

APPROVED 3/21/19
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 21, 2019 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
A.J. Wambolt
Andy Gorry, Alternate, sitting
Quick, Kenneth, Alternate

MEMBERS ABSENT:

Joseph P. Villano
Carolyn A. Yaccarino, Alternate

TOWN PERSONNEL:

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

OTHERS PRESENT:

Mary Lee Rydzewski, Court Reporter

AGENDA:

Mr. Hannon, Chairman, opened the meeting at 7:29 PM and introduced the members of the Board, the Town staff, and the Court Reporter. He then 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 HEARING:

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

1. #18-25 Application of North Haven Surgery Center, Applicant, NH Medical LLC, Owner, relative to 52 Washington Avenue, (Map 67, Lot 39), per Section 8.3.3.1, requesting approval to enlarge an existing non-conforming building. CB-20 Zoning District.

Mr. Jim Rotondo, Engineer with Godfrey Hoffman Associates, presented the application to enlarge an existing, non-conforming building. The proposed expansion will allow a 90 square foot addition to accommodate new medical equipment. He presented photos of the existing building and a drawing of the proposed expanded building; Exhibit A.

The Board asked questions and Mr. Rotondo responded.

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

Mr. Clark read the call for the next Public Hearing:

2. #19-01 Special Permit Application of Diane W. Whitney, Applicant, Ryder Truck Rental, Inc., Owner, relative to 100 McDermott Road, (Map 6, Lot 8), per Section 8.11.1, seeking a Certificate of Location for a General Repairer's License. IL-30 Zoning District.

Ms. Diane Whitney, with Pullman & Comley in Hartford, presented the Special Permit application for a Certificate of Location for a General Repairer's License. She stated that the applicant, Ryder Truck is seeking approval to permit their vehicle repairs at this location. The Board asked questions and Ms. Whitney responded.

Scott Stephens of 100 McDermott Road stated that the repairs will be done at the back of the building on vehicles owned by Ryder only. The existing building has four drive through repair bays, one wash bay and employs 25 people.

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

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

3. #19-02 Application of Shoreline Acquisitions LLC, Applicant, Anthony DePaola Family Trust, and Vincent A. DePaola Family Trust, Owners, relative to 57 McDermott Road, (Map 6, Lot 35), per Section 5.1.2, requesting a front yard setback variance of 45' to permit a front yard setback of 30' where 75' is required and requesting a rear yard setback variance of 30' to permit a rear yard setback of 10' where 40' is required; and per Section 5.1.3.7.2, requesting a 5' continuous landscaped strip width variance to permit a continuous landscaped strip of 10' width where 15' is required; and per Section 5.1.3.3, requesting a variance to permit outside storage within 10' of a street line in a front yard. IL-30 Zoning District.

Attorney John Lambert, presented the application for front yard and rear year setback variances to allow for the future expansion of the existing building and outside storage of construction equipment. He presented a site plan of the property and detailed the proposed changes.

Mr. Lambert then submitted the following exhibits: Exhibit B; North Haven variance records for 57 McDermott Road, Exhibit C; 1960 Price & Lee Aerial Photos, and Exhibit D; a map of the parcel. The application proposes to reduce the front Landscape strip from 15 feet to 10 feet.

Mr. Robert Landino of 250 Sackett Point Road, owner and applicant, stated that the purpose of the application is to enable him to move his business to McDermott Road. If approved, a Site Plan application will be submitted to the Planning and Zoning Commission. Mr. Landino stated that a small building will be constructed at a later date. The outside storage will be of equipment only, and no materials will be stored on the property. Mr. Landino then stated that no more than 10 vehicles will be stored on the site.

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

DELIBERATION SESSION:

PUBLIC HEARING:

1. #18-25 Application of North Haven Surgery Center, Applicant, NH Medical LLC, Owner, relative to 52 Washington Avenue.

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

Hannon – aye Genovese – aye Clark – aye Gorry – aye Wambolt – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. This approval is limited to this proposed 5’x 18’ addition only.

2. #19-01 Special Permit Application of Diane W. Whitney, Applicant, Ryder Truck Rental, Inc., Owner, relative to 100 McDermott Road

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

Hannon – aye Genovese – aye Clark – aye Gorry – aye Wambolt – aye

In approving the application, the Board stated the following:

1. This approval is limited to mechanical repairs only, with no body work.
2. This approval is also limited to the repair of Ryder fleet or Ryder owned vehicles only.

3. #19-02 Application of Shoreline Acquisitions LLC, Applicant, Anthony DePaola Family Trust, and Vincent A. DePaola Family Trust, Owners, relative to 57 McDermott Road.

Mrs. Genovese moved to approve the application; Mr. Wambolt seconded the motion. The board voted as follows;

Hannon – aye Genovese – aye Clark – aye Gorry – aye Wambolt – aye

In approving the application, the Board stated the following:

1. The variance is limited to the outdoor storage of no more than 12 vehicles.
2. No materials may be stored outside.
3. The lot size and shape are the hardships.
4. The lot predates zoning.

OTHER: None

ENFORCEMENT ACTIONS: None

CORRESPONDENCE: None

MINUTES:

- 20 December 2018

Mr. Wambolt moved to approve the 20 December 2018 meeting minutes; Mr. Gorry seconded the motion. The Board voted as follows:

Hannon – aye Gorry – aye Wambolt – aye Quick – aye

ADJOURN:

There being no further business, Mrs. Genovese moved to adjourn; Mr. Clark seconded the motion; the board unanimously approved the motion. The meeting was adjourned at 8:25 pm.