

TOWN OF EAST HAVEN, CT
ZONING BOARD OF APPEALS
MINUTES OF A REGULAR MEETING
FEBRUARY 18, 2016 7:00 P.M. EAST HAVEN SENIOR CENTER

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

ALTERNATES PRESENT: RONALD VESTUTI-ABSENT

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

Chairman Falcigno called the meeting to order at 7:00 P .M. and explained the procedure of the Board to the audience. A motion was made by Donald Thomas to accept the minutes of the previous meeting; second by Charles Lang. Motion carried unanimously.

The Public Hearing regarding an appeal of the Certificate of Occupancy for the property located at **93 Caroline Road**, which remained open at the request of the appellant at the January 21, 2016 meeting, will be heard tonight prior to the regular meeting.

Chairman Falcigno turned over the meeting on the two aforementioned appeals (Certificate of Occupancy 93 Caroline Road and Notice of Violation 93 Caroline Road) to Attorney Zullo. Attorney Zullo stated the applicant's attorney requested another continuance on this appeal as the applicant still has a health issue and a FOIA request is still outstanding. Attorney Zullo further stated he notified the attorney this would be the last continuance under the Statute of the Board and this appeal must be heard at the next scheduled meeting. Chairman Falcigno then read into record the letter requesting appeal being continued (on file in Zoning Office). Charles Lang made a motion to accept the request for continuance to next scheduled meeting on Certificate of Occupancy 93 Caroline Road; second Joseph Porto. Roll Call Vote: Falcigno – yes, Hennessey – yes, Lang – yes, Porto – yes, Thomas – yes. No further comments were made.

The Public Hearing regarding an appeal of the of the Zoning Enforcement Officer's Notice of Violation dated October 15, 2015 for the property located at **93 Caroline Road**, which remained open at the request of the appellant at the January 21, 2016 meeting, will be heard tonight prior to the regular meeting.

A motion was made by Charles Lang to accept the request for continuance on the aforementioned appeal Notice of Violation dated October 15, 2015 93 Caroline Road to the next scheduled meeting, second by Joseph Porto. Roll Call Vote: Falcigno – yes, Hennessey – yes, Lang – yes, Porto – yes, Thomas – yes. No further comments were made.

APPEAL

APPLICANT & PROPERTY OWNER: Hernan Portilla; Property Affected: 101 High Street; Zone R-1, Map 240, Block 2816, Lot 017

*Appeal of Zoning Violation Order dated December 18, 2015. - **Accept for review and set Public Hearing***

ZEO Sorbo notified Chairman Falcigno the applicant requested he could not be present for the March meeting on this appeal and requested it be heard at the April meeting. Charles Lang made a motion to accept for review and set Public Hearing on property 101 High Street for the April 21, 2016 ZBA meeting, second by Donald Thomas. Roll Call Vote: Falcigno – yes, Hennessey – yes, Lang- yes, Porto – yes Thomas – yes. No further comments were made.

16-02

APPLICANT & PROPERTY OWNER: Rene Mira; Property Affected: 27 Charter Oak Avenue; Zone R-1, Map 200, Block 2607, Lot 006

Construction of 19'-8" long x 10'-8" high privacy wall.

VARIANCE: Schedule B Line 9: 10 feet required, 4 feet Proposed, requesting 6 feet of relief along northern side of property line; Section 25.4.11 - Fences, walls and terraces.

Mr. & Mrs. Renee Mira addressed the Board on their behalf. They were requesting a variance for the construction of 19' 8" long x 10' 8" high privacy wall and 6 feet of relief along the northern side of their property line. Hardship: The applicant's stated they were misinformed as to the proper process by the former ZEO officer, thus causing a hardship/ A zoning permit was issued based on advice. The required certified receipts were submitted. No further comments were made.

16-03

APPLICANT & PROPERTY OWNER: 18 Wheelbarrow Lane LLC; Property Affected: 18 Wheelbarrow Lane; Zone CD, Map 510, Block 6037, Lot 001

3 feet of building is over property line by 8 inches

VARIANCE: Schedule B Line 7: 40 feet required, 39.05 feet actual, 0.95 feet of relief requests (11.4 inches of total relief).

Steve Madonna addressed the Board on his behalf. He was seeking the aforementioned variance. Attorney Zullo recused himself from this application because of conflict of interest. Mr. Madonna stated 3 feet of his building is over the property line by 8 inches. The required certified receipts were submitted to the Board. Hardship: Corner of the building had a ledge which caused him to move the foundation 8 inches. Chairman Falcigno stated this application had to go before P & Z for Site Plan Approval. Applicant agreed. No further comments were made.

16-04

APPLICANT & PROPERTY OWNER: Gregorio & Gina Rivera; Property Affected: 18 Ledyard Place; Zone R-2, Map 100, Block 1117, Lot 003

Convert one family home to two-family home. Add walls and doors. Remove tree for additional parking.

VARIANCE: Schedule B Line 2 - Lot Size: 25,600 sq ft required, 12,196 available, 13,463 sq ft of relief requested.

ZEO Sorbo stated the applicant requested this application be Tabled to the next scheduled meeting due to a medical emergency.

16-05

APPLICANT & PROPERTY OWNER: East Haven High LLC; Property Affected: 388 North High Street; Zone R-2, Map 270, Block 3517, Lot 005

Legalize 10x10 addition built without permit by previous owners.

VARIANCE: Schedule B Line 9 - 15 feet required, 5 feet exists, requesting 10 feet of relief (Northern side yard).

Rosa Morocho addressed Board on her behalf. She was seeking a variance to legalize a 10 x 10 ft. addition build without a permit by the previous owners. Mrs. Morocho stated she purchased the home in foreclosure in March 2015 with the addition already constructed and did not know it was illegal and made it into a 10 x 10 ft. bedroom for her daughter. It was then established the required certified receipts were not submitted to the Board and this application had to be Tabled. No further comments were made.

PAGE FIVE

ZBA

VOTING:

Appeal of Certificate of Occupancy
Property 93 Caroline Road

CONTINUED TO NEXT
SCHEDULED MEETING

Appeal of the Zoning Enforcement
Officer's Notice of Violation dated
October 15, 2013. Property 93
Caroline Rd.

CONTINUED TO NEXT
SCHEDULED MEETING

Appeal of Zoning Violation Order
Dated December 18, 2015 101 High
Street, Accept for review and set
Public Hearing.

ACCEPT FOR REVIEW AND SET
PUBLIC HEARING FOR ZBA
MEETING APRIL 21, 2016

1602

GRANTED

Falcigno – yes
Thomas – yes
Lang – yes
Porto – yes
Hennessey – yes

16-03

GRANTED

Falcigno – yes
Thomas – yes
Porto – yes
Lang- yes Hennessey - yes

16-04

TABLED

1605

TABLED

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

Chairman Falcigno adjourned the meeting at 7:35 P. M.

Respectfully submitted,

Rosalie DePalma
Clerk