

**TOWN OF EAST HAVEN, CT
ZONING BOARD OF APPEALS
MINUTES OF A REGULAR MEETING
AUGUST 20, 2015 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

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

Vice Chairman Hennessey called the meeting to order at 7:00 P.M. Chairman Falcigno addressed the audience and informed them 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. Chairman Falcigno then explained the procedure of the Board to the audience. Vice Chairman Hennessey seated alternate Donald Thomas to the Board in order to have a quorum. Chairman Falcigno noted that in order for an application to be granted all four favorable votes were needed and stated the applicants could withdraw their application to the next scheduled meeting. Chairman Falcigno introduced the new Zoning Enforcement Officer, Christopher Soto. Donald Thomas made a motion to accept the minutes of the previous meeting; second by Joseph Porto. Motion carried unanimously.

APPEAL: 60 BROWN ROAD

Appeal of preliminary approval of a Zoning Permit for the construction of a shed.

Discussion and possible decision.

Donald Thomas made a motion to accept appeal on 60 Brown Road and set public discussion to the next scheduled ZBA meeting. Roll Call Vote: Hennessey-yes, Thomas – yes, Lang- yes, Porto-yes. Motion carried unanimously.

15-13

APPLICANT & PROPERTY OWNER: Gail Nettleton/ Maria Shine; Property Affected: 6 Gerrish Avenue; Zone R-1, Map 200, Block 2509, Lot 009

Install above ground pool in previous pool location.

VARIANCE: Schedule B Line 9: Side Property Line Setback.

Gail Nettleton and Maria Shine addressed the Board on their behalf. They were seeking a variance to install an above ground pool in previous pool location. The applicants were before the Board in July seeking this variance but did not mail the required certified receipts to adjoining property owners and their application could not be heard. They now submitted the required certified receipts. ZEO Soto indicated to the Board the survey submitted with this application was not an official A-2 survey and the applicants were notified to provide an A-2 survey because of an additional addition proposed to the property. He felt when a final CO was required it could show discrepancies with this variance and this could affect the Board's decision on this variance. Chairman Falcigno agreed with Mr. Soto. Commissioner Lang questioned at length with the findings of opposition on this variance. Patty Bunce 24 Woodward Avenue, New Haven, CT spoke in favor of this application. No further comments were made.

15-16

APPLICANT & PROPERTY OWNER: William Dobie; Property Affected: 50 Minor Road; Zone R-3, Map 10, Block 306, Lot 003

Install A/C Compressor on new existing elevated platform on north side of house

VARIANCE: Section 25.1, Schedule B, Line 9 - Side yard reduction from 20 feet to 5.3 feet (14.7 foot variance) for air conditioner.

Ron Hurlburt, L.S., 12 Olde Orchard Road, Clinton, CT 06413 addressed the Board on behalf of the applicant. He was seeking side setback variance to install an air conditioner compressor on a new existing elevated platform on the north side of the house. He noted the variance requested is a reduction from 20' to 5.3', being a reduction of 14.7'. Hardship: Air conditioner platform must be elevated to conform to FEMA flood regulations. Existing platform is adjacent to mechanical room and is only practical location. House setback is existing, non-conformity. The required certified receipts were submitted. Attorney Zullo recused himself from this application. Mr. Richard Esposito 58 Minor Road, East Haven, CT spoke in favor of this application. Mr. & Mrs. John Petrillo 54 Minor Road, East Haven, spoke in opposition of this variance and submitted for the record photos, photographs and documentation on file in the Zoning office supporting their opposition. No further comments were made.

15-17

APPLICANT & PROPERTY OWNER: Robert Riendeau (Applicant), Christine Straub (Property Owner); Property Affected: 11 FKA 9 Philip Street; Zone R-3, Map 30, Block 215, Lot 021

House Elevation/lift, interior elevator, new foundation, longer stairs on back deck, change front deck and add longer stairs. Reconnect utilities.

VARIANCE: Schedule B Line 7: 6 feet of relief; Line 9: 15 feet of relief.

Christine Straub and Ronald Riendeau addressed the Board. They were seeking a variance for house elevation lift, interior elevator lift, new foundation, longer stairs on back deck, change front deck and add longer stairs, and reconnect utilities. The required certified receipts were submitted. Hardship: Flood zone and non-conforming lot. Donald Thomas questioned height of the dwelling, applicant replied 28 feet. Ms. Straub submitted an exhibit on this variance filed in the Zoning office. No further comments were made.

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15-18

APPLICANT & PROPERTY OWNER: Damon & Maritza Perry; Property Affected: 5 Edgemere Road; Zone R-2, Map 130, Block 1416, Lot 006

Erect a privacy fence: 8 feet tall in rear, 7 feet tall on right, 4 feet tall on left/driveway side.

VARIANCE: Schedule B Line 8: 1 foot of relief; Line 9: 11 feet of relief due to small shed in yard.

Damon and Maritza Perry addressed the Board on their behalf. They were seeking a variance to erect a privacy fence 8 feet tall in rear, 7 feet tall on right, and 4 feet tall on left driveway side. The required certified receipts were submitted. Hardship: A daycare and neighbors directly behind house and the children are distracting and they have no privacy. Mr. & Mrs. Perry submitted photos on file in the Zoning office supporting their need for this variance. No further comments were made.

NO RECESS CALLED

SEE VOTING:

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ZBA

VOTING:

15-13

DENIED

Hennessey – yes

Thomas – no

Lang- yes

Porto – yes

15-16

GRANTED – A motion was made by Charles Lang to accept application, second by Joseph Porto. Motion carried Unanimously.

Hennessey – yes

Thomas – yes

Lang – yes

Porto – yes

15-17

GRANTED - A motion was made by Charles Lang to accept application, second by Joseph Porto. Motion carried unanimously.

Hennessey – yes

Thomas – yes

Lang – yes

Porto – yes

15-18

GRANTED – A motion was made by George Hennessey to grant application, second by Charles Lang. Motion carried unanimously.

Hennessey – yes

Thomas – yes

Lang – yes

Porto – yes

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ZBA

A motion was made by Joseph Porto to adjourn; second by Charles Lang.
Motion carried unanimously.

Vice Chairman Hennessey adjourned the meeting at 8:25 P.M.

Respectfully submitted,

Rosalie DePalma
Clerk