

**TOWN OF EAST HAVEN, CT  
ZONING BOARD OF APPEALS  
MINUTES OF A REGULAR MEETING  
APRIL 16, 2015 EAST HAVEN TOWN HALL**

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

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

**MEMBERS PRESENT:** FRANK BIANCUR -ZEO  
ALFRED ZULLO-ATTORNEY  
ROSALIE DEPALMA-CLERK

The meeting was called to order at 7:30 P.M. by Chairman Falcigno who then explained the procedure of the Board to the audience. Chairman Falcigno welcomed newly appointed ZBA commissioner George Hennessey to the Board, and then seated alternate, Joseph Porto, to the Board in order to have a quorum. Charles Lang made a motion to accept the minutes of the previous meeting; second by Ben Giaquinto. Motion carried unanimously.

**15-02**

**APPLICANT & PROPERTY OWNER:** John Conant; Property Affected: 21 Palmetto Trail; Zone R1, Map 030, Block 214, Lot 22

*Proposal to add second story to portion of the house.*

**VARIANCE:** Section 44 Nonconformity (lot size)

John Conant addressed the Board on his behalf. He was seeking a variance to add a second story addition to the rear of his house. The required certified receipts were submitted to the Board. Hardship: Non-conforming conditions under current zoning regulations. No further comments were made.

**15-03**

**APPLICANT & PROPERTY OWNER:** Phillip Camarota ; Property Affected: 7 Mountain View Terrace; Zone R3, Map 510, Block 6036, Lot 010

*Proposal to add a 432 sq. ft. to pre-existing detached garage in rear yard.*

**VARIANCE:** Section 44 Nonconformity; Schedule 'B' Line#9 8.3 feet on side yard where 20 ft. is required, reduction of 11.7 feet. **\*\* NOTE:** Garage will be in line with pre-existing garage.

Phillip Camarota addressed the Board on his behalf. He was seeking a variance to add a 432 sq. ft. (24 x18) garage to a pre-existing detached garage in rear yard to house an antique car. The required certified receipts were submitted to the Board. Hardship: Non-conforming lot. No further comments were made.

**15-04**

**APPLICANT & PROPERTY OWNER:** Jennifer DelVecchio; Property Affected; 188 Beach Avenue; Zone R3, Map 010, Block 0106, Lot 009

*Proposal to demo house and rebuild to FEMA regulations due to damage from storm Sandy. House will be more conforming than it currently is.*

**VARIANCE:** Section 44 Nonconformity, Schedule 'B' Line #9 Side yard setbacks at 5.26 ft where 20 is required on East side of house. And on west side of house side yard setbacks at 4.2 where 20 is required. Schedule 'B' Line#6 Height will be 40 ft due to the raising of the house.

Chairman Falcigno requested this application be continued to the next scheduled meeting the reason being awaiting the state to forward the proper information for the application to be completed. No further comments were made.

**15-05**

**APPLICANT & PROPERTY OWNER:** Janelle Imperato: Property Affected; 52 Vista Drive; Zone R2, Map 160, Block 1717, Lot 006

*Proposal to raise house to meet FEMA standards, add a new flood resistant foundation, and add exterior stairs and landings to meet new height.*

**VARIANCE:** See file in Planning and Zoning Office

Arthur Seckler III, Senior Associate of Lothrop Associates LLP, 333 Westchester Avenue, White Plains, New York 10604 addressed the Board on behalf of the applicant. Chairman Falcigno again noted to Mr. Seckler that applicants must post a visible placard on their dwellings as it is part of the application process. He was seeking variances to raise existing single family dwelling above the 500 year plain per FEMA regulations, remove existing foundation and replace with a new flood resistant foundation, add exterior stairs and landings to reach the new height, remove and replace the rear deck, add a small mechanical equipment room and repair siding damage. Variances on file in Planning and Zoning Office. The required certified receipts were submitted. Hardship: The dwelling is in a storm surge area and must be raised in its current location above the flood plain per FEMA regulations. The existing setbacks and dwelling unit requirements are currently non-conforming to current zoning regulations and expanding exterior stairs to accommodate the new height and adding a required mechanical room will add to some of the existing nonconforming setbacks. No further comments were made.

**15-06**

**APPLICANT & PROPERTY OWNER:** Michael and Betty Frost; Property Affected; 50 Maple Street; Zone R2, Map 430, Block 5432, Lot 006

*Proposal to install in ground pool in rear of the yard.*

**VARIANCE:** House is on a corner lot. Section 25.4.13.3 Pool located in rear yard only, this house has 2 front yards.

Betty Frost addressed the Board on her behalf. She was seeking a variance to install a 16 x 24 oval shape in ground pool in the rear of her yard. The required certified receipts were submitted to the Board. Hardship: Corner lot/lot has two front yards. No further comments were made. Chairman Falcigno questioned application submitted did not have plot map nor did it indicate the exact location or exact measurements of pool from property lines, and suggested the Board make a motion to continue this application to the next scheduled meeting so the applicant could provide the Board with the required information because there was an existing application before the Board in litigation regarding a variance for a pool. The Board was in agreement on the continuance. Charles Lang made a motion to continue this application until the next scheduled meeting, second by Ben Giaquinto. Motion carried unanimously. No further comments were made.

