

TOWN OF EAST HAVEN, CT
ZONING BOARD OF APPEALS
MINUTES – REGULAR MEETING
OCTOBER 19, 2017; 7:00 P.M. – EAST HAVEN SENIOR CENTER

MEMBERS PRESENT: ROBERT FALCIGNO – CHAIRMAN
 GEORGE HENNESSEY – VICE CHAIRMAN
 DONALD THOMAS
 JOSEPH PORTO
 MICHAEL SMITH

ALTERNATES PRESENT: DAVID GERSZ
 VINCENT LETTIERI

STAFF PRESENT: ALFRED ZULLO – ATTORNEY
 CHRISTOPHER SOTO –ZONING ENFORCEMENT OFFICER
 TEMPLE SMITH – CLERK

Chairman Falcigno called to order at 7:00 p.m. A quorum was established.

The East Haven Zoning Board of Appeals Commission will held its' Regular meeting at 7:00 pm on **Thursday, October 19, 2017** at the East Haven Community Center, 91 Taylor Avenue in order to transact the following:

APPEAL HEARING #17-05

APPELLANT: Ralph Mauro; Property Affected: 519 Laurel Street: Zone LI-3, Map 330, Block 4219, Lot 001 – *Appeal of Notice of Violation/Action of Z.E.O. (excavation/grading of topsoil, sand, and gravel)*

WITHDRAWN – Per Chris Soto

17-33

APPLICANT: Denise Lacroix; Property Affected: 4 Sibley Lane (AKA 23), Zone R-3, Map 050, Block 0402, Lot 002, – *Raising of existing home, replace foundation, remove and replace decks, add stairs.*

VARIANCE: Sched B; Line 8: Rear setback 2.6 ft. existing, 2.6 proposed. Line 9: Side setback, 3.8 ft. existing 3.8 proposed (north) 20.1' existing, 17.6 proposed (south). Line 11: Lot coverage 25.3% existing, 28.8% proposed.

Attorney Tom Crosby explains that they are here tonight regarding the variances needed to raise existing home. Attorney Crosby passes out drawings showing concern s of the size and dimensions of the side deck and stairs. (See Exhibit 1) Photos of existing side deck given to the board (See Exhibit 2). Attorney Crosby wants to be clear that they are here on the application and not the past discussions regarding having a past interest in purchasing the marina property. Atty. Crosby hands the board an email regarding the intent and not a signed contract (See Exhibit 3). This application is for hardship that runs with the land due to it being in a storm area (See Exhibit 4). Michael Smith questions does the house have all the qualifications for FEMA Regulations? Chris Soto states that FEMA leaves it up to the town and the town engineers direct what is needed from that point. Michael Smith states so we are just concerned with lot coverage with what is being asked of us as a board. Chris Soto states that is correct. Michael Smith states so what is the hardship as to make the deck bigger. Denise Lacroix states that it is to bring the stairs down into the driveway away from the neighbors or it would be in the middle of the driveway. Michael Smith wanted to go over issue number 5 from Mr. Miessau's

concerns and if all those concerns are met then I have no problem. Mr. John Miessau member of Lighthouse LLC, states he is strongly opposed to Ms. Lacroix request due to the fact that all the past applications that have been submitted proves no hardship to make the decks larger and add staircases. Past maps submitted by the applicant shows no building permit for that deck. Maps from 2017 when the State of CT was involved they reduced the size of the deck and still was able to raise the house. They are giving the board the impression this is the only way to obtain a non-conforming. These decks do not have to be size they are. There are other means and other ways this can be done without increasing the non-conforming. There is a list of things that were done on that house done without a building permit. The work that was done the building permit opened and closed the permit the same day. Where are the numbers that support the 50%? Robert Falcigno states that encroachment problem is a civil matter. John states that please consider the maps from the State of Ct that is can be done another way.

Attorney Zullo submits for the record East Haven Zoning Board vs. Jennifer DelVecchio (See Exhibit 5) as reference. Robert Falcigno closes public hearing. Robert Falcigno makes a motion to approve or deny. Joe Porto seconds the motion. Roll Call Vote. All in Favor. Motion Carried.

17-34

APPLICANT: Jhinson and Rosa Toro; Property Affected 388 North High Street, Zone R-2, Map 270, Block 3515, Lot 005, – *Keep room that was existing when the home was purchased.*

VARIANCE: Sched B; Line 9: Side setback 15' required, 10' proposed.

Rosa Toro states that she did not send notification to all her neighbors so she had to do it again. I purchased the property with an additional room it was a foreclosure house and the room was not on the map. We wish to keep the room as it is. There was no opposition. Public Hearing closed. Donald Thomas made a motion to approve. Joseph Porto seconded. Roll Call Vote. All in Favor. Motion Carried.

17-35 - C.A.L.

APPLICANT: Advanced Wheels of Technology Inc. (Christian Quandt, President); Property Affected: 650 Coe Avenue, Zone CB-1, Map 160, Block 1615, Lot 003, – *Certificate of Approval for Location.*

Christian Quandt states that they are a 30 year old company that modifies cars for people with disabilities. Chris Soto states that this has already been to Planning and Zoning and received approval. Green Cards are all set to go. They are not before you for a hearing to approve or deny ensuring they are in compliance. Donald Thomas made a motion to approve or deny. Michael Smith seconded. Roll Call Vote. All in Favor. Motion Carried.

17-36

APPLICANT: William Houde; Property Affected 36 Vera Street, Zone R-1, Map 140, Block 1424, Lot 013, – *Tear down existing home, and build new single family dwelling.*

VARIANCE: Sched B; Line 7: Street line setback 25' required, 15.5' proposed

Atty. Zullo wanted it on the record that he was involved on blight enforcement on this property which resulted in the property being sold and that he has done work with William Houde in the past and is not recusing himself. . William Houde states that he would like to tear the house and construct a new home. The new home will not fit on the property of a corner lot and needs 15 feet of setback. Chris Soto wants to be clear that he needs a front yard variance. Jack Lindsay 28 Vera Street states that he lives across the street and is happy to have him there and that they are setting the house back. Michael Waldano – asks have any plans been submitted as to what type of house will be put on the property and is anything going to be done with the street? Robert Falcigno states that the drawing is in front of you and they are not responsible for the street that is Public Works but he is responsible for the drainage. Chris Soto states that he calls the Town Engineer for the drainage if there is an issue. Bob Whitmore 31 Vera Street – in favor of the new house going up.

Respectfully Submitted,

Temple Smith, Clerk

