

**APPROVED 6-19-14**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, May 15, 2014 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  
Joseph P. Villano  
Joel I. Rudikoff  
Michelle L. Bonora, Alternate, sitting for Donald F. Clark, acting Secretary

**MEMBERS ABSENT:**

Donald F. Clark, Secretary  
William D. O'Hare, Alternate  
Jacob M. Piekarski, Alternate

**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 7:33 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.

**OTHER:**

Introduction of New Zoning Enforcement Officer – Laura Magaraci

Lynn Sadosky, Director of Public Works, introduced Laura Magaraci to the Board as the new Zoning Enforcement Officer for the Town of North Haven.

**PUBLIC HEARINGS:**

Ms. Bonora read the call for the first Public Hearing.

1. #14-08 Application of Michael T. Clorite & Janis E. Bozzo Applicants & Owners, relative to 25 Central Avenue, (Map 60, Lot 115) per Section 2.1.1.9, requesting a side yard variance of 3' to permit a side yard setback of 9' where 12' is required, and requesting an aggregate side yard variance of 3' to permit an aggregate side yard of 27' where 30' is required. R-20 Zoning District.

Mr. Michael Clorite, applicant and owner, presented the application to construct an attached garage. The Board asked questions and Mr. Clorite responded.

Mr. Hannon asked for public comment.

Public comment:

1. Leddy McPherdran, 21 Central Avenue, spoke in support of the application.
2. Bill Richards, 18 North Avenue, spoke in support of the application. He asked if the grading will be to the right of the rear lot.

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

Ms. Bonora read the call for second Public Hearing.

2. #14-09 Application of Mr. & Mrs. Anthony Zammataro, Applicants and Owners, relative to 99 Tokeneke Drive, (Map 49, Lot 136) per Section 2.1.1.9, requesting a side yard variance of 3' to permit a side yard setback of 7' where 10' is required. R-20 Zoning District.

Mr. Anthony Zammataro, applicant and owner, and Wayne Garrick, Architect, presented the application to construct a 22' x 24' garage and mudroom. The Board asked questions and Mr. Zammataro responded.

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

Ms. Bonora read the call third Public Hearing.

3. #14-10 Application of Douglas & Ann Bauman, Applicants & Owners, relative to 15 Renee Lane, (Map 46, Lot 49) per section 2.1.1.9, requesting a side yard variance of 7' to permit a side yard setback of 18' where 25' is required. R-40 Zoning District.

Douglas and Ann Bauman, applicants and owners, presented the application to permit the construction of a 24' x 24' attached, one-story two car garage. Ms. Bonora read a letter from neighbor, Wendy Hough of 11 Renee Lane, in favor of the application. Photographs of the proposed garage were submitted as Exhibits, A, B & C. The Board asked questions and Mr. and Mrs. Bauman responded.

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

Ms. Bonora read the call for the fourth Public Hearing.

Mr. Hannon recused himself from this application and Mrs. Genovese acted as Chairman.

4. #14-11 Application of John Zyrlis for TPA Design Group, Applicant, Covidien, Owner, relative to 195 McDermott Road, (Map 3, Lots 7& 10 and Map 6, Lots 26, 28 & 29) per Section 5.1.2, seeking a 44' front yard variance to allow a front yard setback of 0' where 44' is required. IL-30 Zoning District.

Mr. John Zyrlis of the TPA Design Group presented the application to permit the installation of a canopy over an existing turnstile gate at Covidien located at 195 McDermott Road. Mr. Zyrlis submitted to the Board an aerial photo and a graphic illustration of the canopy. The Board asked questions and Mr. Zyrlis responded.

Mrs. Genovese asked for public comment. There being no public comment, the Public Hearing was closed.

Ms. Bonora read the call for the last Public Hearing.

5. #14-12 Application of Paul Marcarelli, Applicant, Julius R. & Carol Marcarelli, Owners, relative to 7 Warner Road, (Map 48, Lot 36) per section 9.1.3.1 seeking a variance for an existing lot to have access by a strip of land “not belonging to such lot”, rather than “belonging to such lot” and an access strip width variance of 8.5’ to permit an access strip of 16.5’ where 25’ is required. R-40 Zoning District.

Attorney John Lambert introduced the applicants, the Marcarelli’s, and then presented the application to eliminate the requirement of an access strip belonging to the lot it serves and to reduce the 25’ access strip to 16.5’ instead. Mr. Paul Marcarelli spoke on behalf of his parents Julius and Carol Marcarelli, regarding the history of this property and the variance request. Then Attorney Lambert submitted a 1960’s photograph of the property, Exhibit A and a letter from Jack Brandt, former Zoning Enforcement Officer, Exhibit B and a site plan of the property, Exhibit C. The Board asked questions and Attorney Lambert responded. Then he submitted information pertaining to a change of title for this property, Exhibit D and property deeds, Exhibit E. Mr. Matthew Marcarelli and Mr. Julius Marcarelli also responded to questions from the Board.

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

**DELIBERATION SESSION:**

1. #14-08 Application of Michael T. Clorite & Janis E. Bozzo Applicants & Owners, relative to 25 Central Avenue.

Mrs. Genovese moved to approve the application and to restrict the variance to this proposed plan only; Mr. Villano seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Villano – aye Rudikoff – aye Bonora - aye

The application was approved.

In approving the application, the Board stated the following:

1. The configuration of the house on the property is the hardship.
2. The request is reasonable.
2. The neighbors are in support of the application.

2. #14-09 Application of Mr. & Mrs. Anthony Zammataro, Applicants and Owners, relative to 99 Tokeneke Drive.

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

Hannon – aye Genovese – aye Villano – aye Rudikoff – aye Bonora - aye

The application was approved.

In approving the application, the Board stated the following:

1. The hardship is the topography of the land and the shape of the lot.

3. #14-10 Application of Douglas & Ann Bauman, Applicants & Owners, relative to 15 Renee Lane.

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

Hannon – aye Genovese – aye Villano – aye Rudikoff - aye Bonora - aye

The application was approved.

In approving the application, the Board stated the following:

1. The variance is limited to the work of this proposed addition only.
2. The request is reasonable.
3. The “pie” shape of the property is the hardship.

4. #14-11 Application of John Zyrlis for TPA Design Group, Applicant, Covidien, Owner, relative to 195 McDermott Road.

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

Genovese – aye Villano – aye Rudikoff – aye Bonora – aye

The application was approved.

In approving the application, the Board stated the following:

1. The variance was approved for the health & safety of employees.
2. The canopy is to remain open on all sides.
3. The request is appropriate for that site.

5. #14-12 Application of Paul Marcarelli, Applicant, Julius R. & Carol Marcarelli, Owners, relative to 7 Warner Road.

Mr. Rudikoff moved to approve the application for the purpose of discussion; Ms. Bonora seconded the motion.

Mr. Rudikoff moved to withdraw his motion; Ms. Bonora withdrew her second to the motion.

Mr. Rudikoff moved to continue deliberations to the June 19, 2014 meeting; Ms. Genovese seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Villano – aye Rudikoff - aye Bonora - aye

**CORRESPONDENCE:** - Cease & Desist Orders – (8-total)

Mr. Fredricksen updated the Board on current zoning violations.

**MINUTES:**

April 17, 2014

Mr. Villano moved to approve the minutes of the April 17, 2014 meeting; Mrs. Genovese seconded the motion; the Board members voted as follows:

Hannon – aye Genovese – aye Villano – aye

**ADJOURN:**

There being no further business, Mrs. Genovese moved to adjourn; Ms. Bonora seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 9:33 PM.