

APPROVED 3-17-11
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

Meeting of the Zoning Board of Appeals held on Thursday, February 17, 2011 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in the Room #2 at 7:30 PM.

MEMBERS PRESENT:

Robert F. Hannon, Chairman
Caren M. Genovese, Vice Chairman
Donald F. Clark, Secretary
Joseph A. Cappucci
Joseph P. Villano
Mary Jane Mulligan, Alternate
Cheryl A. Juniewicz, Alternate

MEMBERS ABSENT:

Robert E. Martin, Alternate

TOWN PERSONNEL:

Alan A. Fredricksen, Land Use Administrator
Arthur Hausman, Zoning Enforcement Officer

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer
Sandi Lion, Clerk

AGENDA:

Mr. Hannon, Chairman, opened the meeting at 7:32 PM and introduced the members of the Board, the Town staff, the stenographer and clerk. He then explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur.

Mr. Clark read the call for the first Public Hearing. Mrs. Genovese recused herself from this application and Ms. Juniewicz sat in her place.

1. #11-02 Application of Barlo Signs, Applicant, Price Reit, Inc, Owner, relative to 411 Universal Drive North, (Map 21, Lot 4), per Section 8.8.7.2, to permit a third freestanding sign where two (2) are permitted. IL-80 Zoning District.

Mr. Timothy Sullivan of Barlo Signs presented the application to permit a third free standing (2' x 4') illuminated sign where only two are permitted. Mr. Sullivan stated that the sign would be located on Universal Drive and is needed to better identify the Urgent Care Center entrance for patients seeking urgent care. The Board asked questions and Mr. Sullivan responded.

There being no public comment, the Public Hearing was closed.

Mr. Clark read the call for the second Public Hearing.

2. #11-04 Application of the Town of North Haven, Owner and Applicant, relative to 222 Maple Avenue and 48 Sackett Point Road, (Map 45, Lot 89, Map 45, Lot 42 and Map 37, Lot 69), per Section 2.1.1.9, requesting a variance of 25 feet to allow a maximum height of 60 feet where 35 feet is permitted and per Section 2.1.1.9, requesting a side yard variance of 7 feet to permit a side yard setback of 3 feet where 10 feet is required. R-20 Zoning District.

Attorney Jennifer Coppola of Ciulla & Donofrio, presented the application to allow a 60 feet high netting system for the North Haven High School fields. Attorney Coppola is requesting a variance of 25 feet to allow a maximum height of 60 feet where 35 feet is permitted and a side yard variance of 3' where 10' is required. The Board asked questions and Attorney Coppola and Mr. Grant Peckham of the North Haven Board of Education, responded.

Mr. Hannon asked for public comment.

Public comment:

1. Terry Burkhard, 170 Maple Avenue, asked about the location of the field netting and if it would be visible from her property.
2. Giovanni Bencivenga, 178 Maple Avenue, asked when the field netting will be installed.
3. George Desrosiers, 27 Valleybrook Road, asked if the variance is approved will zoning change for that area.
4. Charles Casey, 19 Valleybrook Road, asked about the location and the length of the field netting.

Attorney Coppola and Mr. Peckham responded to the public comment.

There being no further questions, the Public Hearing was closed.

Mr. Clark read the call for the third Public Hearing.

3. #11-05 Application of 67 Defco Park Road, LLC, Owner, John W. Colleran, Esq., Applicant, relative to 67 Defco Park Road, (Map 95, Lot 24), per Section 8.3.3.1, requesting approval to enlarge an existing non-conforming building. IL-80 Zoning District.

Attorney John Parese, representing the applicant and owner, presented the application to enlarge off the west side of an existing, non-conforming building located at 67 Defco Park Road. The Board asked questions and Attorney Parese responded.

There being no public comment, the Public Hearing was closed.

DELIBERATION SESSION:

PUBLIC HEARINGS:

1. #11-02 Application of Barlo Signs, Applicant, Price Reit, Inc, Owner, relative to 411 Universal Drive North.

Mr. Clark moved to approve the application for the purpose of discussion; Mr. Cappucci seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Cappucci – aye Villano – aye Juniewicz - aye

In approving the application the Board stated the following:

1. The variance is restricted to a medical urgent care facility only.
2. The request is minimal.
3. The variance was approved for the health and safety of patients seeking urgent care.

2. #11-04 Application of the Town of North Haven, Owner and Applicant, relative to 222 Maple Avenue and 48 Sackett Point Road.

Mrs. Genovese moved to approve the application for the purpose of discussion; Mr. Clark seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Cappucci – aye Villano – aye

In approving the application the Board stated the following:

1. The hardship is the potential physical danger from balls being batted or thrown into adjacent residential lots.

3. #11-05 Application of 67 Defco Park Road, LLC, Owner, John W. Colleran, Esq., Applicant, relative to 67 Defco Park Road.

Mr. Cappucci moved to approve the application for the purpose of discussion; Mr. Villano seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Cappucci – aye Villano – aye

In approving the application the Board stated the following:

1. Approval was given to enlarge an existing, non-conforming building.
2. The variance request is reasonable.

OTHER: None

CEASE AND DESIST ORDERS:

Mr. Hausman, Zoning Enforcement Officer, outlined current zoning violations with the Board.

-19 Country Way – Three quarter ton truck in a residential zone and unregistered motor vehicles

Mr. Hausman sent a Cease & Desist Order on January 3, 2011.

-Lot 9, Pierpont Court - Excessive fill

Mr. Hausman sent a Cease & Desist Order on January 13, 2011.

-61 State Street –Building/construction activity without a permit

Mr. Hausman sent a Cease & Desist Order on January 14, 2011.

-245 Montowese Avenue – Commercial activity in a residential zone and installation of a fence exceeding the height limitation of the Planning & Zoning regulations

Mr. Hausman sent a Cease & Desist Order on January 14, 2011.

MINUTES:

December 16, 2010

Mr. Cappucci moved to approve the minutes of the December 16, 2010 meeting; Mr. Clark seconded the motion; the Board members voted as follows:

Hannon – aye Genovese – aye Clark – aye Cappucci – aye Villano – aye

CORRESPONDENCE: Connecticut Federation of Planning & Zoning Agencies
Newsletter, Winter 2011

Mr. Hannon distributed the Code of Ethics Policy to the Board.

ADJOURN:

There being no further business, Mr. Cappucci moved to adjourn; Mr. Villano seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:30 PM.