

**TOWN OF EAST HAVEN, CT  
ZONING BOARD OF APPEALS  
MINUTES OF A REGULAR MEETING  
AUGUST 21, 2014 7:30 P.M. EAST HAVEN SENIOR CENTER**

**MEMBERS PRESENT:** ROBERT FALCIGNO – CHAIRMAN  
PAUL BEISLER – VICE CHAIRMAN-ABSENT  
BEN GIAQUINTO  
CHARLES LANG  
TED MUSCO

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

**MEMBERS PRESENT:** FRANK BIANCUR -ZEO  
ALFRED ZULLO-ATTORNEY  
ROSALIE DEPALMA-CLERK

The meeting was called to order at 7:38 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. Charles Lang made a motion to accept the minutes of the previous meeting; seconded by Ted Musco. Motion carried unanimously.

**14-26** (TABLED FROM JULY 2014 MEETING)

APPLICANT & PROPERTY OWNER: Oscar Ovalles: Property Affected; 99 William Street; Zone R1, Map 100, Block 0914, Lot 027

*Proposal to put up a pool and build a deck attached to it.*

**VARIANCE:** Schedule 'B' Line #9 for all 3 variances. Asking for **4.2 ft where 10** is required (**5.10 ft of relief**) on east side of pool and deck is **9.2 ft off property line**, asking for **10 inches of relief**. West Side of the pool is **9.2 feet off property line**, asking for **10 inches of relief**.

Pool is 37 feet from foundation of the house and over 50 feet to rear property line.

Ted Musco made a motion to approve the hearing of application 14-26, tabled from July 2014 meeting; second by Donald Thomas. Motion carried unanimously.

ZEO Biancur read into record (filed in ZBA FILE) a report in favor of this application. The required certified receipts were submitted to the Board. The following people spoke in opposition of this application: Charles Parrett, 34 Hartman Avenue, Donovin Gianfredi 19 Hartman Avenue, Vincent Squeigla 35 Hartman Avenue, Vincent Arpino 33 Hartman Avenue and Joshua Onofrio 93 Williams Street. Their concerns property line measurements not accurate, if pool and deck anchored properly, right of way and location of pool, liability, and noise factor.

Mr. Onofrio stated his concern the pool is 5 ft. on his property and he was notified by his insurance company his insurance coverage would be cancelled as this would be a liability for him. Mr. Onofrio did indicate he would have no objection to the proposal if Mr. Ovalles would consider purchasing the property from him.

After reviewing the application on this property, Chairman Falcigno and Donald Thomas informed the Board the pool was on Mr. Onofrio's property, and the Board was in agreement, and gave the applicant two options either withdraw the application and come to an agreement with Mr. Onofrio within 30 days to purchase the property from him and reapply for a variance or they would deny the application and the pool and deck would have to be

removed. Mr. & Mr. Ovalles agreed to withdraw this application. No further comments were made.

**14-30**

APPLICANT & PROPERTY OWNER: Joy Carloni: Property Affected; 12 Caroline Road; Zone R3, Map 020, Block 0010, Lot 005

*Proposal to replace decks destroyed in storm and add another side yard deck which would be attached to the deck and wrap around the house.*

**VARIANCES:** Section 44 Nonconforming Property; Schedule 'B' Line #9 Side yard West Side 2 ft, reduction of 18 feet, Schedule 'B' Line #9 East Side 3ft off side yard, reduction of 17 ft.

Donald Thomas made a motion to approve the hearing of application 14-30, second by Charles Lang. Motion carried unanimously.

Mrs. Joy Carloni and Kevin Hart of 12 Caroline Road addressed the Board. They were seeking a variance to replace decks destroyed by storms and another side yard deck which would be attached to the deck and wrap around the house. Mr. Hart indicated the existing deck had been removed. The required certified receipts were submitted to the Board. Hardship: Non-conforming lot. No further comments were made.

**14-31**

APPLICANT & PROPERTY OWNER: Paul Burns: Property Affected: 8 Cortina Road; Zone R5; Map 590, Block 6834, Lot 004

*Proposal to construct 8 ft high fence along the rear of the property*

**VARIANCE:** Section 25.4.11 Fences

Donald Thomas made a motion to hear application 14-31 second by Ted Musco. Motion carried unanimously.

Mr. Paul Burns addressed the Board on his behalf. He was seeking a variance to construct and 8 ft. high fence along the rear of his property. The

required certified receipts were submitted to the Board. Hardship: Protect property from deer and wild animals and have privacy. No further comments were made.

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**14-32**

APPLICANT & PROPERTY OWNER: Anthony and Sara Erba; Property Affected, 9 Ellis Road; Zone R3, Map 20, Block 010, Lot 136

*Proposal to construct a new home over the flood plain as previous house was destroyed in Storm Sandy.*

**VARIANCE:** See application (in Planning and Zoning Office)

Mr. Falcigno noted this application was Tabled as they did not have the certificate of compliance from the State of Connecticut.

NO RECESS CALLED

SEE VOTING

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ZBA

VOTING:

14-26

WITHDRAWN

14-30

GRANTED

Falcigno – yes  
Thomas- yes  
Giaquinto – yes  
Lang- yes  
Musco – yes

14-31

GRANTED

Falcigno – yes  
Thomas- yes  
Giaquinto – yes  
Lang- yes  
Musco – yes

14-32

TABLED

Donald Thomas made a motion to adjourn; second by Ben Giaquinto,  
Motion carried unanimously.

Chairman Falcigno adjourned the meeting at 8:20 P. M.

Respectfully submitted,

Rosalie DePalma  
Clerk