

**TOWN OF EAST HAVEN, CT
ZONING BOARD OF APPEALS
MINUTES OF A REGULAR MEETING
JUNE 18, 2015 7:30 P.M. EAST HAVEN SENIOR CENTER**

MEMBERS PRESENT: ROBERT FALCIGNO-CHAIRMAN
GEORGE HENNESSEY-VICE CHAIRMAN
BEN GIAQUINTO
CHARLES LANG
TED MUSCO

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

STAFF PRESENT: ALFRED ZULLO-ATTORNEY
ELLEN PELLEGRINO-INTERIM ZEO
SAL BRANCATI-DIRECTOR OF
ADMINISTRATIVE & MANAGEMENT
ROSALIE DEPALMA-CLERK

Chairman Falcigno addressed the audience and informed them that he had to excuse himself from the Board as he was now a temporary employee of the Town and this prohibited him to sit or vote on the Board. Mr. Falcigno then explained the Board had to reorganize and seated alternate Joe Porto to the Board in order to have a quorum and notified the applicants they needed all four votes for approval.

George Hennessey made a motion nominating Bob Falcigno Chairman of the ZBA Board, second by Ted Musco. Roll call vote: Falcigno – yes, Hennessey – yes, Musco – yes, Lang – yes, Hennesey – yes. Motion carried unanimously. Bob Falcigno made a motion nominating George

Hennessey Vice Chairman of the ZBA Board second by Ted Musco. Roll call vote: Falcigno – yes, Hennessey – yes, Lang- yes, Porto – yes. Motion carried unanimously. Mr. Falcigno excused himself from the Board. Vice Chairman Hennessey called the meeting to order at 7:15 P.M. and explained the procedure of the Board to the audience. Charles Lang made a motion to accept the minutes of the previous meeting, second by Ted Musco. Motion carried unanimously.

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.

Attorney Kenneth Votre and assistant Lauren Macdonald 90 Grove Street, Ridgefield, CT 06877 and 8 Frontage Road, East Haven, 06512 along with engineer, Gregg Fedas of Fedas Engineering LLC 70 Essex Street, Mystic, CT and Tony Thompson of Plans Ahead LLC, Branford, CT 06405 addressed the Board on behalf of the applicant. They were seeking the aforementioned variances to demolish the existing structure and rebuild a new three story house to FEMA regulations. It was stated the required certified receipts were presented to the Board. Hardship noted: Damage due to Storm Sandy and non-conforming lot. Attorney Votre requested an amendment to the application. The application read the height would be 40 ft. and he now proposed it would be 36.8 ft. A motion was made by Charles Lang to amend application as proposed, second by Joseph Porto. Motion carried unanimously. Attorney Votre submitted for the record a booklet to the Board containing the history, C.A.M. report and required documentation for this variance. It was established from all three presenters that the width of the house would be 26 ft, wide. height 36.8 ft., it would be within the existing footprint, living space would remain the same, more F.E.M.A. compliant, same setback from right of way and would improve and conform to the neighborhood. Patrick Rowland 2 Minor Road, East Haven, CT. spoke in opposition and submitted for the record 39

exhibits (on file in ZBA office) of scientific evidence and documentation including photos and maps supporting his opposition. Peter House of 746 Yale Avenue, Meriden, CT. spoke in opposition representing Lisa Kinesell, 2 Minor Road, East Haven, CT. and submitted for the record documentation of her opposition (on file in ZBA office). Their primary concerns no legal hardship and the application expands existing non-conforming use as well as creates a significant risk to adjacent properties. No further comments were made.

15-10

APPLICANT & PROPERTY OWNER: Dan Gold (Applicant) Albert Landino (Owner); Property Affected: 220 Silver Sands Road; Zone R-2, Map 130, Block 1214, Lot 011

Proposal to add 16'x32' addition to rear of structure, 6'x6' mudroom on both front and right side of structure.

VARIANCE: Schedule B Line 7 – 25 feet required, seeks 6 feet reduction; Line 9 – 15 feet required; seeks 11 feet reduction on left side and 1 foot reduction on the right side.

Dan Gold and Albert Landino addressed the Board. They were seeking a variance to add a 16 x 32 foot addition to the rear of the dwelling and a 6' x 6' mudroom on both the front and right of the dwelling. It was determined the required certified receipts were not mailed to adjacent property owners as required, therefore the application could not be heard. The Board was in agreement to continue this application to the next scheduled ZBA meeting. No further comments were made.

15-11

APPLICANT & PROPERTY OWNER: Xu Wen (Applicant) Foxon Properties LLC (Owner); Property Affected: 665 Foxon Road; Zone R-2, Map 460, Block 5826, Lot 001

Proposal to open a massage parlor in plaza.

VARIANCE: Schedule A Permitted Uses Item #29A: Adult oriented business & entertainment and Regulation 36.2.9: Adult personal service establishments.

Bob Falcigno stated this application had been WITHDRAWN.

NO RECESS CALLED
SEE VOTING

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ZBA

VOTING

15-04

GRANTED WITH CONDITION-Third floor story cannot be used for living space nor have partitions or sheetrock. A motion was made by Charles Lang to accept application as amended and C.A.M. report, second by Ted Musco. Motion carried unanimously.

Hennessey – yes with condition

Musco – yes with condition

Lang – yes with condition

Porto – yes with condition

15-10

Continued until next scheduled meeting.

15-11

WITHDRAWN

A motion was made by Joseph Porto to adjourn, second by Ted Musco. Motion carried unanimously.

Vice Chairman Hennessey adjourned the meeting at 8:50 P.M.

Respectfully submitted,

Rosalie DePalma
Clerk

