

APPROVED 10-17-19
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, September 19, 2019 at the Mildred A. Wakeley Community and 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
Andy Gorry, Alternate
Quick, Kenneth, Alternate

MEMBERS ABSENT:

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. #19-10 Application of Fernando Pastor, Applicant, Jason Harrington, Owner, relative to 16 Alexander Drive, (Map 30, Lot 12), per Section 2.1.1.9 requesting a side yard setback variance of 3' to permit a side yard setback of 22' where 25' is required, and per Section 2.1.1.9 requesting a front yard setback variance of 3' to permit a front yard setback of 47' where 50' is required. R-40 Zoning District.

Mr. Fernando Pastor presented the application for side yard and front yard setback variances to permit home additions. He presented a drawing, described the proposed project and explained the reason for the variance request.

The board asked questions and they were answered by Mr. Pastor.

Mr. Hannon asked for public comment.

1. Ron Garbatini of 7 Alexander Drive is concerned with potential road flooding.

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

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

2. #19-11 Application of Robert Morton, Applicant, Michele Morton, owner, relative to 349 Quinpiac Avenue, (Map 22, Lot 153), per Section 2.1.1.9, requesting a side yard setback variance of 3' to permit a side yard setback of 7' where 10' is required, and per Section 2.1.1.9 requesting an aggregate side yard setback variance of 19.7' to permit an aggregate side yard setback of 10.3' where 30' is required. R-20 Zoning District.

Robert and Michelle Morton presented the application to add a one story addition to the rear of their house.

Mr. Hannon asked for public comment.

There being no comment, the Public Hearing was closed.

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

3. #19-12 Application of Walsh Fence LLC, Applicant, Anthony & Diane Palumbo, Owners, relative to 10 Roarke Road, (Map 46, Lot 79), per Section 8.6.2.1, requesting a fence height variance of 3' to permit a 6' high fence where 3' is required. R-40 Zoning District.

Mr. William Walsh of Walsh Fence in Orange CT, presented the application, discussed the property and the reason for requesting a variance. He then presented letters from neighbors supporting the application. The letters were submitted as Exhibits A, B, C and D.

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:

4. #19-13 Special Permit Application of John Montesano, Applicant, VBH, LLC, Owner

relative to 10 Bernhard Road, (Map 3, Lot 4), per Section 8.11.1, seeking a Certificate of Location for a General Repairer's License for an Autobody Repair Facility. IL-30 Zoning District.

Attorney Timothy Lee of Fasano, Ippolito, Lee & Florentine, LLC in New Haven presented the application for a Certificate of Location for a General Repairer's License. He stated that the applicant is proposing to move his existing Autobody Repair shop from New Haven to this location. Mr. Lee explained the parking and changes that are proposed for the building.

John Montesano of 15 Graceland Road in North Branford stated that the auto repair work will be done indoors.

Mr. Hannon asked for public comment.

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

DELIBERATION SESSION:

PUBLIC HEARING:

1. #19-10 Application of Fernando Pastor, Applicant, Jason Harrington, Owner, relative to 16 Alexander Drive.

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

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

In approving the application, the Board stated the following:

1. The drainage easement is the hardship.
2. The request is reasonable.
3. The additions will blend with the neighborhood.

2. #19-11 Application of Robert Morton, Applicant, Michele Morton, owner, relative to to 349 Quinnipiac 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

In approving the application the Board stated the following:

1. The variances are limited to the work of this proposed addition only.
2. The request is minimal.
3. The lot predates zoning.

3. #19-12 Application of Walsh Fence LLC, Applicant, Anthony & Diane Palumbo, Owners, relative to 10 Roarke Road.

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

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

In approving the application, the Board stated the following:

1. The request accommodates ADA.
2. The house predates zoning.

4. #19-13 Special Permit Application of John Montesano, Applicant, VBH, LLC, Owner relative to 10 Bernhard Road.

Mr. Villano 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

In approving the application, the Board stated the following:

1. No auto sales are permitted.
2. No outdoor storage of vehicles is permitted overnight.
3. This business is desirable in this area.

OTHER: None

ENFORCEMENT ACTIONS:

Zoning Enforcement Officer, Laura Magaraci discussed the upswing in illegal apartments.

CORRESPONDENCE: None

MINUTES:

- 15 August 2019

Mr. Wambolt moved to approve the 15 August 2019 meeting minutes; Mr. Clark 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; Mrs. Genovese seconded the motion; the board unanimously approved the motion. The meeting was adjourned at 8:07 pm.