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**TOWN OF EAST HAVEN, CT  
ZONING BOARD OF APPEALS  
MINUTES OF A SPECIAL MEETING  
DECEMBER 10, 2015 AT 7:00 P.M. EAST HAVEN SENIOR  
CENTER**

**MEMBERS PRESENT:** ROBERT FALCIGNO – CHAIRMAN  
GEORGE HENNESSEY– VICE CHAIRMAN  
BEN GIAQUINTO-ABSENT  
CHARLES LANG  
JOSEPH PORTO

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

**MEMBERS PRESENT:** CHRISTOPHER SOTO-ZEO  
ALFRED ZULLO-ATTORNEY  
ROSALIE DEPALMA-CLERK

The meeting was called to order at 7:00 P.M. by Chairman Falcigno who then explained the procedure of the Board to the audience. Chairman Falcigno seated alternate, Donald Thomas to the Board in order to have a quorum. Chairman Falcigno noted to the applicants because it was a four member Board a unanimous vote was needed and they had the option to have their application heard at the next scheduled meeting. Donald Thomas made a motion to accept the minutes of the previous meeting; second by Joseph Porto. Motion carried unanimously. Chairman Falcigno then informed the audience 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. Motion carried unanimously.

**APPEAL:** 93 Caroline Road –

Appeal of Cease and Desist Order by Zoning Enforcement Officer  
*Accept for review and set public hearing date.*

Donald Thomas made a motion to accept appeals (notice of zoning violation error and Certificate of Occupancy) and continue them at the next scheduled ZBA meeting January 21, 2016, second by Joseph Porto. Roll call vote: Thomas –yes, Porto- yes, Hennessey- yes, Lang –yes. No further comments were made.

**15-22**

**APPLICANT & PROPERTY OWNER:** Brenda Miranda; Property Affected: 39 Florence Street; Zone R-2, Map 390, Block 4922, Lot 013

*Repairing front steps.*

**VARIANCE:** Schedule B Line #7: 25 feet required, finished steps will be 6 feet from curb. 19 feet of relief requested.

Miguel Cresco addressed the Board on behalf of the applicant. He was seeking a variance to repair front steps. The required certified receipts were submitted to the Board. Mr. Cresco stated he wanted to break the existing steep steps and build them less steep which would make them closer to the curb. Hardship: Stairs are unsafe and not legal. No further comments were made.

**15-24**

**APPLICANT & PROPERTY OWNER:** Robert & Nancy Gambardella; Property Affected: 25 Mallard Lane; Zone R-1, Map 290, Block 3714, Lot 005

*Finish off 20'x12' addition, construct 22'x12' upper deck, construct 22.5'x30' lower deck (wraps around-the-pool); and installation of 18' round pool.*

**VARIANCE:** Schedule B Line 9: 10 feet required, 8 feet relief requested to allow for 2 feet.; Line 11: Lot coverage 25% Max (2,069.09 Sq. Ft.), requesting relief for additional 229.9 Sq. Ft., to total lot coverage of 27.78% (2,299 Sq. Ft.) lot coverage.

Mr. & Mrs. Robert Gambardella addressed the Board on their behalf. They were seeking the aforementioned variances. The required certified receipts were submitted to the Board. Donald Thomas questioned if the required building permit for the deck was obtained, applicant replied it was not. Donald Thomas made a motion to accept variance based on an inspection of the deck to prove that it is safe and sound and that all codes are met; second by Charles Lang. Motion carried unanimously. Hardship: A creek on the property requires a side variance. No further comments were made.

**15-26**

**APPLICANT & PROPERTY OWNER:** Matthew & Allison Accettullo; Property Affected: 15 (fka 31) Old Town Highway; Zone R-3, Map 010, Block 0202, Lot 012

*Elevate existing residential building 6 feet in existing position.*

**VARIANCE:** Schedule B Line 6 - Height: 30 feet required, finished height 34 feet, 4 feet of relief requested; Line 7 - Street Line Setback: 25 feet required, 10.1 feet requested, 14.9 feet of relief; Line 9 - Side yard setback: 20 Feet Required, Requesting 9.2 feet relief on South side and 20.2 feet of relief on North side (see easement information); Line 11 - Lot Coverage: 20% allowed, completed coverage will be 34.3%, requesting 14.3% relief.

Matthew Accetullo addressed the Board on his behalf. He was seeking a variance to elevate an existing residential building 6 feet in existing position in compliance with FEMA requirements. The required certified receipts were submitted to the Board. Hardship: Building is in AE flood zone and has had flood damage during hurricane Irene and superstorm Sandy. No further comments were made.

**15-27**

**APPLICANT & PROPERTY OWNER:** Town of East Haven; Property Affected: 620 Coe Avenue; Zone LI-3, Map 160, Block 1615, Lot 002

*Convert property from restaurant use to a private, NFP membership club use. Existing vacant building to be remodeled to be made useable.*

**VARIANCE:** Use variance (as allowed per Section 51.8.3) of Schedule A, Line 18 to allow for a membership club use where not allowed in an LI-3 zone.

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ZEO Christopher Soto addressed the Board on behalf of the Town. He was seeking a variance to convert property at 620 Coe Avenue from restaurant use to a private NFP membership use. Existing vacant building will be remodeled to be made usable. The required certified receipts were submitted to the Board. Hardship: The parcel is currently too small to convert into an industrial use in accordance with the LI-3 Zone lot size requirements. Currently a similar use exist in an LI-3 Zone at 509 Laurel Street (ZBA Application #00-47 granted in October 2000). No further comments were made.

NO RECESS CALLED

SEE VOTING

VOTING:  
APPEAL 93 CAROLINE ROAD

Donald Thomas made a motion to accept appeals (notice of zoning violation error and Certificate of Occupancy) and to continue hearing to the next scheduled ZBA Meeting January 21, 2016, second by Joseph Porto. Motion carried unanimously.

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

GRANTED

15-22  
Hennessey – yes  
Porto- yes  
Thomas – yes  
Lang- yes

15-24

Granted with condition-Donald Thomas made a motion to accept variance based on an inspection of the deck to prove that it is safe and sound and that all codes are met; second by Charles Lang. Motion carried unanimously.

Hennessey –yes with condition  
Thomas – yes with condition  
Porto – yes with condition  
Lang – yes with condition

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GRANTED

15-26  
Hennessey – yes  
Thomas – yes  
Porto – yes  
Lang – yes

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ZBA

15-27

GRANTED

Hennessey- yes

Thomas – yes

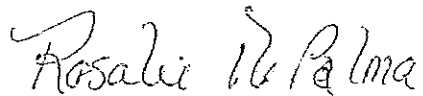
Porto – yes

Lang – yes

A motion was made by Joseph Porto to adjourn, second by Donald Thomas. Motion carried unanimously.

Vice Chairman Hennessey adjourned the meeting at 7:30 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rosalie DePalma".

Rosalie DePalma

Clerk