

**APPROVED 7-28-11
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS**

Meeting of the Zoning Board of Appeals held on Thursday, June 16, 2011 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Caren M. Genovese, Vice Chairman
Walter M. Spader, Jr., Alternate

TOWN PERSONNEL:

Alan A. Fredricksen, Land Use Administrator

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer
Sandi Lion, Clerk

AGENDA:

Mr. Hannon, Chairman, opened the meeting at 7:34 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. Hannon stated that applications #11-08, #11-10, and #11-12 are postponed to the July 21, 2011 meeting.

A-2 SURVEY WAIVERS:

Mr. Clark read the call for the A-2 Survey Waiver.

1. #A2W-11-02 Application of Terrence T. Heffernan, Applicant and Owner, relative to 180 Sackett Point Road, (Map 36, Lot 11), seeking a waiver of the A2 survey application requirement.

Mr. Terrence Heffernan presented the application to waive the A2 Survey application requirement. He is requesting to convert a veranda to a dog grooming establishment. The Board asked questions and Mr. Heffernan responded.

PUBLIC HEARINGS:

1. #11-08 Application of Bernard Pellegrino, Esq., Applicant, Eugene Criscuolo, Owner, relative to 61 State Street, (Map 59, Lot 38), Appeal of a decision of the Zoning Enforcement Officer. IL30 Zoning District.

This application is postponed to the July 21, 2011 meeting.

2. #11-09 Application of Peter D'Agostino, Owner and Applicant, relative to 62 Manor Drive, (Map 17, Lot 46), per Section 2.1.1.9, requesting a side yard variance of 2.1' to permit a side yard of 12.3' where 14.4' is required, and requesting an aggregate side yard variance of 2.1' to permit an aggregate side yard of 27.9' where 30' is required. R-20 Zoning District.

Mr. Peter D'Agostino, owner and applicant, presented the application to permit a front door next to a garage overhead door and an addition over the garage. The Board asked questions and Mr. D'Agostino and Mr. Dan Orth, contractor, responded. Mr. Hannon read letters, into the record, from the applicant's neighbors in favor of the application, exhibits A through D.

Mr. Hannon asked for public comment.

Public comment:

1. Jim Shay, 98 Bradley Street, owns property near applicant's property and questioned the accuracy of the applicant's survey.

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

3. #11-10 Application of Daniel Proch, Owner and Applicant, relative to 27 Lawncrest Drive, (Map 96, Lot 70), per Section 2.1.1.9, requesting a side yard variance of 15.7' to permit a side yard setback of 4.3' where 20' is required, and an aggregate side yard variance of 15.8' to permit an aggregate side yard of 14.2' where 30' is required. R-20 Zoning District.

This application is postponed to the July 21, 2011 meeting.

4. #11-12 Application of David Frost, Owner and Applicant, relative to 860 Middletown Avenue, (Map 48, Lot 21), per Section 2.1.1.7, seeking a residential sign variance to allow a 5' x 3' free standing sign, where one square foot attached to the dwelling is permitted. R-40 Zoning District.

This application is postponed to the July 21, 2011 meeting.

5. #11-13 Application of Laura Andrighetti, Owner and Applicant, relative to 101 Highland Park Road, (Map 83, Lot 16), per Section 2.1.1.9, requesting a 6.5' front yard variance to allow a front yard setback of 43.5' where 50' is required. R-40 Zoning District.

Ms. Laura Andrighetti, owner and applicant, presented the application to permit a roof over the existing front steps. The Board asked questions and Ms. Andrighetti responded.

Mr. Hannon asked for public comment:

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

6. #11-14 Application of Joseph Esparo, Applicant, James and Dolores Esparo, Owners, relative to 236 Clintonville Lane, (Map 68, Lot 7), per Section 8.3.1.3, requesting to expand an existing non-conforming use. R-20 Zoning District.

Mr. James Esparo, owner, presented the application to expand an existing, non-conforming dwelling unit by using one existing garage bay for living space. Mr. Esparo distributed letters from neighbors in favor of the application, exhibits A through C. The Board asked questions and Mr. Esparo responded.

Mr. Hannon asked for public comment.

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

DELIBERATION SESSION:

1. #A2W-11-02 Application of Terrence T. Heffernan, Applicant and Owner, relative to 180 Sackett Point Road, (Map 36, Lot 11), seeking a waiver of the A2 survey application requirement.

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

PUBLIC HEARINGS:

2. #11-09 Application of Peter D'Agostino, Owner and Applicant, relative to 62 Manor Drive.

Mr. Cappucci moved to approve the application for the purpose of discussion; Mr. Clark 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 limited to this proposed additon only.
2. The request is reasonable.
3. The proposed addition conforms with the neighborhood.

5. #11-13 Application of Laura Andrighetti, Owner and Applicant, relative to 101 Highland Park Road.

Mr. Villano 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 proposed roof is limited to the dimensions of the existing front steps.
2. The hardship is health and safety concerns.

6. #11-14 Application of Joseph Esparo, Applicant, James and Dolores Esparo, Owners, relative to 236 Clintonville Lane.

Mr. Clark moved to approve the application for the purpose of discussion; Mr. Villano 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 expansion is limited to the area of one garage bay only.
2. The request is reasonable.
3. The existing structure predates zoning.

OTHER: None

CEASE AND DESIST ORDERS:

Mr. Alan Fredricksen, Land Use Administrator outlined current zoning violations with the Board.

5 Ridgewood Avenue – fence height violation

Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on May 24, 2011.

MINUTES:

May 19, 2011

Mr. Clark moved to approve the minutes of the May 19, 2011 meeting; Mr. Cappucci seconded the motion; the Board members voted as follows:

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

CORRESPONDENCE: None

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 8:02 PM.