

TOWN OF EAST HAVEN, CT
ZONING BOARD OF APPEALS
MINUTES – REGULAR MEETING
January 18, 2018 - 7:00 P.M. – EAST HAVEN SENIOR CENTER

MEMBERS PRESENT: ROBERT FALCIGNO – CHAIRMAN
 GEORGE HENNESSEY – VICE CHAIRMAN
 DONALD THOMAS
 JOSEPH PORTO
 MICHAEL SMITH

ALTERNATES PRESENT: DAVID GERSZ
 ABSENT - VINCENT LETTIERI

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

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

The East Haven Zoning Board of Appeals Commission held its' Regular meeting at 7:00 pm on **Thursday, January 18, 2018** at the East Haven Community Center, 91 Taylor Avenue in order to transact on the following:

Last meetings minutes were approved. Roll Call Vote. All in Favor. Motion Carried.

18-01

APPLICANT: John Giordano; Property Concerned: 71 High Street, Zone R-1, Map 210, Block 2716, Lot 009, – *Freestanding 3x5x8 sign.*

VARIANCE: Sched B; Line 7: Street line setback of 4' where 25' required.

Atty. Nicolas Mingione representing the applicant stated that the sign had already been installed and the applicant had no intent. The applicant received a referral to a guy who installed signs he installed the sign without knowing a variance was needed. Once they realized that a variance was needed they contacted our office and we filed the paperwork. We are in line with all the immediate signs on the street although we are the closest to the street. Atty. Mingione hands the board the Plan of Consideration and Development (Exhibit A) consists of the Central Business District Special Study Area Plan. Chairman Bob Falcigno asks for public comment – there is none. Bob closes public hearing 18-01. Roll Call Vote. All in Favor. Motion Carried

18-02

APPLICANT: Tony Thompson; Property Concerned: 990 (986) Foxon Road, Zone CB-2, Map 450, Block 5618, Lot 006, – *Construct a new entry deck, vestibule, and arbor.*

VARIANCE: Sched B; Line 7: Street line setback of 4' where 25' is required.

Mr. Anthony Thompson from Plans Ahead in Branford is representing Tony Thompson (Country House). Shows map where there is a non-conforming condition to construct a new entry deck, vestibule and arbor. Donald Thomas asks if he started work already. Mr. Thompson states yes we have. Bob Falcigno asks if there is any public comment. There is none. Bob closes hearing 18-02. Roll Call Vote. All in Favor. Motion Carried.

18-03

APPLICANT: Greater New Haven Water Pollution Control Authority: 175 Beach Avenue, Zone R-3 Map 020, Block 0207, Lot 001, – *Demo portions of existing sanitary wastewater pump station and construct a new elevated pump station to improve flood resiliency, move standby power/electrical equipment to new station; repair existing wet well.*

VARIANCE: § 25.10b: Proposed minimum wetland setback of 6.9’ where 25’ is required; Sched B; Line 9: Side Setback of 6.8’ where 20’ is required; Sched B; Line 8: A rear setback of 3.5’ where 30’ is required; Sched B; Line 11: Lot coverage of 26% where 20% is allowed.

Bob Falcigno recuses himself as he is on the board of directors at the GNHWPCA.

Tom Cranguano (sp) and Mario Ricozzi from the GNHWPCA states that the GNHWPCA is looking to rehabilitate 4 pump stations. (this applies to the next 4 applications) There is no cost to the town and it is over a 5 million dollar project. Goals of the project and operation of the design were discussed. Because of storm Sandy we had to endure barricading the stations as the money became available we were first in line from the State of CT to get this done. Flood resiliency and code compliance is designed; we need to separate the sewer gas from the electrical; the structure cannot support the design to it so that is how we designed the elevated structure to it as well. We have already acquired Planning & Zoning Approval and are requesting setbacks on existing lots.

Exhibit A – See email- Bergeron, Brenda Re: FEMA Flood Hazard Migration Grants (where they determined the DEEP does not have jurisdiction on this – they sent back the application to us)

Exhibit B – See Ltr. – Isabella Schroder Letter

Exhibit C – Photos 175 Beach Avenue – Minor Road Pump Stations

Bob Falcigno asks if there is any public comment. There is none. Chris Soto states that the board is approving the Coastal site plan and variance. Donald Thomas makes a motion to approve the costal site plan and variance. Roll Call Vote. All in Favor. Motion Carried.

18-04

APPLICANT: Greater New Haven Water Pollution Control Authority: Property Concerned: 25 Cosey Beach Avenue, Zone S-1, Map 030, Block 0320, Lot 002, – *Demo portions of existing sanitary wastewater pump station and construct a new elevated pump station to improve flood resiliency, move standby power/electrical equipment to new station; repair existing wet well.*

VARIANCE: § 25.10b: Proposed minimum wetland setback of 1.7’ where 25’ is required; Sched B; Line 9: Side Setback of 0.0 where 20’ is required; Sched B; Line 8: A rear setback of 15.5’ where 30’ is required; Sched B; Line 11: Lot coverage of 26% where 25% is allowed.

