

TOWN OF EAST HAVEN, CT
ZONING BOARD OF APPEALS
MINUTES – REGULAR MEETING

Stacy Gravano, CTC
TOWN CLERK

September 19, 2019 - 7:00 P.M. – EAST HAVEN SENIOR CENTER

The East Haven Zoning Board of Appeals Commission held its' Regular meeting at 7:00 pm on Thursday, September 19, 2019 at the East Haven Community Center, 91 Taylor Avenue in order to transact the following:

MEMBERS PRESENT: ROBERT FALCIGNO – CHAIRMAN
 JOE PORTO – VICE CHAIRMAN
 MICHAEL SMITH
 DONALD THOMAS
 DAVID GERSZ

ALTERNATES PRESENT: VINCENT LETTIERI

STAFF PRESENT: JOSEPH ZULLO – ATTORNEY
 CHRISTOPHER SOTO - ZONING ENFORCEMENT OFFICER
 TEMPLE SMITH – CLERK

Chairman Falcigno called meeting to order at 7:00 p.m. Roll Call. A quorum was established.

Chris Soto, ZEO states that a correction needs to be made to the minutes – that the minutes were correct but on appeal 19-36 from last months' meeting which was for 6 John Street, the vote was 3 to 2 and they did not have enough votes to be approved. However it was transcribed into approval vs. a denial on the actions and decisions. The applicant has been notified of this correction. Michael Smith makes a motion to approve the minutes as amended as well as the actions and decision from approval to denial. Joe Porto seconded the motion. Roll Call Vote. All in Favor. Motion Carried.

Bob Falcigno states he would like to move application 19-38 to the beginning of the agenda due to council at hand having another obligation. Michael Smith makes a motion to move 19-38 to the beginning of the agenda. Joe Porto seconds the motion. Roll Call Vote. All in Favor. Motion Carried.

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19-38

APPLICANT: Ralph Mauro; Property Concerned: 8 Morgan Terrace, Zone R-3, Map 010, Block 0003, Lot 015 – *Construction of new FEMA compliant, 2-bedroom, single family home.*

VARIANCES: Sched B; Line 7: Street line setback 26.6' required; 17' proposed. Sched B; Line 8: Rear yard setback 31.6' required, 25' requested. Sched B; Line 9: Side line setback 21.6' required, 5' requested. Line 9: Side line setback 21.6' required, 13' requested. Sched B; Line 11: Maximum lot coverage of 20% allowed, 30% requested. Sched B; Line 12: Maximum floor area ratio 0.40 maximum, 0.52 requested. §25.4.4 Waiver of additional setbacks for narrow streets.

COASTAL AREA MANAGEMENT APPLICATION: Review & Possible approval of Coastal Site Plan.

Chris Soto stated that the applicant has requested to table. Michael Smith makes a motion to table this hearing until October 17, 2019 meeting. Joe Porto seconds the motion. Roll Call Vote. All in Favor. Motion Carried.

APPEAL HEARING 19-31

APPELLANT: Nick Mingione; Property Concerned: 198 Beach Avenue; (*Zoning permit*)

Chris Soto stated that the hearing is open and the attorney has asked to continue. The applicant and the town engineer are getting close to a resolution. Donald Thomas makes a motion to continue to the next meeting on October 17, 2019. Joe Porto seconds the motion. Roll Call Vote. All in Favor. Motion Carried.

19-37

APPLICANT: David & Debra Bond; Property Concerned: 33 Whaler's Point Road, Zone PDD, Map 080, Block 0622, Lot 001 – *Deck Encroachment.*

VARIANCES: Sched B; Line 9: Side line setback 10' required, 9'8" requested.

David Bond 33 Whalers Point, East Haven CT, states that the deck is off a ledge and the builder at the time wanted to make sure the deck was secured and when doing that he went 2 to 4 inches to close to the setback line. Requesting a variance of 4 inch variance to play it safe as per the as built to keep it where it is and not have to take it down. David also explains that the rocks that are there will be the steps to the deck. Chris Soto asks if there will be additional stairs other than what is there on the application. David states no it will be the rocks.

Opposed: None

In Favor: None

Bob Falcigno closes public hearing. Michael Smith make a motion to approve 19-37. David Gersz seconds the motion. Roll Call Vote. All in Favor. Motion Carried.

19-39

APPLICANT: John Delafield; Property Concerned: 138 Charter Oak Ave., Zone R-1, Map 230, Block 2808, Lot 018 – *Temporary Mobile Home.*

VARIANCES: § 24.2.1 The use or occupancy of a trailer or tent as a dwelling is prohibited.

John Delafield - 840 South Main Street, Beacon Falls CT – John states that his company provides temporary trailers and his client is unable to live in the home until they settle with their insurance and the fire damaged house is repaired. Separate permits will be obtained for water, sewage etc. John states that the trailer will need to be there for 6 months. Chris Soto asks how long has it already been there. John states 1 month. Chris states so you are looking for 7 months, we are talking about unpermitted work if you need to see the building inspector. If it has been there a month already why didn't you come and see me a month ago? John states I did and came into the department and asked what we have to do and found out this is the first step. Chris stated that you submitted an application on August 26, 2019 for a structure that has already been sitting there for a couple of weeks – therefore I am not please and should say that I should ask the commission to deny and issue a notice of violation and cease and assist for an illegal dwelling – we have rules in place for

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a reason. The reason we do not allow these dwellings so we can make absolutely sure that stuff like sewage being disposed of is done properly. I am amazed I did not get this as a complaint already from a neighbor.

Opposed – None

In Favor – None

Donald Thomas makes a motion that they approve the variance with a 5 month condition and if they need more time to come before the board to request more time. David Gersz seconds the motion. Roll Call Vote. All in Favor. Motion Carried.

Michael Smith makes a motion to adjourn at 7:35pm. Donald Thomas second the motion. Roll Call Vote. All in Favor. Motion Carried.

Respectfully Submitted;
Temple Smith
ZBA Clerk