**15-07**

**APPLICANT & PROPERTY OWNER:** Brian Healy; Property Affected; 15 Sibley Lane; Zone R3; Map 010, Block0302, Lot 014

Proposal to raise the existing house to FEMA regulations. Remove foundation & replace *with new flood resistant foundation* .

**VARIANCE:** See file in Planning and Zoning Office

Arthur Seckler, III, Senior Associate of Lothrop Associates LLP, 333 Westchester Avenue, White Plains, New York 10604 addressed the Board on behalf of the applicant. He was seeking variances to raise the existing single family dwelling above the 500 year flood plain per FEMA regulations, remove existing foundation and replace with a new flood resistant foundation with flood vents, add exterior stairs and landings to reach the new height at existing front and rear door. Variances on file in Planning and Zoning Office. The required certified receipts were submitted. Hardship: The dwelling is in a storm surge area and must be raised in its current location above the flood plain per FEMA regulations. Some existing setbacks and minimum site size requirements are currently nonconforming to current zoning regulations. Expanding exterior stairs to accommodate the new height will add to some of the existing nonconforming setbacks. No further comments were made.

**15-08**

**APPLICANT & PROPERTY OWNER:** Robert Bishop; Property Affected; 250 Cosey Beach Avenue; Zone R1, Map 030, Block 0214, Lot 009

*Proposal to raise house to FEMA regulations and move house 12 feet over on the West so that house is complete;*

**VARIANCE:** See plans in Planning and Zoning Office

Arthur Seckler, III, Senior Associates of Lothrop Associates LLP, 333 Westchester Avenue, White Plains, New York 10604 addressed the Board on behalf of the applicant. He was seeking variances to raise existing single family dwelling above the 500 year flood plain per FEMA regulations, move house 12 " west to be completely on the site, remove existing foundation and replace with a new pier foundation, add exterior stairs and landings to reach the new height, remove and replace the rear deck. Variances on file in Planning and Zoning Office. The required certified receipts were submitted. Hardship: The dwelling is in a storm surge area and must be raised above the flood was noted d plain per FEMA regulations. Some of the existing setbacks and minimum site size requirements are currently nonconforming to current zoning regulations. The building is encroaching on the neighboring lot and will be move to within the lot. Expanding exterior stairs to accommodate the new height will add to some of the existing nonconforming setbacks. The existing dwelling cannot be contained within the existing lot setback requirements. Chairman Falcigno noted to amend an administrative error on the legal notice, notice read house to be moved 12 feet over on the west, and should have read 12 inches. No further comments were made.

**15-09**

**APPLICANT & PROPERTY AFFECTED:** John Terrace; Property Affected; 19 Palmetto Trail; Zone R1, Map 030, Block 0214, Lot 021

*Proposal to Raise existing house to FEMA regulations and replace foundation with a new flood resistant foundation.*

**VARIANCE:** See plans in the Planning & Zoning Office

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ZBA

Arthur Seckler, III, Senior Associate, of Lothrop Associates, LLP, 333 Westchester Avenue, White Plains, New York 10604 addressed the Board on behalf of the applicant. He was seeking variances to raise the existing single family dwelling and attached rear deck above the 500 year flood plain per FEMA regulations, remove existing foundation and replace with a new flood resistant foundation and deck supports add existing stairs and landings to reach the new height at the rear deck and existing front door, repair/replace interior floor finish in the covered front porch. Variances on file in the Planning and Zoning Office. The required certified receipts were submitted. Hardship: The dwelling is in a storm surge area and must be raised in its current location above the flood plain per FEMA regulations. Some existing setbacks and minimum site size requirements are currently nonconforming to current zoning regulations. Expanding exterior stairs to accommodate the new height will add to some of the existing nonconforming setbacks and create new ones. Raising the dwelling will slightly exceed the maximum height. No further comments were made.

NO RECESS CALLED

SEE VOTING

PAGE SEVEN  
VOTING:

ZBA

15-02

GRANTED

Falcigno – yes  
Lang- yes  
Giaquinto – yes  
Hennessey – yes  
Porto – yes

15-03

GRANTED

Falcigno – yes  
Lang – yes  
Giaquinto – yes  
Hennessey – yes  
Porto – yes

15-04

To be continued until next scheduled meeting awaiting state to forward proper information to complete application.

Falcigno – yes  
Lang – yes  
Giaquinto – yes  
Hennessey – yes  
Porto – yes

15-05

GRANTED

Falcigno – yes  
Lang – yes  
Giaquinto – yes  
Hennessey – yes  
Porto – yes

15-06

To be continued until next scheduled meeting. Applicant to submit plot map showing where pool is to be located with measurements.

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VOTING:

ZBA

15-07

GRANTED

Falcigno – yes  
Lang – yes  
Giaquinto – yes  
Hennessey – yes  
Porto – yes

15-08

GRANTED

Falcigno – yes  
Lang – yes  
Giaquinto – yes  
Hennessey – yes  
Porto – yes

15-09

GRANTED

Falcigno – yes  
Lang – yes  
Hennessey – yes  
Giaquinto – yes  
Porto – yes

Charles Lang made a motion to adjourn; second by Ben Giaquinto.  
Motion carried unanimously.

Chairman Falcigno adjourned the meeting at 7:45 P.M.

Respectfully submitted,

Rosalie DePalma  
Clerk