Donald Thomas makes a motion that the testimony of 18-03 be applied to 18-04. Joseph Porto seconded. Bob Falcigno asks if there is any public comment. Tony Cangiano of New Haven is speaking on behalf of Mike Morello who is out of the country on family business. Mike is the owner to the left of this pump he is concerned about rebuilding a 2 family house on the property. He concerned about reselling and the value with the pumping station being there and he was hoping that the WPCA would purchase the property from him. Mario states he understands where the property is. Michael Smith asked if there will be a buffing zone. Mario states if the town and commission wishes and they can put a row of shrubs but it would be on the town property. There is an allowance in the budget for this for landscaping from the GNHWPCA. I am not aware of any interest of purchasing the property. There was no opposition to the applicant. Niki Whitehead and Bob Sand of the East Haven Land Trust spoke. The East Haven Land Trust has property around these pumps, upon speaking with the GNHWPCA today that they believe they have come to conclusion about protection and restoration as there is construction going on near the majority of the Trust Land. Their concern is the conservation of this land and marsh. A discussion with GNHWPCA was had regarding a repair or buffer between the uses of this property that is extended farther close to the wetland. Nothing was pinned down but confident in having those conversations we are satisfied. No other public comment was given. Bob Falcigno motioned that 18-04 was now closed. Donald Thomas makes a motion to approve the costal site plan and variance. Roll Call Vote. All in Favor. Motion Carried.

18-05

APPLICANT: Greater New Haven Water Pollution Control Authority: Property Concerned: 71 Meadow Street, Zone R-1, Map 140, Block 1426, Lot 007, – *Demo portions of existing sanitary wastewater pump station and construct a new elevated pump station to improve flood resiliency, move standby power/electrical equipment to new station.*

VARIANCE: § 25.10b: Proposed minimum wetland setback of 4.2' where 25' is required; Sched B; Line 8: A minimum rear setback of 4.8' where 20' is required.

Donald Thomas makes a motion that the testimony of 18-03 be applied to 18-05. Joseph Porto seconded. Mario again explains where the pump station will be and the rear set back as stated above. Similar size in building as the other buildings. Bob Falcigno asks if there is any public comment. Niki White Head asks if her testimony for the East Haven Land Trust also be brought forward to 18-05. Donald Thomas makes the motion. Roll Call Vote. All in Favor. Motion Carried. James Leary of East Haven states that they have a house on 44 and 59 Cliff Street, and 66 Meadow Street across from the pump station. We were never in favor of the pump stations from day 1. We cannot keep our eye on our docks as people do trespass there. If they go up higher I will not be able to see our dock at all. Mario states that the existing building is 13 feet high and the new building will be about 25 feet high and the reason we have to do this is because when you look at flood control protection we need to go 3 feet higher than the town requirement. That is a federal requirement for us. We will work with any landscaping that makes sense regarding the trees around it and we are bring very conscious that we make these building architecturally pleasing. Bob Falcigno asks if there is anyone else that would like to speak. There were none. Bob Falcigno motioned to close 18-05. Donald Thomas makes a motion to approve the costal site plan and variance. Roll Call Vote. All in Favor. Motion Carried.

18-06

APPLICANT: Greater New Haven Water Pollution Control Authority: Property Concerned: 24 Farview Road, Zone R-1, Map 020, Block 0109, Lot 020, – *Demo portions of existing sanitary wastewater pump station and construct a new elevated pump station to improve flood resiliency, move standby power/electrical equipment to new station Demo perimeter fence.*

VARIANCE: § 25.10b: Proposed minimum wetland setback of 1.5' where 25' is required; Sched B; Line 9: Side Setback of 0.9' where 10' is required; Sched B; Line 8: A rear setback of 4.4' where 20' is required; Sched B; Line 11: Lot coverage of 41% where 25% is allowed.

Donald Thomas makes a motion that the testimony of 18-03 be applied to 18-06. Roll Call Vote. All in Favor. Motion Carried. Mario again reviews the pumping station on 24 Fairview Avenue all of the previous pumps all end up here and that takes it to the interceptor by the airport and down to the pump station. This pump is a bit larger as the other pumps pump to it. Bob asks for any public comment. Leonardo Gugliotti 53 Caroline. Is the pump going to help control the flooding in the area. Mario states that there is tidal flooding through there that has bene adjusting drains that are there. No this will only affect the water in the sewer pipes and not have any effect on it. Bob Falcigno closes public hearing 18-06. Donald Thomas makes a motion to approve the costal site plan and variance. Roll Call Vote. All in Favor. Motion Carried.

James Leary – 53 Caroline, states that there are 8 houses that have a right away. Bob Falcigno states that if there is already away there and 8 houses have the right away Water Control will not interfere with that.

Chris Soto states that they did receive an appeal to one of his actions that was a permit. Chris brings to the boards attention Exhibit A for 60 Brown Road and will see it on your next agenda item for a public hearing. Donald Thomas motions for this to be added for the February meeting as a Public Hearing. Roll Call Vote. All in Favor. Motion Carried.

Michael Smith makes a motion to adjourn at 8:22 p.m. Donald Thomas seconds the motion. All in Favor. Motion Carried

Respectfully Submitted,

Temple Smith, Clerk