

APPROVED 9-17-15
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, July 16, 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
Joseph P. Villano
Jacob M. Piekarski, Alternate, sitting for Joel I. Rudikoff
Robert A. Lockery, Alternate, sitting for Donald F. Clark

MEMBERS ABSENT:

Donald F. Clark, Secretary
Joel I. Rudikoff
William D. O'Hare, 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.

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 August 20, 2015 meeting.

Mr. Lockery, acting Secretary, read the call for the first Public Hearing.

2. #15-12 Application of Marc Spring, Applicant and Owner, relative to 89 Pond Hill Road, (Map 81, Lot 91), per section 2.1.1.9, requesting a rear yard variance of 4.5 feet to permit a rear yard setback of 20.5 feet where 25 feet is required and per Section 8.6.1.1 requesting a rear yard setback for a swimming pool variance of 7' to permit a rear yard setback for a swimming pool of 3' where 10' is required. R-40 Zoning District.

Mr. Marc Spring, applicant and owner, presented the application to permit a rear yard setback of 20.5' where 25' is required for the construction of a 12' x 8' deck and a rear yard setback of 3' where 10' is required for a 16' x 32' swimming pool. He stated that his neighbors have no issue with the application. Then the Board asked questions and Mr. Spring responded.

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

Mr. Lockery, acting Secretary, read the call for the second Public Hearing.

3. #15-13 Application of The Ajello Law Firm, LLC, Applicant, Maria Buontempo and Jason Fernandes, Owners, relative to 47 South Avenue, (Map 53, Lot 241) per Section 2.1.1.9, requesting a front yard variance of 7' to permit a front yard setback of 43' where 50' is required. R-20 Zoning District.

Attorney Ajello of The Ajello Law Firm, LLC presented the application to permit a front yard setback of 43' where 50' is required to expand living space on the second floor of this home. Then he submitted an architectural drawing of the proposed addition as Exhibit A. The Board asked questions and Attorney Ajello and Jason Fernandes, owner, responded.

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

DELIBERATION SESSION:

PUBLIC HEARINGS:

2. #15-12 Application of Marc Spring, Applicant and Owner, relative to 89 Pond Hill Road.

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

Hannon – aye Genovese – aye Villano – aye Piekarski – aye Lockery - aye

The application was approved.

In approving the application, the Board stated the following:

1. The locations of the utilities, leaching field and well limit where the pool can be located.
2. The variance was approved for safety concerns.
3. #15-13 Application of The Ajello Law Firm, LLC, Applicant, Maria Buontempo and Jason Fernandes, Owners, relative to 47 South Avenue.

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

Hannon – aye Genovese – aye Villano – aye Piekarski– aye Lockery - aye

The application was approved.

In approving the application, the Board stated the following:

1. The property predates the zoning regulations.

CORRESPONDENCE: None

MINUTES:

June 18, 2015

Mr. Villano moved to approve the June 18, 2015 minutes; Mrs. Genovese seconded the motion. The Board voted as follows:

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

ADJOURN:

There being no further business, Mrs. Genovese moved to adjourn; Mr. Lockery seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 7:46 PM.