

Planning and Zoning Commission Minutes

The East Haven Planning and Zoning Commission held its Regular meeting on Wednesday, September 5, 2018, at 7:00 PM at the East Haven Community Center, 91 Taylor Avenue in order to transact the following:

Chairman DeMayo called the meeting to order at 7:16 p.m.

Pledge of Allegiance

Roll call - 3 Present (Lang, Asid, and DeMayo) 2 Absent (Marotti and Gravino)

Staff Present - Christopher Soto, Zoning Official, Alfred Zullo, Assistant Town Attorney

Also present - Town of Attorney, Joseph Zullo and Salvatore Brancati, Director of Administration and Management

- 1a) Accept/Approval of Minutes from August 1, 2018 meeting.
Commissioner Lang moved to accept the minutes.
Commissioner Asid second the motion.
Voice vote - All in Favor. None opposed. No abstentions.
Approved
- 2) No Old Business
- 3a) 22 Harwich Street: Appeal of Notice of Blight Violation: Violation of Section 10-101 of East Haven Code of Ordinances. Inoperable motor vehicle on property.

Chairman DeMayo recognized Mr. Libretti the owner of 22 Harwich Street, Mr. Libretti stated that the car in question was in a car accident and the keys were lost to the car, He further stated that he had two vehicles one was registered and one wasn't one was his sons. He realizes that the violation stated that they are parking on the front lawn but he's been parking on the front lawn for the last 20 years because they don't have a driveway. This was a family home and that's where they always parked an extra car. But the car in question was in an accident and the keys were lost and we have moved it and move the other car as well. It's no longer on the property at all. There is another issue but the stuff at his house was in a shed being cleaned out. He was on vacation the whole month of July to clean up his yard and fix his fence. He further asked the commission if he could put the car in his backyard behind a fence with a tarp over it.

Commissioner Lang asked who made the complaint.

Mr. Soto indicated that this is not the first complaint the first complaint came in in 2016.

Chairman DeMayo stated that we are first going to answer your question with regard to keeping the car in your backyard and the answer to that question is no.

Mr. Libretti asked why not it's a registered vehicle.

Chairman DeMayo stated because we have an ordinance against parking on your lawn.

Mr. Soto stated the ordinance says that you cannot keep inoperable Motor Vehicles in your yard on your lawn and since we're discussing this, the commission has pictures from today where the motor vehicle is still on the property it's sitting on the lawn next to one of the neighbor's properties. Initially this vehicle was sitting on the street we went back today and there is another vehicle sitting on the street and this vehicle is sitting on the front lawn with a

truck sitting on the lawn in the front of the house. The fence is not been fixed and there is another vehicle in the rear of the yard. In the past we've had issues with cargo containers, debris on the property, and this is just a reoccurring issue some stuff goes way and more stuff comes back. It's an ebb and flow of items on the property.

Mr. Libretti stated that Zoning came to my house because they wanted to do an assessment and I let him in the yard and a couple days later I got a letter about my storage container which has been on my property for 12 years. He stated he has used it as a shed and once he got the letter he moved it and he got it out of there. He stated he complied when he received the letter. I have three adult children that live at this property and they all drive where do you suggest we park. The car in question is register and he'll park it on the street. In your letter you stated that there's something about a woodpile and the woodpile is new so I don't see what the problem is, it's all brand new wood to build a shed.

Mr. Soto indicated there is a pile of lumber on your front lawn and your neighbors don't want to look at a pile of lumber on your front lawn.

Mr. Libretti stated that he pays a lot of money every month in taxes and why can't he keep a pile of wood to build a shed.

Mr. Soto indicated you don't even have a permit to build a shed.

Mr. Libretti stated that he's going to get a permit. It's all brand new wood, if I cover the wood am I my good then.

Chairman DeMayo stated that what you have to do is abide by the laws. That is all we want you to do is abide by the laws of the Town of East Haven and we will enforce it as such. It's not just you it's everybody else if someone was doing what you're doing we would treat it in the same manner. If you don't comply with the order from the zoning official then we will start finding you \$100 per day. We can give you a little leeway if you start to get into compliance.

Mr. Libretti stated it would be nicer if you just came to me and said you have to do this that or the other thing to be in compliance. He fixed that part of the fence I don't know what else you're talking.

