

**APPROVED 7-15-21
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, June 17, 2021 via videoconference at 7:30 PM.

MEMBERS PRESENT:

Donald F. Clark, acting Chairman
Joseph P. Villano, Secretary
A.J. Wambolt
Andy Gorry
Kenneth Quick, Alternate
Luigi Coppola Sr., Alternate, sitting

MEMBERS ABSENT:

Carolyn A. Yaccarino, Chairman

TOWN PERSONNEL:

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

OTHERS PRESENT: None

AGENDA:

Mr. Clark, acting Chairman, opened the meeting at 7:36 PM and introduced the members of the Board and Town staff. 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. Villano read the call for the first Public Hearing:

1. #21-06 Application of Pam Kearney, Applicant, Bombino LLC, Owner, relative to 560 Universal Drive North, (Map 21, Lot 10), per Section 5.1.2, seeking a front yard setback variance of 36'-4" to permit a front yard setback of 38'-8" where 75' is IL-80 Zoning District.

Sarah Gaudiana, Owner of Chick-fil-A, presented the variance application to allow a permanent shelter at the drive through lanes. She stated that the shelter is proposed to house equipment for cash payments.

Aren Schaffran, with Chick-fil-A, described the shelter for the Commission.

The Board asked questions and Ms. Gaudiana responded.

Mr. Clark asked for public comment.

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

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

2. #21-10 Application of Kathleen O'Shaughnessey, Applicant, Kathleen O'Shaughnessey & Kaitlyn Kenney, Owners, relative to 180 Forest Hill Road, (Map 42, Lot 4), per Section 8.6.2.1, requesting a fence height variance of 1' to permit a 4' high fence where 3' is required. R-12 Zoning District.

Applicant and owner, Katie O'Shaughnessey, presented the fence height variance application and described the hardship.

The Board asked questions and Mrs. O'Shaughnessey responded.

Mr. Clark asked for public comment.

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

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

3. #21-11 Application of Gerard O'Connor, Applicant, Gerard & Linda O'Connor, Owners, relative to 48 Brockett Farm Road, (Map 14, Lot 49), per Section 2.1.1.9, seeking a front yard variance of 4.6' to permit a front yard setback of 45.4' where 50' is required. R-40 Zoning District.

Owners, Linda and Gerard O'Connor, presented the variance application to allow a front porch addition at 48 Brockett Farm Road and discussed the hardship.

The Board asked questions and Mr. O'Connor responded.

Mr. Clark asked for public comment.

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

4. #21-12 Application of Palco Construction LLC, Applicant, Ulbrich Stainless Steels & Special Metals, Inc., Owner, relative to 55 Defco Park Road, (Map 95, Lot 23), per Section 5.1.2, requesting a building coverage variance of 2.9% to permit a building coverage of 37.9% where 35% is permitted. IL-80 Zoning District.

This application has been postponed to the 15 July 2021 meeting.

DELIBERATION SESSION:

PUBLIC HEARINGS:

1. #21-06 Application of Pam Kearney, Applicant, Bombino LLC, Owner, relative to 560 Universal Drive North.

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

Clark – aye Villano – aye Wambolt – aye Gorry – aye Quick – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. The drive-thru traffic issues will be resolved after Covid-19 regulations are removed.
3. This front yard setback variance is limited to this approximately 6’x6’ structure only.

2. #21-10 Application of Kathleen O’Shaughnessey, Applicant, Kathleen O’Shaughnessey & Kaitlyn Kenney, Owners, relative to 180 Forest Hill Road.

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

Clark – aye Villano – aye Wambolt – aye Gorry – aye Quick – aye

In approving the application, the Board stated the following:

1. The granting of this variance will improve the safety of a child living at this residence.
2. The granting of this variance will not create any sightline issues.
3. The request is reasonable.

3. #21-11 Application of Gerard O’Connor, Applicant, Gerard & Linda O’Connor, Owners, relative to 48 Brockett Farm Road.

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

Clark – aye Villano – aye Gorry – aye Quick – aye Coppola – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
 2. The property is an undersized, non-conforming lot.
 3. The approval of this request would not create safety or sight line issues.
- 21-02 Application of North Haven Investments, Inc., Applicant & Owner, relative to 332 State Street.

Mr. Quick moved to approve the application. There was no second.
Mr. Clark moved to deny the application; Mr. Villano seconded the motion. The board voted as follows;

Clark – aye Villano – aye Gorry – aye Quick – nay Coppola – aye

In denying the application, the Board stated the following:

1. No hardship, as defined by Connecticut State Statutes, was found.

OTHER: None

ENFORCEMENT ACTIONS: ZEO Update

Zoning Enforcement Officer, Laura Magaraci briefly updated the Commission on the Enforcement Actions.

CORRESPONDENCE: None

MINUTES:

- 20 May 2021

Mr. Clark moved to approve the 20 May 2021 meeting minutes; Mr. Villano seconded the motion. The Board voted as follows:

Clark – aye Villano – aye Coppola – aye

ADJOURN:

There being no further business, Mr. Villano moved to adjourn; Mr. Quick seconded the motion; the board unanimously approved the motion. The meeting was adjourned at 8:47 pm.