

APPROVED 5-18-23
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, April 20, 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
A.J. Wambolt,
Kenneth Quick, Alternate,
Luigi Coppola Sr., Alternate

MEMBERS ABSENT:

Joseph P. Villano, Secretary
Andy Gorry
Robert Nielsen

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. #22-14 Continuation of the Special Permit Application of John Magliochetti, Applicant, G.V.L. Inc., Owner, relative to 45 State Street, (Map 66, Lot 28), per Section 8.11.1, seeking a Certificate of Location for a Motor Vehicle Dealer's License. IL-30 Zoning District.

Attorney Timothy Lee, with Fasano, Ippolito, Lee & Florentine presented the application and gave an overview of the property and the discussions at the February 16, 2023 meeting. He stated that no outside storage is proposed. He read in Exhibit 2A; Statement of Use.

The Board asked questions and Attorney Lee responded.

Ms. Yaccarino asked for public comment.

There being no public comment, the Public Hearing was closed

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

2. #23-03 Application of Nick Piscitelli, Applicant, Rodney W. Diggs, Owner, relative to 160 Garfield Avenue, (Map 41, Lot 154), per Section 2.1.1.9, requesting a front yard setback variance of 9' to permit a front yard setback of 16' where 25' is required. R-12 Zoning District.

Mr. Nick Piscitelli, presented the application for a front yard setback variance to permit the construction of a second story addition.

The Board asked questions and Mr. Piscitelli 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:

3. #23-04 Application of John A. Parese, Applicant, Richard Burgess and Anna Filipkowska, Owners, relative to 3369 Dixwell Avenue, (Map 50, Lot 39), appealing the decision of the Zoning Enforcement Officer, dated February 17, 2023. R-20 Zoning District.

Attorney John Parese with Parrett, Porto, Parese & Colwell P.C., presented the application appealing the decision of the Zoning Enforcement Officer dated 2/17/2023. He gave an overview of the property history and discussed the reasons for the appeal.

Attorney Mark Vessichio discussed the process at the sale of the property and presented Exhibit 1A; A Municipal Search document.

Attorney Parese then presented Exhibit 1B; Supreme Court decision, Town of West Hartford vs. Joseph P. Rechel.

Rich Burgess of 229 Branford Road in North Branford discussed the reason why the applicant has requested 200-amp service to the existing garage.

The Board asked questions and Attorney Parese responded.

Ms. Yaccarino asked for public comment.

1. Sue Danberg of 28 Jansen Lane spoke in opposition to the appeal.

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

DELIBERATION SESSION:

PUBLIC HEARING:

1. #22-14 Continuation of the Special Permit Application of John Magliochetti, Applicant, G.V.L. Inc., Owner, relative to 45 State Street.

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

Yaccarino – aye Clark – aye Wambolt – aye Quick – aye Coppola – aye

In approving the application, the Board stated the following:

1. No more than five (5) vehicles for sale can be maintained on the property at any time. Vehicles for sale can only be displayed in the parking spaces on the south side of the property, and only during normal business hours. No overnight outdoor storage or display of motor vehicles is permitted.
2. The request is reasonable.

2. #23-03 Application of Nick Piscitelli, Applicant, Rodney W. Diggs, Owner, relative to 160 Garfield Avenue.

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

Yaccarino – aye Clark – aye Wambolt – aye Quick – aye Coppola – aye

1. The property is a corner lot and it predates zoning.
2. The request is reasonable.

3. #23-04 Application of John A. Parese, Applicant, Richard Burgess and Anna Filipkowska, Owners, relative to 3369 Dixwell Avenue.

Mr. Quick moved to approve the application. There was no second to his motion.

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

Yaccarino – aye Clark – aye Wambolt – aye Quick – nay Coppola – aye

In denying the application, the Board stated the following:

1. For the reasons discussed in deliberations and on the record at the April 20th meeting the Board finds no reason to overrule the decision of the Zoning Enforcement Officer.

OTHER: None

ENFORCEMENT ACTIONS:

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

CORRESPONDENCE: None

MINUTES:

- 16 March 2023

Mr. Clark moved to approve the 16 March 2023 meeting minutes; Ms. Yaccarino seconded the motion. The Board voted as follows:

Yaccarino – aye Clark – aye Wambolt – aye Quick – aye Coppola – aye

ADJOURN:

The meeting was adjourned at 8:49 P.M.