

**APPROVED 7-17-14**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, June 19, 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  
Donald F. Clark, Secretary  
Joseph P. Villano  
Joel I. Rudikoff  
William D. O'Hare, Alternate

**MEMBERS ABSENT:**

Jacob M. Piekarski, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Laura Magaraci, Zoning Enforcement Officer

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Penny Parillo, 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. Mr. Fredricksen, Land Use Administrator, asked to add an Executive Session to the agenda.

Mr. Hannon moved to add an Executive Session to the agenda; Mrs. Genovese seconded the motion. All were in favor.

**PUBLIC HEARINGS:**

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

1. #14-13 Application of Nicolia's LLC, Applicant and Owner, relative to 99 Stoddard Avenue, (Map 59, Lot 28) per Section 8.7.1, requesting a variance of the required 50' greenbelt adjacent to the Quinnipiac River to permit the installation of a two-track railroad siding. IL-80 Zoning District.

Attorney Timothy Lee presented the application to allow a variance of the required 50' greenbelt adjacent to the Quinnipiac River to permit the installation of a two-track rail. The Board asked questions and Attorney Lee and Mr. John Gilmore, P.E. responded. The Board requested that this application be continued to next month in order to obtain the following information:

1. An Environmental Impact Statement on the potential effects of this project on the river.
2. Details of any proposed berm.
3. More specific drawings, including dimensions, relative to the proposed tracks and their relationship to the river.

Mrs. Genovese moved to continue the application to the July 17, 2014 meeting; Mr. Rudikoff seconded the motion. All were in favor.

Mr. Clark read the call for second Public Hearing.

Mr. Rudikoff recused himself from this application and Mr. O'Hare sat.

2. #14-14 Application of John DeMarsilis, Applicant and Owner, relative to 131 Blue Hills Road, (Map 92, Lot 34) per Section 8.13.2.2.4, requesting a 4' variance of the maximum height of a detached garage to permit a height of 19' where 15' is permitted. R-40 Zoning District.

Attorney Bernard Pellegrino presented the application to permit a detached garage with a height of 19' where 15' is permitted. Attorney Pellegrino submitted photographs of the property to the Board. The Board asked questions and Attorney Pellegrino and Mr. John DeMarsilis, owner, responded.

Mr. Hannon asked for public comment.

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

#### **DELIBERATION SESSION:**

1. #14-12 Application of Paul Marcarelli, Applicant, Julius R. & Carol Marcarelli, Owners, relative to 7 Warner Road.

Mr. Clark reviewed the tapes and physical record in order sit for Michelle Bonora who has recently resigned from the Board.

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

Hannon – nay Genovese – nay Clark – nay Villano – aye Rudikoff – aye

The application was denied.

In denying the application, the Board stated the following:

1. There was no hardship found.

3. #14-14 Application of John DeMarsilis, Applicant and Owner, relative to 131 Blue Hills Road.

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

Hannon – aye Genovese – aye Clark - aye Villano – aye O’Hare – aye

The application was approved.

In approving the application, the Board stated the following:

1. The garage can be built with electrical power but no running water.
2. No second floor or living space is permitted.
3. The request is reasonable.

**CORRESPONDENCE:** None

**MINUTES:**

May 15, 2014

Mr. Villano moved to approve the minutes of the May 15, 2014 meeting; Mrs. Genovese seconded the motion; the Board members voted as follows:

Hannon – aye Genovese – aye Villano – aye Rudikoff – aye

**EXECUTIVE SESSION:**

Mr. Hannon moved to enter into Executive Session at 9:22 PM; and invited Alan Fredricksen, Land Use Administrator, Laura Magaraci, Zoning Enforcement Officer, and Jennifer Coppola, Town Counsel, into the Executive Session; Mrs. Genovese seconded the motion. All were in favor.

Mr. Villano moved to exit Executive Session at 9:58 PM; Mrs. Genovese seconded the motion. All were in favor.

**ADJOURN:**

There being no further business, Mr. Clark moved to adjourn; Mrs. Genovese seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 9:59 PM.