

APPROVED 1-19-12
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, December 15, 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
Joseph P. Villano
William D. O'Hare, Alternate
Jacob M. Piekarski, Alternate

MEMBERS ABSENT:

Mary Jane Mulligan, 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 7:34 PM and introduced the members of the Board, the Town staff, the stenographer and clerk. Then, Mr. Freda, First Selectman, thanked all the members for their commitment to the Board and asked for a nomination for the office of Chairman of the Zoning Board of Appeals. Mrs. Genovese nominated Mr. Hannon for the office of Chairman; Mr. Cappucci seconded the nomination; all were in favor. For the office of Vice Chairman, Mr. Cappucci nominated Mrs. Genovese for the office of Vice Chairman; Mr. Clark seconded the nomination. Then, Mr. Villano nominated Mr. Clark for the office of Secretary; Mr. Cappucci seconded the motion; all were in favor. Mr. Freda then congratulated all of the elected members.

Mr. Hannon 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.

PUBLIC HEARINGS:

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

1. #11-30 Application of Neal Angelini, Owner and Applicant, relative to 65 Winchester Drive, (Map 38, Lot 112), per Section 2.1.1.9, requesting a side yard variance of 18.5' to allow a side yard setback of 6.5' where 25' is required, and per Section 8.13.2.2.1, requesting a variance of 400 sq. ft. to allow a 1,600 square feet detached garage where 1,200 square feet is permitted, and per Section 8.13.2.2.4, requesting a variance of 13' to allow a 28' high garage where 15' is permitted. R-40 Zoning District.

Mr. Neal Angelini, owner and applicant, presented the application to permit the construction of a 1,600 square feet, two story, detached garage where only 1,200 square feet is permitted. Mr. Hannon asked Mr. Angelini for a hardship. The applicant stated that there was no hardship. Mr. Hannon stated that he prefers a one story garage. The Board asked questions and Mr. Angelini responded.

Mr. Hannon asked for public comment. There being no public comment, the Public Hearing was closed.

DELIBERATION SESSION:

PUBLIC HEARING:

1. #11-30 Application of Neal Angelini, Owner and Applicant, relative to 65 Winchester Drive.

Mrs. Genovese moved to approve the side yard setback of 6.5' for the purpose of discussion; Mr. Cappucci seconded the motion. The Board voted as follows:

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

In approving the application the Board stated the following:

1. The hardship is the contour of the property.
2. The neighbors were not in opposition to the application.

Mrs. Genovese moved to deny the variance request for 400 square feet that would allow a 1,600 square feet structure to be built where 1,200 square feet is permitted and the variance request of 13' to allow a height of 28' where 15' is permitted. Mr. Villano seconded the motion. The Commission voted as follows:

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

In denying the variance request for additional square feet and height, the Board stated the following:

1. There was no hardship found.

OTHER: None

CEASE AND DESIST ORDERS:

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

6 Overbrook Drive – Motor vehicles over three quarter ton capacity in a residential zone.

Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on November 22, 2011.

283 Kings Highway - Having more than three unrelated people living at the same residence.

Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on November 29, 2011.

10 Maple Avenue – Expansion of non-conforming uses beyond the premises on which they are allowed.

Mr. Hausman, Zoning Enforcement Officer, sent a Cease & Desist Order on November 28, 2011.

MINUTES:

November 17, 2011

Mr. Cappucci moved to approve the minutes of the November 17, 2011 meeting; Mr. Clark seconded the motion; the Board members voted as follows:

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

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 8:00 PM.