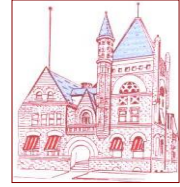




# CITY OF WEST HAVEN, CONNECTICUT



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## MEETING MINUTES OF ZONING BOARD OF APPEALS APRIL 20, 2022

The West Haven Zoning Board of Appeals held a Public Hearing and Regular Meeting on Wednesday April 20, 2022 in the Harriet North Room, Second Floor, City Hall, 355 Main Street, West Haven, CT at 7:15 P.M.

PRESENT: Commissioners Wise, Coscia, Porto, Caple, DeLeo, and ZEO Hotchkiss.  
Absent were Commissioners Clifford, Rivera and Zentarski

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner DeLeo made a motion to approve the public hearing and regular meeting minutes of March 16, 2022, seconded by Commissioner Caple and passed.

**Continued:**

**Public Hearing:**

**689 West Main Street:** A request to construct a 50' by 30' single-family dwelling with two car garage under. The variance requested is from Section 47.2.2 where lots are required to be the same size and configuration as 75% other lots on the same block, and 60% is proposed. File # 003-22 V

Anthony Cordone, West Haven, CT., stated this lot was in an A zone in 1926. It is 10,500 sq. ft. In 2006 regulations were changed requiring 16,000 sq. ft. making this lot non-conforming. This lot was before those regulations. The property will be within 60% of the other lots in the neighborhood. This lot has been taxed as a building lot and there was no prior merger. Sidewalks and curbs will be installed. He is asking for relief of the 75% rule. Commissioner Coscia stated there are five lots smaller and five lots larger and fits in the neighborhood. Mailings were submitted to the file.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

John Nusdeo, 104 Lake Ave., concerned about how close the building will be to his property.

Mr. Cordone stated the lot is 140' deep and has about 80' from the property line to the house.

**New**

**Public Hearing:**

**38 Orange Avenue:** A request to erect an electric fence next to the existing chain link fence. The variance requested is from Section 52.2 Use of Dangerous Fence Material: where electric fences are prohibited throughout the City. Owner Penske Truck Leasing CO. / Applicant: AMAROK, LLC File # 005-22 V

Continued.

**40 Great Circle Road:** A request to construct a 13' by 33' garage. The variance requested is from Section 10.4.2 where 6' side yard is required and 2' is proposed. Owner/applicant Edward Viglione File # 062-22 V

Applicant stated in February a 13' x 31' ft garage was approved. However, due to a clerical error on the applicant the garage being built was going to be 13' x 33'. He notified staff and was informed that a new application had to be filed. The variance will not change and was approved in February.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

**51 First Avenue:** A request to demolish an existing single-family dwelling and construct a new two-family home. The Variance requested is from Table 12.1 (C): lot area where 24,000 square feet is required and 17,097 square feet is existing. Owner/applicant Robert Mellilo File # 007-22 V

Attorney Vincent Falcigno, West Haven, CT., submitted an evidence booklet with the following: 1952 assessor's cards, current assessor's cards and area lot sizes and uses. The property is in a R3 zone and has been for several decades been allowed to be a two family by right. In 2006 a change of regulations changed the size and the use is permitted. This hardship was not self-created but due to change in regulations. The plan complies with all other setbacks. This zone does not permit Airbnb rentals. No comments were received from other departments. Mailings were submitted.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

Vincent L'Orrico 33 First Ave has no problem with the duplex but has a problem if there is Airbnb rentals He was informed R3 does not allow Airbnb rentals.

Robert Landino, 49 First Ave., is opposed.

Pamela Faith, 77 First Ave., is concerned that multi-family lowers the value, especially not owner occupied. There is rental of Airbnb two houses away from her. There is noise, people encroaching on her beach and parking.

Attorney Falcone rebutted that Mr. Landino's house is next to the dilapidated home and will raise the value of home by having a new modern home. There was a change in regulation in December 2020 that a property must come before the board to get permission to Airbnb. But this zone does not allow it at all. This lot is the second biggest in the area and there is ample parking.

**Deliberation on Public Hearing Items:**

**689 West Main Street:** File # 003-22 V

Commissioner Coscia made a motion to approve File #003-22 V with the condition that construction be started within the year and after foundation, completed in one year DeLeo, seconded by Commissioner. Roll call was called. File #003-22 approved 5 – 0 with conditions

**38 Orange Avenue** File # 005-22 V

Commissioner Coscia made a motion to continue File #005-22V to the next meeting, seconded by Commissioner Porto and passed.

**40 Great Circle Road:** File # 006-22 V

Commissioner Coscia made a motion to approve File #006-22 V, seconded by Commissioner DeLeo. Roll call was called. File #006-22 approved 5 – 0.

**51 First Avenue:** File # 007-22 V

Commissioner Coscia made a motion to approve File #007-22 V with the condition that no short-term rentals be allowed, seconded by Commissioner Caple. Roll call was called. File #007-22 approved 5-0 with condition.

Staff Reports – Commissioner Coscia would like the zoning enforcement officers to follow up on illegal short-term rentals.

Adjournment: 8:20 p.m.

Commissioner Coscia made a motion to adjourn, seconded by Commissioner DeLeo and passed.