

APPROVED 9-19-19
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, August 15, 2019 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:30 PM.

MEMBERS PRESENT:

Robert F. Hannon, Chairman
Donald F. Clark, Secretary
Joseph P. Villano
A.J. Wambolt
Quick, Kenneth, Alternate
Carolyn A. Yaccarino, Alternate

MEMBERS ABSENT:

Caren M. Genovese, Vice Chairman
Andy Gorry, 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 7:30 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. #19-07 Application of LTD Realty Associates, LLC, Applicant & Owner, relative to 319 Washington Avenue, (Map 85, Lot 4), per Section 5.1.2 requesting a side yard setback variance of 12.5' to permit a side yard setback of 7.5' where 20' is required. IL-30 Zoning District.

Attorney John Parese of Parrett, Porto & Parese in Hamden, presented the application for a side yard setback variance for the property at 319 Washington Avenue. He presented Exhibit A:

Property Deeds, Exhibit B: three maps and Exhibit C: an Acknowledgement of Easement and Easement Agreement. Mr. Parese gave an overview of the property and discussed the four tenants presently leasing units. Mr. Parese explained that the variance is requested to allow the applicant to build an addition to the existing building on the west side of the property. Mr. Clark read in a letter from Dominic Galati of 323 Washington Avenue as Exhibit D, which states that he is in favor of the application. The Board members asked questions and Mr. Parese responded.

Mr. Lou Yaccarino, owner and applicant stated that the addition will be 35 feet in length.

Mr. Hannon asked for public comment.

1. Mr. Komal is concerned with future tenants of the property.

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

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

2. #19-08 Application of Vigliotti Construction, Applicant, Pieper's Farm, LLC, Owner, relative to 343 Clintonville Road, (Map 69, Lot 55), per Section 2.4.1.1 (a) requesting a side yard setback variance of 42' to permit a side yard setback of 8' where 50' is required. EH Zoning District.

Attorney Timothy Lee of Fasano, Ippolito, Lee & Florentine, LLC in New Haven, presented the application for a variance on behalf of Vigliotti Construction. He stated that the applicant has a contract to purchase the property and will propose an elderly housing development containing 120 residential units. Mr. Lee explained the site and the locations of the two proposed residential buildings and a Community building.

Mr. Hannon asked for public comment.

1. Sharon Pieper Lettick, one of the current owners of the property, spoke in favor of the application and stated that it creates no negative impact on other properties in the area.
2. Richard Pieper, one of the current owners of the property, spoke in favor of the application.

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

DELIBERATION SESSION:

PUBLIC HEARING:

1. #19-07 Application of LTD Realty Associates, LLC, Applicant & Owner, relative to 319 Washington Avenue.

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

Hannon – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
 2. The hardship is the train tracks behind the building.
2. #19-08 Application of Vigliotti Construction, Applicant, Pieper’s Farm, LLC, Owner, relative to 343 Clintonville Road.

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

Hannon – nay Clark – nay Villano – nay Wambolt – nay Yaccarino – nay

The application was therefore denied. In denying the application the Board stated the following:

1. The request is excessive.
2. There are other options.

OTHER: None

ENFORCEMENT ACTIONS:

Zoning Enforcement Officer, Laura Magaraci updated the Commission on the enforcement action at 370 Sackett Point Road.

CORRESPONDENCE: None

MINUTES:

- 18 July 2019

Mr. Clark moved to approve the 18 July 2019 meeting minutes; Mr. Villano seconded the motion. The Board voted as follows:

Hannon – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

ADJOURN:

There being no further business, Mr. Clark moved to adjourn; Mr. Wambolt seconded the motion; the board unanimously approved the motion. The meeting was adjourned at 8:18 pm.