

APPROVED 6-15-23
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, May 18, 2023 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 P.M.

MEMBERS PRESENT:

Carolyn A. Yaccarino, Chairman
Donald F. Clark, Vice Chairman
A.J. Wambolt, acting Secretary
Luigi Coppola Sr., Alternate, sitting
Robert Nielsen, Alternate, sitting

MEMBERS ABSENT:

Joseph P. Villano, Secretary
Andy Gorry
Kenneth Quick, Alternate

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 7:34 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. Wambolt read the call for the first Public Hearing:

1. #23-05 Application of John A. Parese, Applicant, Richard Burgess and Anna Filipkowska, Owners, relative to 3369 Dixwell Avenue, (Map 50, Lot 39), per Section 2.1.1.6, requesting an accessory use (detached, three-bay, one and one half story building) not incidental to a permitted use on the same lot. R-20 Zoning District.

Attorney John Parese with Parrett, Porto, Parese & Colwell P.C., presented the application to permit an accessory use on the property at 3369 Dixwell Avenue. He stated that the applicants are requesting to use the existing garage as a workshop. He gave an overview of the property history and discussed the hardships.

Mr. Richard Burgess, owner and applicant, discussed the improvements made to the property and explained the proposed uses of the existing garage.

The Board asked questions and Mr. Parese responded.

Ms. Yaccarino asked for public comment.

1. Sue Danberg of 28 Jansen Lane spoke in opposition to the application. She is concerned with the use having a negative impact on the neighborhood.
2. John Colello spoke in opposition for Gloria Daly of 4 Falcon Crest. He stated that she is concerned with lighting. He then presented Exhibits 1, 2, and 3: photos of the property.

Mr. Parese addressed the public comment.

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

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

2. #23-06 Application of D’Pietro Builders, Applicant, Nicole Minuit, Owner, relative to 11 MacArthur Road, (Map 22, Lot 37), per Section 2.1.1.9, requesting a front yard setback variance of 15’ to permit a front yard setback of 35’ where 50’ is required. R-20 Zoning District.

Mrs. Nicole Minuit, owner and applicant, presented the setback variance and discussed the hardships. She stated that she proposes to add an addition to her house which will include dormers on the second floor.

Mr. Anthony LaMontagna, contractor, discussed the proposed project and presented Exhibit A: Set of Plans.

The Board asked questions and Mr. LaMontagna and Mrs. Minuit responded.

Ms. Yaccarino asked for public comment.

There being no public comment, the Public Hearing was closed

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

3. #23-07 Application of Wilson R. Orellana, Applicant & Owner, relative to 2 Levere Street, (Map 60, Lot 6), per Section 8.6.2.1, requesting a 3’ fence height variance to permit a fence height of 6’ where 3’ is permitted. R-20 Zoning District.

Mr. Wilson Orellana, owner, presented the application to allow a variance to allow a six foot high fence on his corner lot.

The Board asked questions and Mr. Orellana responded.

Ms. Yaccarino asked for public comment.

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

DELIBERATION SESSION:

PUBLIC HEARING:

1. #23-05 Application of John A. Parese, Applicant, Richard Burgess and Anna Filipkowska, Owners, relative to 3369 Dixwell Avenue.

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

Yaccarino – aye Clark – aye Wambolt – aye Coppola – aye Nielsen – aye

In denying the application, the Board stated the following:

1. The stated hardship was found to be financial.
 2. The neighbors expressed concerns as to the impacts on the neighborhood.
2. #23-06 Application of D’Pietro Builders, Applicant, Nicole Minuit, Owner, relative to 11 MacArthur Road.

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

Yaccarino – aye Clark – aye Wambolt – aye Coppola – aye Nielsen – aye

1. The property is an odd shaped corner lot.
 2. The property predates zoning.
 3. The request is reasonable.
3. #23-07 Application of Wilson R. Orellana, Applicant & Owner, relative to 2 Levere Street.

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

Yaccarino – aye Clark – aye Wambolt – aye Coppola – aye Nielsen – aye

In approving the application, the Board stated the following:

1. There are no safety issues (sight line).
2. The neighbors voiced no concerns.
3. The fence is set back from the street.

OTHER: None

ENFORCEMENT ACTIONS:

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

CORRESPONDENCE: None

MINUTES:

- 20 April 2023

Mr. Coppola moved to approve the 20 April 2023 meeting minutes; Mr. Wambolt seconded the motion. The Board voted as follows:

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

ADJOURN:

There being no further business, Mr. Wambolt moved to adjourn; Mr. Coppola seconded the motion; the board unanimously approved the motion. The meeting was adjourned at 8:32 P.M.