

**APPROVED 9-15-11
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS**

Meeting of the Zoning Board of Appeals held on Thursday, August 18, 2011 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:30 PM.

MEMBERS PRESENT:

Robert F. Hannon, Chairman
Caren M. Genovese, Vice Chairman
Donald F. Clark, Secretary
Joseph A. Cappucci
Cheryl A. Juniewicz, Alternate

MEMBERS ABSENT:

Joseph P. Villano
Mary Jane Mulligan, Alternate
Walter M. Spader, Jr., Alternate

TOWN PERSONNEL:

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

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer

AGENDA:

Mr. Hannon, Chairman, opened the meeting at 7: 31 p.m. 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.

A2-SURVEY WAIVERS:

1. #A2W-11-03 Application of Michael J. Ajello, Esquire, John Liquori, Owner, relative to 111 Fitch Street, (Map 17, Lot 76), seeking waiver of the A-2 survey application requirement.

Mike Ajello, Esquire, presented the application.

Mr. Hannon asked for public comment, but there was none.

There being no further questions, the item was closed.

2. #A2W-11-04 Application of Susanne Twigg, Owner and Applicant, relative to 97 Hartley Street, (Map 41, Lot 89), seeking waiver of the A2 survey application requirement.

Ms. Susanne Twigg presented the application.

The Commission members asked questions as to non-conformity of the existing house and the size of the proposed desk.

Mr. Hannon asked for public comment, but there was none.

There being no further questions, the item was closed.

3. #A2W-11-05 Application of Michelle Serlin, Owner and Applicant, relative to 36 Kent Drive (Map 33, Lot 103), seeking waiver of the A2 survey application requirement.

Michelle Serlin and Adam Hillman presented the application.

Mr. Hannon asked for public comment, but there was none.

There being no further questions, the item was closed.

PUBLIC HEARINGS:

1. #11-16 Application of Gregory R. Macmillen, Owner and Applicant, relative to 31 Meadow View Drive, (Map 14, Lot 12), per Section 2.1.1.9, requesting a side yard variance of 18' to permit a side yard setback of 7' where 25' is required. R-40 Zoning District.

Mr. Gregory Macmillen presented the application.

The Commission asked questions regarding the locations of the leeching fields and of the septic tank.

The applicant submitted a drawing to illustrate the location of the leeching fields, Exhibit A.

Mr. Hannon asked for public comment, but there was none.

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

2. #11-18 Application of Terrence T. Heffernan, Owner and Applicant, relative to 180 Sackett Point Road, (Map 36, Lot 11), per Section 2.1.1.3, requesting a use variance to permit a dog grooming establishment in a Residential Zoning District. R-20 Zoning District.

Terrence Heffernan and Katrina Wright presented the application.

They explained the use of dog grooming in their home and the need for it.

The Commission asked questions and the applicants answered them.

A letter from the neighbors was submitted stating that they do not object to the use, Exhibit A.

Mr. Hannon asked questions as to the number of dogs on the premises.

Mr. Hannon asked for public comment:

1. Lou Giamo – 176 Sackett Point Road spoke in favor of the application.
2. Julia Pohoda – 27 Sackett Point Road spoke against the application.

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

3. #11-19 Application of Robert & Jane Pasuth, Owners and Applicants, relative to 10 Jansen Lane, (Map 50, Lot 31), per Section 8.13.2.5.3., requesting a variance of 65' to permit a detached accessory storage building in a front yard 10' from a street line where 75' from a street line is required. R-20 Zoning District.

Mr. Robert Pasuth presented the application.

He submitted letters from neighbors in favor of the application, Exhibits A, B and C. He also provided a picture of the proposed shed as Exhibit D.

The Commission asked questions and the applicant answered them.

Mr. Hannon asked for public comment:

1. Philip Ross - 1625 Ridge Road, spoke against the application.
2. Maria Rethis - 21 Jansen Lane, spoke against the application.

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

4. #11-20 Application of James & Felicia Arcangelo, Owners and Applicants, relative to 19 Pierpont Court, (Map 38, Lot 128), per Section 2.1.1.9, requesting a front yard variance of 32' to permit a front yard setback of 18' where 50' is required. R-40 Zoning District.

Mrs. Felicia Arcangelo presented the application.

Mrs. Arcangelo submitted a letter from a neighbor in favor of the application. Exhibit A.

