

TOWN OF EAST HAVEN, CT
MINUTES OF A REGULAR MEETING
ZONING BOARD OF APPEALS
NOVEMBER 15, 2012 7:30 P.M. EAST HAVEN SENIOR CENTER

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

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

MEMBERS PRESENT: FRANK BIANCUR ZEO-ABSENT
JOSEPH ZULLO ATTORNEY-ABSENT
ROSALIE DEPALMA CLERK

The meeting was called to order at 7:30 P.M. by Vice Chairman Porto who then explained the procedure of the Board to the audience. Vice Chairman Porto seated alternate, Michael Enders, to the Board in order to have a quorum. A motion was made by Paul Beisler to accept the minutes of the previous meeting; seconded by Robert Falcigno. Motion carried unanimously.

PUBLIC HEARINGS:

12-26 APPLICANT & PROPERTY OWNER: Robert McGurgan & Elena Ritoli, Trustees ; Property Affected: 40 Cosey Beach Avenue; Map 030, Block 219, Lot 23. Zone R-1

Proposal to replace 16' x 30' deck on the South side of the house with stairs on the west side of the deck and entry stairs on the North side of the house (Southerly House). The deck and stairs were destroyed by Tropical Storm Irene.

VARIANCE: *Schedule 'B' General Bulk Standards, Line #9 Reduction of side setback (West Side) from 10' to 7.0' for steps from the deck*

Section 25 Schedule b Line #9 Reduction of side setback (East Side) from 10' to 3.7' for deck on South side of existing home

Section 44.10 Waiver to allow rebuilding of deck & steps that were destroyed by Tropical Storm Irene.

Jennifer Fisher, a surveyor, of LWF Land Surveying, 48 Alps Road, Branford, CT 06405 and Linda Dow, an engineer, with Criscuolo Engineering LLC, 420 East Main Street, Branford, CT 06405 addressed the Board on behalf of the applicant. The required certified receipts were submitted to the Board. They were seeking a variance to replace a 16' x 30' deck on the south side of the house with stairs on the west side of the deck and entry stairs on the north side of the house. The deck and stairs were destroyed by Storm Irene. Hardship : The variances requested are to allow the reconstruction of the deck and steps on the existing southerly house that were destroyed by Irene. There is no proposed increased to the coverage that existed prior to Irene and there is no proposed living space increase. The existing structure sits at an angle to the existing property lines and does not allow for the construction of a reasonable size replacement deck without variances. The variances will allow the property to be brought back to pre-storm conditions. No further comments were made.

**12-27 APPLICANT & PROPERTY OWNER: Frank Capone; Property
Affected: 164 Foxon Road; Map 480, Block 5939, Lot 004.
Zone R-3**

*Proposal for a conversion of one existing first floor commercial unit
to a residential apartment.*

VARIANCE: *Modification of a previously granted change of use
variance (granted 2/15/90) to permit an additional residential
apartment on first floor.*

Clerk read into record a letter addressed to ZEO Biancur from Attorney Michael
Albis requesting this application be withdrawn. Letter contained in the ZBA file.
No further comments were made.

NO RECESS CALLED

SEE VOTING

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ZBA

VOTING:

12-26

‘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.

Porto – yes

Beisler – yes

Falcigno – yes

Redente- yes

Enders - yes

12-27

WITHDRAWN

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

Vice Chairman Porto adjourned the meeting at 7:40 P.M.

Respectfully submitted,

Rosalie DePalma
Clerk