Mr. Soto said we have been having conversations just like this.

Mr. Libretti's stated, no we haven't, every time I come to talk to you and you won't speak to me. Mr. Soto stated we have been issuing violations for the same kind of issues.

The letter states that as long as it's out of sight it's okay so I'm going to put it in my backyard so how are you going to get into my backyard to see.

Mr. Soto indicated that we can see through your fence because your entire fence has holes in it. Orders were issued July 13th, February 23rd, March 7th of 2016; these are all issues with outdoor violations of accumulation of rubbish and other violations.

Mr. Libretti indicated that this is getting a little bit ridiculous.

Commissioner Lang said how long ago did this car get into this accident. Furthermore the people across the street who own houses they pay taxes as well. Evidently they're the ones who are complaining about the way you keep your property. He knows one thing he hates to see cars parked on front lawns that is what the street is for. It takes away from the value of the houses surrounding you.

Mr. Libretti said his taxes were pretty *expletive* high. Mr. Libretti was shouting expletives as he was asked to leave.

Appeal Denied

- 3b) 102 Grains Street: Sec. 8-24 Referral: Sale of 3.787.3 S.F. of land adjacent to 102 Graniss St. to JJ Russo & Son Construction, LLC.

Chairman DeMayo recognized Town Attorney, Joseph Zullo. Attorneys Alfred and Joseph Zullo both stated that JJ Russo & Sons is a client of theirs past and present. Attorney Joseph Zullo explained that Mr. Russo built a nice subdivision and one of the lots is on a steep slope when Granniss Street was reconfigured they move part of the road. This is excess acreage that the town owns and we are looking for a favorable 8-24 referral to go before the Town Council.

Commissioner Asid moved for a favorable 8-24 referral to the Town Council.

Commissioner Lang second the motion.

Voice vote-All in Favor. None opposed. No abstentions.

Approved Favorable 8-24 Referral

- 3c) Letis Court: Sec. 8-24 Referral: Accept the road known as "Letis Court" by the Town of East Haven.

Attorney Zullo explained JJ Russo & Sons is a client current and past. Mr. Russo is requesting that the road be turned over to the town. the town engineer Kevin White indicated that he has some concerns and Attorney Zullo stated that he would not bring this before the council until all those concerns of the Town engineer are corrected.

Commissioner Asid moved for a favorable 8-24 referral to the Town Council.

Commissioner Lang second the motion.

Voice vote-All in Favor. None opposed. No abstentions.

Approved Favorable 8-24 Referral

- 4a) Commissioner Asid moved to add 280 Proto Drive, 8-24 Referral to the agenda. The sale of 1.102 acres of land to KM Realty, LLC for \$30,000.00 for use as accessory acreage and development by the owner of 650 Coe Avenue.

Commissioner Lang second the motion.

Voice vote-All in Favor. None opposed. No abstentions.

Attorney Zullo explained that the Town recently became aware that Diamond Marine had encroached upon a portion of land located at 280 Proto Drive and has been utilizing the land. Since the Town has no use for the land and the sale of the land will allow the company to better operate its business, the Town and Company have agreed to transfer the land to the company for the amount of \$30,000 with the approval of Planning and Zoning Commission and the Town Council.

Commissioner Lange moved for a favorable referral to the Town Council.

Commissioner Asid second the motion.

Voice vote-All in Favor. None opposed. No abstentions.

Approved Favorable 8-24 Referral

- 4b) Commissioner Asid move to add 31 Dora drive for an 8-24 referral to the agenda.

Commissioner Lang second the motion.

Voice vote - all in favor. None opposed. No abstentions.

Approved.

31 Dora Drive 8-24 Referrals. Attorney Joseph Zullo explained that the deck and shed located at 31 Dora Drive were constructed without knowledge that they were partially constructed on land owned by the Town of East Haven. The Town is proposing that the property owner and Town enter into a license agreement to legalize the encroachments and ensure that the deck and shed are adequately insured in order to protect the Town. Commissioner Lange move for a favorable 8-24 referral to the Town Council. Commissioner Asid second the motion.
Approved Favorable 8-24 Referral

Respectfully submitted,

Roberta A DeLuca
Commission Clerk