that the house needed more repair therefore exceeded the 50% threshold of FEMA regulations. This was made apparent after demo process. They now need to raise the house and will go over the height limitation using the existing footprint. ZEO Soto explained the variances needed to accommodate the height and setback requirements.

In favor: none

Opposed to:

Bob Sand, 501 Thompson St., President of the Land Trust owns lot west of the house. Had concerns about grading/soil disruption since nothing in records addressed this. He requested siltation fencing on that side of the house. Mr. Reina stated they are using the original foundation therefore no grading was necessary. Chairman Falcigno then stated the fencing would not be needed. Mr. Sand requested a steel pin at the backside of the property be installed. Mr. Reina agreed to the engineering stake.

Chairman Falcigno closed hearing 16-39.

Charles Lang made a motion to approve with the condition of a survey stake be installed by a certified engineer. Joseph Porto seconded the motion. Unanimous motion carried.

Chairman Falcigno explained they have 15 days from the time it is posted in the paper for someone to appeal.

Charles Lang agreed with Chairman Falcigno and made a motion to suspend the meeting until 7:30 to give applicant 16-31 more time. Joseph Porto seconded the motion. Unanimous motion carried.

Chairman Falcigno re-opened the hearing and noted applicant 16-31 had failed to appear.

Charles Lang made a motion to deny applicant 16-31 with the conditions to impose a \$500 fine for non-compliance with zoning regulations and to reappear/reapply for a new hearing. Joseph Porto seconded the motion. Unanimous motion carried.

SEE VOTING

VOTING:

16- 33 DENIED WITH CONDITIONS

Falcigno - yes

Hennessey - yes

Porto - yes

Lang - yes

Lettieri - yes

16-31 TABLED UNTIL 1/19/17

Falcigno - yes

Hennessey - yes

Porto - yes

Lang - yes

Lettieri - yes

16-38 APPROVED

Falcigno - yes

Hennessey - yes

Porto - yes

Lang - yes

Lettieri - yes

16-39 APPROVED WITH CONDITIONS

Falcigno - yes

Hennessey - yes

Porto - yes

Lang - yes

Lettieri - yes

A motion was made by Charles Lang to adjourn, seconded by Joseph Porto.

Voice vote: all in favor-none oppose-none abstain. Motion carried.

Chairman Falcigno adjourned the meeting at 7:33 PM.

Respectfully submitted,



Susan Iannone  
Clerk