

APPROVED 6-18-15
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 21, 2015 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
Jacob M. Piekarski, Alternate, sitting for Joel I. Rudikoff

MEMBERS ABSENT:

Joel I. Rudikoff
William D. O'Hare, Alternate
Robert A. Lockery, Alternate

TOWN PERSONNEL:

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

OTHERS PRESENT:

Mary Lee Rydzewski, Public Stenographer

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. Hannon stated that applications #15-03, 59 Potter Road, #15-04, 52 Washington Avenue, and #15-07, 2075 Whitney Avenue, will not be heard tonight.

A2-SURVEY WAIVER:

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

1. #A2W-15-03 Application of Victoria Hine, Applicant and Owner, relative to 3 Phillips Place, (Map 66, Lot 19), seeking a waiver of the A-2 survey application requirement. IL-30 Zoning District.

Victoria and Henry Hine, applicants and owners, presented the application to permit an addition without an A-2 Survey. Mrs. Hine stated that a fire destroyed the second and third floors of their house. The waiver is being requested for the third floor only. The footprint of the house will remain the same.

Photographs of the house were submitted as Exhibit A, an Assessor's Card was submitted as Exhibit B and a letter from Attorney Bernard Pellegrino, dated May 12, 2015, was submitted as Exhibit C. Then Mr. Clark read Attorney Pellegrino's letter into the record. The Board asked questions and Mr. and Mrs. Hine responded.

PUBLIC HEARINGS:

1. #15-03 Application of Dennis and Wanda Tondalo, Applicants and Owners, relative to 59 Potter Road, (Map 30, Lot 103) appealing the Cease and Desist Order of the Zoning Enforcement Officer, dated March 16, 2015. R-40 Zoning District.

This application has been postponed to the June 18, 2015 meeting.

2. #15-04 Application of Barry Steinberg, PE, Applicant, N.H. Medical, LLC, Owner, relative to 52 Washington Avenue, (Map 67, Lot 39) per section 8.3.3.1, requesting an approval to enlarge an existing, non-conforming building. CB-20 Zoning District.

This application has been postponed to the June 18, 2015 meeting.

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

3. #15-05 Application of Kevin DeMatteo, Applicant and Owner, relative to 41 Poplar Street, (Map 37, Lot 23) per section 2.1.1.9, requesting a side yard variance of 7.5' to permit a side yard setback of 8' where 15.5' is required and requesting an aggregate side yard variance of 7.5' to permit an aggregate side yard setback of 17.5' where 25' is required. R-12 Zoning District.

Mr. Kevin DeMatteo, applicant and owner, presented the variance application to permit the construction of a 20' x 28' one-story garage. The Board asked questions and Mr. DeMatteo responded.

Mr. Hannon asked for public comment.

Public comment:

1. Diane Eger, 45 Poplar Street, asked about the distance from the proposed garage to her property line.

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

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

4. #15-06 Application of Timothy Theroux, Applicant, Colvest North Haven, LLC, Owner, relative to 162 Washington Avenue, (Map 73, Lot 25) per section 8.8.7.2 (3), requesting a sign area variance of 8 square feet to permit a 48 square feet free standing sign where 40 square feet is permitted. CB-40 Zoning District.

Mr. Timothy Theroux, applicant, of Clinical Laboratory Partners, presented the application to permit a sign area variance of 8 square feet to permit a 48 square feet free standing sign where 40 square feet is permitted. The Board asked questions and Mr. Theroux responded.

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

5. #15-07 Application of Jennifer Stevens, Applicant, Gerald Raccio, Owner relative to 2075 Whitney Avenue, (Map 41, Lot 296) per sections 2.1.1.7 and 8.8.2.1, requesting sign variances to permit a free standing sign where only attached signs are permitted and a sign size variance to permit 2 square feet where 1 square foot is permitted and a sign content variance to permit the telephone number of the occupant where no telephone number is permitted and to permit a double sided sign where only single sided signs are permitted. R-12 Zoning District.

This application has been postponed to the June 18, 2015 meeting.

DELIBERATION SESSION:

A2-SURVEY WAIVER:

1. #A2W-15-03 Application of Victoria Hine, Applicant and Owner, relative to 3 Phillips Place, (Map 66, Lot 19), seeking a waiver of the A-2 survey application requirement. IL-30 Zoning District.

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 Piekarski - aye

The application was approved.

PUBLIC HEARINGS:

3. #15-05 Application of Kevin DeMatteo, Applicant and Owner, relative to 41 Poplar Street.

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 Piekarski – 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 garage only.
 2. The request reasonable.
 3. The garage conforms with other garages in the neighborhood.
 4. The garage is limited to a one-story structure only with no heat or living space.
4. #15-06 Application of Timothy Theroux, Applicant, Colvest North Haven, LLC, Owner, relative to 162 Washington Avenue.

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

Hannon – aye Genovese – aye Clark – aye Villano – aye Piekarski – aye

The application was approved.

In approving the application, the Board stated the following:

1. The request is reasonable.

CORRESPONDENCE: Connecticut Federation of Planning and Zoning Agencies Newsletter

MINUTES:

April 16, 2015

Mr. Clark moved to approve the April 16, 2015 minutes; Mrs. Genovese seconded the motion. The Board voted as follows:

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

April 29, 2015, Special Information Meeting

Mrs. Genovese moved to approve the April 16, 2015 Special Information Meeting minutes; Mr. Villano seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Villano – aye Piekarski – aye

ADJOURN:

There being no further business, Mr. Clark moved to adjourn; Mr. Villano seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:04 PM.