

***APPROVED 2-16-23***  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, January 19, 2023 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Carolyn A. Yaccarino, Chairman  
Donald F. Clark, Vice Chairman, acting Secretary  
Andy Gorry  
Kenneth Quick, Alternate, sitting  
Luigi Coppola Sr., Alternate  
Robert Nielsen, Alternate, sitting

**MEMBERS ABSENT:**

Joseph P. Villano, Secretary  
A.J. Wambolt

**TOWN PERSONNEL:**

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

**OTHERS PRESENT:**

Sotonye Otunba-Payne, Stenographer

**AGENDA:**

Ms. Yaccarino, Chairman, opened the meeting at 7:36 PM and introduced the members of the Board and Town staff. She 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. #22-12 Application of Michael & Helene Katz, Applicants & Owners, relative to 12 Donmar Court, (Map 96, Lot 34), per Section 2.1.1.9, requesting, a rear yard setback variance of 9.2' to permit a rear yard setback of 15.8' where 25' is required. R-20 Zoning District.

Attorney Bernard Pellegrino, with the Pellegrino Law Firm in New Haven, presented the variance application and stated that the applicant proposes to construct a deck at the rear of the property. He presented photos of the property, Exhibit A, and stated that the lot is oddly shaped.

Owner, Michael Katz, explained the proposed project and answered questions from the Board.

The Board asked questions and Mr. Pellegrino responded.

Ms. Yaccarino asked for public comment.

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

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

2. #22-13 Application of Grace & Jason Harrington, Applicants & Owners, relative to 16 Alexander Drive, (Map 30, Lot 12), per Section 2.1.1.9, requesting a side yard setback variance of 1.14' to permit a side yard setback of 20.86' where 22' is required. R-40 Zoning District.

Mr. Fernando Pastor, representing the applicant, presented the variance application and updated the Board regarding the prior approval and stated that another variance is requested due to the contractor's error.

Owner, Grace Harrington, presented a photo of the house and discussed the shape of the lot. The Board asked questions and Mr. Pastor responded.

Ms. Yaccarino asked for public comment.

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

## **DELIBERATION SESSION:**

### **PUBLIC HEARING:**

1. #22-12 Application of Michael & Helene Katz, Applicants & Owners, relative to 12 Donmar Court.

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

Yaccarino – aye Clark – aye Gorry – aye Coppola – aye Nielsen – aye

In approving the application, the Board stated the following:

1. The unusual geometry of the lot is the hardship.
  2. The request is reasonable.
  3. The deck height is limited to no more than approximately 3.5', to match the existing first floor height of the hose.
2. #22-13 Application of Grace & Jason Harrington, Applicants & Owners, relative to 16 Alexander Drive.

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

Yaccarino – aye Clark – aye Gorry – aye Coppola – aye Nielsen – aye

In approving the application, the Board stated the following:

1. The odd shape of the lot is the hardship.
2. The mistake was made by the builder. The owner should not be penalized for the error.

**OTHER:** None

**ENFORCEMENT ACTIONS:**

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

**CORRESPONDENCE:** None

**MINUTES:**

- 15 December 2022

Ms. Yaccarino moved to approve the 15 December 2022 meeting minutes; Mr. Clark seconded the motion. The Board voted as follows:

Yaccarino – aye Clark – aye Coppola – aye Nielsen – aye Quick – aye

**ADJOURN:**

The meeting was adjourned at 8:09 P.M.