

***APPROVED 12-21-23***  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, November 16, 2023 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #1 at 7:30 P.M.

**MEMBERS PRESENT:**

Carolyn A. Yaccarino, Chairman  
Donald F. Clark, Vice Chairman, acting Secretary  
Andrew Gorry  
Luigi Coppola Sr., Alternate, (sitting)  
Robert Nielsen, Alternate  
Ken Quick, Alternate, (sitting)

**MEMBERS ABSENT:**

A.J. Wambolt

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Laura A. Magaraci, Zoning Enforcement Officer  
Leslie Carney, Secretary

**OTHERS PRESENT:**

Sotonye Otunba-Payne, Stenographer

**AGENDA:**

Ms. Yaccarino, Chairman, opened the meeting at 7:30 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 HEARINGS:**

1. #23-14 Application of Leonard A. Fasano, Applicant, Paul Cicarella, Owner, relative to 104 Kings Highway, (Map 83, Lot 31), appealing the decision of the Zoning Enforcement Officer, dated August 3, 2023. R-40 Zoning District.

This application has been postponed to the 18 January 2024 meeting.

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

2. #23-18 Application of Wilde Property Management, LLC, Applicant & Owner, relative to 5 Philip Place, (Map 66, Lot 20), per Section 5.1.2, requesting a front yard setback variance of 59.17' to permit a front yard setback of 15.83' where 75' is required; also requesting approval to enlarge an existing non-conforming building. IL-30 Zoning District.

Mr. Frank Wilde, owner and applicant presented the application to replace the current flat roof with a peaked roof. He has only owned the property for a year. This will not increase the size of the building except for the height and pitch of the proposed roof. No impacts to the surrounding land or foundation. The renovation work is required due to excessive termite damage.

The Board asked questions and Mr. Wilde responded.

Ms. Yaccarino asked for public comment.

Public Comment:

1. Linda Kronberg – owner of adjacent lot just had some clarification questions regarding the requested variance.

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

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

3. #23-19 Application of Stephanie Silverberg, Applicant & Owner, relative to 26 Monroe Street, (Map 73, Lot 47), per Section 2.1.1.9, requesting a front yard setback variance of 6' to permit a front yard setback of 19' where 25' is required. R-12 Zoning District.

Ms. Stephanie Silverberg, presented the application for a front yard setback variance to allow a slightly wider set of steps a little closer to the road. The variance was necessary due to the setback requirement in the zone that she was not aware of when applying for a permit. The concrete steps are somewhat of a safety issue. This will not be a covered structure and will be built according to the proposed plan.

The Board asked questions and Ms. Silverberg responded.

Ms. Yaccarino asked for public comment.

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

4. #23-20 Application of Kunteya Kataria, Applicant, 690 New Haven Avenue, LLC., Owner, relative to 402 Clintonville Road, (Map 69, Lot 6), per Section 8.3.1.1, requesting approval to change from a non-conforming use (retail package liquor store) to another non-conforming use (deli/convenience store). R-40 Zoning District.

Mr. Kunteya Kataria, applicant, presented the application to change the use of a portion of the property from a liquor store to a deli and convenience store. There will be no change to the property outside and no seating with take-out only. He believes it will benefit the neighborhood and the people living in the surrounding area.

The Board asked questions and Mr. Kataria responded.

Ms. Yaccarino asked for public comment.

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

## **DELIBERATION SESSION:**

### **PUBLIC HEARINGS:**

2. #23-18 Application of Wilde Property Management, LLC, Applicant & Owner, relative to 5 Philip Place.

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

Yaccarino – aye Clark – aye Gorry – aye Coppola – aye Quick – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. The footprint of this building will remain unchanged.

3. #23-19 Application of Stephanie Silverberg, Applicant & Owner, relative to 26 Monroe Street.

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

Yaccarino – aye Clark – aye Gorry – aye Coppola – aye Quick – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. This variance is limited to these proposed steps and landing only.
3. The approval of this variance will eliminate a safety hazard.

4. #23-20 Application of Kunteya Kataria, Applicant, 690 New Haven Avenue, LLC., Owner, relative to 402 Clintonville Road.

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

Yaccarino – aye Clark – aye Gorry – aye Coppola – aye Quick – aye

In approving the application, the Board stated the following:

1. The approval of this variance will reduce non-conforming uses on the site from 2 to 1.
2. This approval will help the residents in the area.
3. This approval will improve the neighborhood.

**OTHER:** None

**ENFORCEMENT ACTIONS:**

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

**CORRESPONDENCE:** None

**MINUTES:**

- 19 October 2023

Mr. Clark moved to approve the 19 October 2023 meeting minutes (as amended); Ms. Yaccarino seconded the motion.

The Board voted as follows:

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

**ADJOURN:**

There being no further business, Mr. Clark moved to adjourn; Mr. Gorry seconded the motion; the board unanimously approved the motion. The meeting was adjourned at 8:02 P.M.