

**APPROVED 10-17-13  
TOWN OF NORTH HAVEN, CONNECTICUT  
MINUTES OF THE  
ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, September 19, 2013 at the Mildred A. Wakeley Community & Recreation Center, in Room #2, at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Caren M. Genovese, Vice Chairman  
Donald F. Clark, Secretary  
Joseph P. Villano  
Joel I. Rudikoff  
William D. O'Hare, Alternate  
Michelle L. Bonora, Alternate

**MEMBERS ABSENT:**

Jacob M. Piekarski, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Arthur M. Hausman, Land Use Administrator

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Hannon, Chairman, opened the meeting at 7:33 PM and introduced the members of the Board, the Town staff, the stenographer and clerk. 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:**

1. A2W-13-02 Application of Jennifer Stevens, applicant, Tri-Capita Investment Group, LLC, Owner, relative to 525 Washington Avenue, (Map 95, Lot 13), seeking a waiver of the A2 survey application requirement.

Ms. Jennifer Stevens, applicant, was not present; therefore, the Board suggested postponing the application to the October 17, 2013 meeting.

Mr. Clark moved to postpone the application to the October 17, 2013, Mr. Rudikoff seconded the motion. The Commission votes as follows:

Hannon – aye Genovese – aye Clark – aye Villano – aye Rudikoff - aye

**PUBLIC HEARINGS:**

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

1. #13-09 Application of William Mezzano, Applicant, BAM Properties, Owner, relative to 70 Old Broadway West, (Map 66, Lot 15), per Section 5.1 requesting a use variance to permit a gymnasium/fitness center in an IL-30 Zoning District.

Mr. William Mezzano of BAM Properties presented the application to permit the expansion of this existing fitness facility at 70 Old Broadway West. The Board asked questions and Mr. Mezzano and Mr. Fredricksen, Land Use Administrator, responded. Kurt Garceau and Warren Garceau of North Haven Crossfit also answered questions from the Board.

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

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

2. #13-17 Application of Stephen Johnson and Diane Asmus, Applicants and Owners, relative to 19 Trumbull Place, (Map 60, Lot 156) per Section 2.1.1.9 requesting a front yard variance of 34' to permit a front yard setback of 16' where 50' is required. R-20 Zoning District.

Mr. Stephen Johnson and Ms. Diane Asmus, applicants and owners, presented the application to permit the construction of a covered porch running the length of the front of the house only. Photographs of the house were submitted to the Board, Exhibit A. The Board asked questions and Mr. Johnson and Ms. Asmus responded.

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

**DELIBERATION SESSION:**

1. #13-09 Application of William Mezzano, Applicant, BAM Properties, Owner, relative to 70 Old Broadway West.

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

Hannon – aye Genovese – aye Clark – aye Villano – aye Rudikoff - aye

The application was approved.

In approving the application, the Board stated the following:

1. The Board considers this use an adult personal training service, not a gym.
2. The Board finds that this is an expansion of an existing use approved by the Planning & Zoning Commission.

2. #13-17 Application of Stephen Johnson and Diane Asmus, Applicants and Owners, relative to 19 Trumbull Place.

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

Hannon – aye Genovese – aye Clark – aye Villano – aye Rudikoff - aye

The application was approved.

In approving the application, the Board stated the following:

1. The variance is limited to the width of the front of the existing house only.
2. The request is reasonable and conforms with the neighborhood.

**OTHER:** None

**CEASE AND DESIST ORDERS:**

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

-35 Monroe Street – Non-permitted truck and fence height violation. A Cease & Desist Order was sent on August 22, 2013.

The following businesses were sent Cease & Desist Orders for non-permitted signs:

-641 Washington Avenue	-342 Washington Avenue
-85 Washington Avenue	-276 Washington Avenue
-79 Washington Avenue	-95 Washington Avenue
-140 Washington Avenue	-135 Washington Avenue
-630 Washington Avenue	-139 B Washington Avenue
	-77 Washington Avenue

**CORRESPONDENCE:** Cease & Desist Orders – (12 total)

**MINUTES:**

August 15, 2013

Mr. Villano moved to approve the minutes of the August 15, 2013 meeting; Mr. Clark seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Villano – aye Bonora - aye

**ADJOURN:**

There being no further business, Mrs. Genovese moved to adjourn; Mr. Clark seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 7:58 PM.