

**TOWN OF EAST HAVEN, CT
MINUTES OF A REGULAR MEETING
ZONING BOARD OF APPEALS
JUNE 21, 2012 7:30 P.M. EAST HAVEN SENIOR CENTER**

MEMBERS PRESENT: CHARLES LEMONS – CHAIRMAN
JOSEPH PORTO – VICE CHAIRMAN
ANTHONY REDENTE
ROBERT FALCIGNO
PAUL BEISLER

ALTERNATES PRESENT: DONALD THOMAS -ABSENT
MICHAEL ENDERS
RONALD VESTUTI-ABSENT

MEMBERS PRESENT: JAMES STAUNTON-ZEO
ALFRED ZULLO-ATTORNEY
ROSALIE DEPALMA-CLERK

The meeting was called to order at 7:30 P.M. by Chairman Lemons who then explained the procedure of the Board to the audience. A motion was made by Vice Chairman Porto to accept the minutes of the previous meeting; seconded by Robert Falcigno. Motion carried unanimously.

PUBLIC HEARINGS:**12 – 018 Continued (Tabled from 5/17/12 Meeting)**

Applicants & Property Owners: Paul & Sheila Smith; Property Affected: 10 Wildwood Drive ; Zone: R-2; Application to legalize an existing two-family structure. Variances required: Schedule “B”, General Bulk Standards, Line # 2, *minimum lot area per dwelling unit*, from 12,800 s.f. to 5,227 s.f.

Paul Smith 10 Wildwood Drive, East Haven, CT addressed the Board and submitted a letter into record requesting the Board Withdraw application 12-018. No further comments were made.

12 – 019 Applicant & Property Owner: Sean A. Devlin; Property Affected: 266B Cosey Beach Avenue ; Zone: R-1; Revised (Reference Application 12-011) Application for the construction of a new single-family home to the current FEMA requirements. The former home was destroyed by Tropical Storm Irene. Variances required: Schedule “B”, General Bulk Standards, Line # 7, *minimum setback from street line*, from 25 ft to 0.17 ft (2nd floor deck), to 2.94 ft (1st floor balcony), and to 7.33 ft (primary wall); Line # 8, *minimum setback from rear property line*, from 20 ft to 1.38 ft (stairs) and to 4.86 ft (primary wall); Line # 9, *minimum setback from side property lines*, from 10 ft to 5 ft (north wall), to 1.6 ft (south stairs), and to 5 ft (south wall); Line # 11, *maximum lot coverage as % of lot area*, from 25% to 53%; Line # 12, *maximum floor area as % of lot area*, from 50% to 116%; and Waiver of Section 25.4.3, *Additional Setbacks*, for building over 30 ft in height - total height to be 34 ft. Additionally the Board will consider the Coastal Site Plan comments.

Chairman Lemons informed the Board on the following amendments on the aforementioned application. Line #8 minimum setback from rear property line from 20 ft. to 13,23 ft to building wall, Line #9 minimum setback from side property lines to 5 ft. northeast and southwest, Line #11 maximum lot coverage as

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% of lot area from 25% to 35.5%, Line #12 maximum floor area as % of lot area from 50% to 63.6%.

Sean Devlin 266B Cosey Beach Avenue, East Haven, CT addressed the Board on his behalf. He was seeking the aforementioned variances and amendments and submitted the required certified receipts to the Board. Hardship: the existing non-conforming house is uninhabitable due to the effects of Tropical Storm Irene. Mr. Devlin stated the lot, which predates the implementation of Zoning, is undersized for the zone. The only bathroom and portions of the bedrooms on the second floor of the existing house are non compliant with current Building codes and amenities in the existing house are for a bygone era. Due to the tight proximity of properties on adjoining sites, the proposed 2nd floor balcony and 3rd floor deck are strategically located to take advantage of the only view of the beach from the east corner of the site. The lot sits at a very low elevation compared to the FEMA Flood zone requirement forcing the proposed lowest horizontal structure of the house to be at or above elevation 13" (NAVD 1988), which puts the first floor level of the proposed structure at approximately 9'.5: above existing lot grade level, thus pushing the highest point of the two story structure 34' above grade. No further comments were made.

NO RECESS CALLED

SEE VOTING:

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VOTING:

12-018

WITHDRAWN

12-019

GRANTED-VICE CHAIRMAN PORTO MADE
A MOTION TO APPROVE VARIANCE
REQUEST AND ACCEPT DEP AND COASTAL
SITE PLAN, SECONDED BY MR. FALCIGNO.
MOTION CARRIED UNANIMOUSLY.

Lemons – yes

Porto – yes

Beisler – yes

Falcigno – yes

Redente – yes

Vice Chairman made a motion to adjourn; seconded by Robert Falcigno. Motion carried unanimously.

Chairman Lemons adjourned the meeting at 7:40 P.M.

Respectfully submitted,

Rosalie DePalma

Clerk