

APPROVED 11-15-12
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, October 18, 2012 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in 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
William D. O'Hare, Alternate
Jacob M. Piekarski, Alternate

MEMBERS ABSENT: None

TOWN PERSONNEL:

Alan A. Fredricksen, Land Use Administrator

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Hannon, Chairman, opened the meeting at 7:30 PM and introduced the members of the Board, the Town staff, the stenographer and clerk. Then, he 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 WAIVER:

Mr. Clark read the call for the A2 Survey Waiver.

1. A2W-12-04 Application of Navin Patel, Owner, Bhavna Patel, Applicant, relative to 11 Revere Road, (Map 81, Lot 40), seeking a waiver of the A2 survey requirement.

Mrs. Bhavna Patel, applicant, presented the application for a waiver of the A2 survey requirement to permit the construction of a new vestibule to the front of her house. The Board asked questions and Mrs. Patel responded. Mr. Clark then read a letter, signed by neighbors residing at 15 Revere Road, 7 Revere Road, 10 Revere Road and 27 Musket Drive, in favor of the application, Exhibit A. Mrs. Patel submitted a sketch of the proposed front vestibule, Exhibit B.

PUBLIC HEARINGS:

1. #12-23 Application of John Paul Garcia, P.E., L.S., Applicant, David Fantarella, Owner, relative to 1125 Ridge Road, (Map 25, Lot 5), per Section 8.6.2.1, requesting a fence height variance of 3' to permit a 6' high fence in a front yard where 3' is permitted. R-20 Zoning District.

This application was postponed to the November 15, 2012 meeting.

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

Mr. Clark recused himself from this application and Mr. Piekarski sat in his place.

2. #12-24 Application of Sylvia Dell'Oro, Applicant, Piazza, LLC, Owner, relative to 144-154 Washington Avenue (Map 73, Lot 34), per Section 4.4.2, requesting a front yard variance of 6.6' to permit a front yard setback of 43.4' where 50' is required, and requesting a side yard variance of 11.6' to permit a side yard setback of 3.4' where 15' is required. CB-20 Zoning District.

Ms. Sylvia Dell'Oro, applicant, presented the application to permit an additional 3' of overhang over the sidewalk in the front of her building located at 144 Washington Avenue and the construction of a handicapped ramp located at 154 Washington Avenue. The Board asked questions and Ms. Dell'Oro responded.

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

3. #12-25 Application of Jonathan Bodwell, Town Engineer, Applicant, Town of North Haven, Owner, relative to 110 Elm Street, (Map 52, Lot 20), per Section 8.6.2.1, requesting a fence height variance of 3' to permit a 6' high fence in a front yard where 3' is permitted. R-20 Zoning District.

Mr. Jonathan Bodwell, Town Engineer, presented the application to permit a fence height of 6' in a front yard where only 3' is permitted. The fence is being proposed for the Town Garage to provide screening from neighboring residents. The Board asked questions and Mr. Bodwell responded. Mr. Clark read an e-mail into the record from Ruth A. Vanski, 111 Elm Street, in favor of the application, Exhibit A. Then, Mr. Hannon read a letter dated October 18, 2012 from Lynn Sadosky, Director of Public Works, explaining the need for the fence height variance, Exhibit B.

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

DELIBERATION SESSION:

A2-SURVEY WAIVER:

1. A2W-12-04 Application of Navin Patel, Owner, Bhavna Patel, Applicant, relative to 11 Revere Road.

Mrs. Genovese moved to waive the A2 Survey Requirement; Mr. Clark seconded the motion. The Commission voted as follows:

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

The application was approved.

PUBLIC HEARINGS:

2. #12-24 Application of Sylvia Dell’Oro, Applicant, Piazza, LLC, Owner, relative to 144-154 Washington Avenue.

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

Hannon – aye Genovese – aye Cappucci – aye Villano – aye Piekarski - aye

In approving the application, the Board stated the following:

1. The variance requests are reasonable.
2. The side yard variance is limited to the construction of this proposed handicapped ramp only and the front yard variance is limited to the construction of this proposed roof covering the sidewalk only.
3. The variances were approved for health and safety concerns and to comply with the Americans with Disabilities Act.

3. #12-25 Application of Jonathan Bodwell, Town Engineer, Applicant, Town of North Haven, Owner, relative to 110 Elm Street.

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

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

In approving the application, the Board stated the following:

1. The variance request is reasonable.
2. The variance was approved to help address the privacy concerns of nearby neighbors.

OTHER: None

CEASE AND DESIST ORDERS:

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

- 9 Todd Drive- Renting violation. A Cease & Desist Order was sent on October 4, 2012.
- 11 Dogwood Road - Construction of a stone wall on town property and exceeding 3' in height. A Cease & Desist Order was sent on October 4, 2012.
- 346 State Street – Unapproved parking of tractor trailers. A Cease & Desist Order was sent on October 2, 2012.
- 1029 Hartford Turnpike – Renting violation. A Cease & Desist Order was sent on October 11, 2012.
- 1187 Mount Carmel Avenue – Renting violation. A Cease & Desist Order was sent on October 11, 2012.
- 231 Clintonville Lane – Vehicles over the ¾ ton capacity in a residential zone. A Cease & Desist was sent on October 12, 2012.

CORRESPONDENCE:- CT Federation of Planning & Zoning Agencies, Quarterly Newsletter, Fall 2012

MINUTES:

September 20, 2012

Mrs. Genovese moved to approve the minutes of the September 20, 2012 meeting; Mr. Cappucci seconded the motion. The Board voted as follows:

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

ADJOURN:

There being no further business, Mrs. Genovese moved to adjourn; Mr. Cappucci seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:14 PM.