

APPROVED 3-17-16
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, February 18, 2016 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
A. J. Wambolt
William D. O'Hare, Alternate

MEMBERS ABSENT:

Jacob M. Piekarski, Alternate
Robert A. Lockery, Alternate

TOWN PERSONNEL:

Alan A. Fredricksen, Land Use Administrator
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 application #16-01, 88 Old Broadway West, has been postponed to the March 17, 2016 meeting.

PUBLIC HEARINGS:

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

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

1. #15-22 Application of Mike Zulawski, Applicant, MKZ Investments, LLC, Owner, relative to 101 Powdered Metals Road, (Map 37, Lot 124), per Section 5.2.1.53, requesting a variance to permit a Scrap Yard/Automobile Junk Yard Dealer in an IL-80 zoning district where none are permitted. IL-80 Zoning District.

Attorney Timothy Lee of Fasano, Ippolito and Lee, representing Mike Zulawski, applicant, presented the application to permit a junk yard in an IL-80 zoning district where none are permitted. The property was recently issued a blight violation due to the storage of approximately 58 inoperable vehicles on this site. The Board asked questions and Attorney Lee and Mr. Fredricksen and Robert Zahornacky, business owner, responded. Attorney Lee stated that the hardship is the unique location of the property located near an IG-80 zone that allows this use.

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

2. #16-01 Application of William Gambardella, Applicant, Mario Gambardella, Owner, relative to 88 Old Broadway West, (Map 66, Lot 12), per Section 5.1.2 requesting a maximum building coverage variance of 3.3% to permit a building coverage of 40% where 36.7% was previously permitted and requesting a front yard setback variance of 61' to permit a front yard setback of 14' where 75' is required, and requesting a side yard setback variance of 4' to permit a side yard setback of 16' where 20' is required, and per Section 8.3.3.1, requesting approval to enlarge an existing non-conforming building. IL-30 Zoning District.

This application has been postponed to the March 17, 2016 meeting.

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

3. #16-02 Application of Andrew and Melanie Moore, Applicants, Linda Kresta, Owner, relative to 15 Leona Avenue, (Map 33, Lot 119), per Section 2.1.1.9, requesting a front yard variance of 5' to permit a front yard setback of 20' where 25' is required. R-12 Zoning District.

Melanie Moore and Andrew Moore, applicants, presented the application for a front yard variance of 5' to permit a front yard setback of 20' where 25' is permitted for the construction of a 440 square feet addition. A floor plan was submitted as Exhibit A. The Board asked questions and Mr. and Mrs. Moore and Mr. John Pasquarello responded.

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

DELIBERATION SESSION:

PUBLIC HEARINGS:

1. #15-22 Application of Mike Zulawski, Applicant, MKZ Investments, LLC, Owner, relative to 101 Powdered Metals Road.

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

Hannon – nay Genovese – nay Clark – nay Wambolt – nay O’Hare – nay

The application was denied.

In denying the application, the Board stated the following:

1. No hardship was found.
2. This use is not permitted in the IL-80 zoning district.
3. #16-02 Application of Andrew and Melanie Moore, Applicants, Linda Kresta, Owner, relative to 15 Leona Avenue.

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

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

The application was approved.

In approving the application, the Board stated the following:

1. The hardship is having two front yards.
2. The variance request is modest.

OTHER: None

CORRESPONDENCE: - CT Federation of Planning & Zoning Agencies,
Winter 2016 Newsletter
- CT Federation of Planning & Zoning Agencies,
Annual Conference

Mr. Fredricksen reviewed the correspondence with the Commission.

MINUTES:

January 21, 2016

Mr. Villano moved to approve the January 21, 2016 meeting minutes; Mr. Clark seconded the motion. The Board voted as follows:

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

ADJOURN:

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