The Commission asked questions and the applicant answered them.

Mr. Hannon asked for public comment, but there was none.

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

5. #11-21 Application of Barry I. Steinberg, Applicant, BCFM II, LLC, Owner, relative to 52-58 Washington Avenue, (Map 67, Lot 39), per Section 8.3.3.1, requesting approval to enlarge an existing non-conforming building. CB 20/R-20 Zoning Districts.

Mr. Clark recused from this application.

Barry Steinberg, P.E., presented the application.

The Commission asked questions and the applicant answered them.

Mr. Hannon asked for public comment, but there was none.

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

DELIBERATION SESSION:

A2-SURVEY WAIVERS:

1. #A2W-11-03 Application of Michael J. Ajello, Esquire, John Liquori, Owner, relative to 111 Fitch Street.

Mr. Clark moved to approve the application; Mr. Cappucci seconded the motion.

The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Cappucci – aye Juniewicz - aye

The application was approved.

2. #A2W-11-04 Application of Susanne Twigg, Owner and Applicant, relative to 97 Hartley Street.

Ms. Juniewicz moved to approve the application; Mr. Cappucci seconded the motion.

Hannon – aye Genovese – nay Clark – nay Cappucci – aye Juniewicz – nay

The application was denied. An A-2 survey needs to be provided.

3. #A2W-11-05 Application of Michelle Serlin, Owner and Applicant, relative to 36 Kent Drive.

Ms. Juniewicz moved to approve the application; Mr. Clark seconded the motion.

Hannon – aye Genovese – aye Clark – aye Cappucci – aye Juniewicz – aye

PUBLIC HEARINGS:

1. #11-16 Application of Gregory R. Macmillen, Owner and Applicant, relative to 31 Meadow View Drive.

Mrs. Genovese moved to approve the application; Mr. Cappucci seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Cappucci – aye Juniewicz – aye

In approving the application the Board stated the following:

1. The location of the leeching fields is the hardship.
 2. The height of the new garage is limited to 15 feet.
 3. The new garage must match the appearance of the house.
2. #11-18 Application of Terrence T. Heffernan, Owner and Applicant, relative to 180 Sackett Point Road.

Mr. Cappucci 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 Juniewicz – aye

In approving the application the Board stated the following:

1. The use is limited to dog grooming only.
 2. The use is subject to any applicable Department of Agriculture and Department of Health regulations.
 3. The number of dogs to be groomed is limited to three (3) per day.
3. #11-19 Application of Robert & Jane Pasuth, Owners and Applicants, relative to 10 Jansen Lane.

Ms. Juniewicz moved to approve the application; Mr. Cappucci seconded the motion. The Board voted as follows:

Hannon – nay Genovese – nay Clark – nay Cappucci – nay Juniewicz – nay

The application was denied. In denying the application, the Board stated the following:

1. There are alternative locations to build the structure.
 2. There was no hardship found.
4. #11-20 Application of James & Felicia Arcangelo, Owners and Applicants, relative to 19 Pierpont Court.

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

Hannon – aye Genovese – aye Clark – aye Cappucci – aye Juniewicz – aye

In approving the application the Board stated the following:

1. The new garage is limited to one story in height.
2. The new garage must match the appearance of the house.
3. This proposal is in conformance with the neighborhood.
4. The location is restricted by proposed future construction.

5. #11-21 Application of Barry I. Steinberg, Applicant, BCFM II, LLC, Owner, relative to 52-58 Washington Avenue.

Mrs. Genovese moved to approve the application; Ms. Juniewicz seconded the motion.

Hannon – aye Genovese – aye Cappucci – aye Juniewicz – aye

The application was approved.

OTHER: None

CEASE AND DESIST ORDERS: None

MINUTES:

July 28, 2011

Mrs. Genovese moved to approve the minutes of the July 28, 2011 meeting;
Mr. Cappucci seconded the motion.

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

Mr. Art Hausman, Zoning Enforcement Officer, updated the Commission with regards to the following enforcement actions:

5 Ridgewood Avenue
500 Middletown Avenue
2123 Whitney Avenue
59 Potter Road
279 Upper State Street
245 Montowese Avenue
346 State Street

CORRESPONDENCE: None

ADJOURN:

There being no further business, Mr. Clark moved to adjourn; Mr. Cappucci seconded the motion; the Board unanimously approved the motion.

The meeting was adjourned at 9:40 PM.