

Approved 10-19-23
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, September 21, 2023 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 P.M.

MEMBERS PRESENT:

Donald F. Clark, Vice Chairman, acting Chairman
A.J. Wambolt
Andy Gorry
Ken Quick, Alternate, acting Secretary
Luigi Coppola Sr., Alternate
Robert Nielsen, Alternate

MEMBERS ABSENT:

Joseph P. Villano, Secretary
Carolyn A. Yaccarino, Chairman

TOWN PERSONNEL:

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

OTHERS PRESENT:

Sotonye Otunba-Payne, Stenographer

AGENDA:

Mr. Clark, acting Chairman, opened the meeting at 7:33 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. Quick read the call for the first Public Hearing:

1. #23-11 Application of Vincenzo Barecchia, Applicant, Commercial Investment Group, LLC, Owner, relative to 117 & 109 Washington Avenue, (Map 73, Lots 9 & 5), per Section 8.10.3.1, requesting a variance of the 500 feet requirement between a location for a liquor permit and a school, requesting zero feet. CA-20/IL-30 Zoning Districts

Attorney Lawrence Greenberg, presented the application seeking a variance for a restaurant, which is proposing to serve alcohol.

Alphonse DeLucia, 31 Elizabeth Terrace discussed the conversation he had with the Paul Mitchell School, which had no opposition to the application.

The Board asked questions and Mr. Greenberg and Mr. DeLucia responded.

Mr. Clark asked for public comment.

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

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

2. #23-13 Application of Keara Piscitelli, Applicant & Owner, relative to 13 Forest Avenue, (Map 37, Lot 38), per Section 8.6.2.1, requesting a 2' fence height variance to permit a fence height of 5' where 3' is permitted. R-12 Zoning District.

Keara Piscitelli, owner and applicant presented the variance application to allow the addition of a fence in her backyard.

The Board asked questions and Ms. Piscitelli responded.

Mr. Clark asked for public comment.

1. Robin DePino, 38 Poplar Street – spoke in favor of the application

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

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

3. #23-15 Application of Robin DePino, Applicant & Owner, relative to 38 Poplar Street, (Map 37, Lot 39), per Section 8.6.2.1, requesting a 3' fence height variance to permit a fence height of 6' where 3' is permitted. R-12 Zoning District.

Robin DePino, owner and applicant discussed the variance application and stated that she is proposing to construct a fence on her property.

The Board asked questions and Ms. DePino responded.

Mr. Clark asked for public comment.

2. Keara Piscitelli, 13 Forest Avenue – spoke in favor of the application

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

4. #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 19 October 2023 meeting.

DELIBERATION SESSION:

PUBLIC HEARING:

1. #23-11 Application of Vincenzo Barecchia, Applicant, Commercial Investment Group, LLC, Owner, relative to 117 & 109 Washington Avenue.

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

Clark – aye Wambolt – aye Gorry – aye Quick – aye Nielsen – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. The school in question voiced no concerns.
3. Liquor will be consumed on premises.

2. #23-13 Application of Keara Piscitelli, Applicant & Owner, relative to 13 Forest Avenue.

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

Clark – aye Wambolt – aye Gorry – aye Quick – aye Nielsen – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. The neighbors voiced no objections.
3. The property is a corner lot with two (2) front yards.
4. There are no site line or safety issues.

3. #23-15 Application of Robin DePino, Applicant & Owner, relative to 38 Poplar Street.

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

Clark – aye Wambolt – aye Gorry – aye Quick – aye Nielsen – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. The neighbors voiced no objections.
3. There are no site line or safety issues.

OTHER: None

ENFORCEMENT ACTIONS:

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

CORRESPONDENCE: None

MINUTES:

- 17 August 2023

Mr. Wambolt moved to approve the 17 August 2023 meeting minutes; Mr. Coppola seconded the motion. The Board voted as follows:

Clark – aye Wambolt – aye Gorry – aye Coppola – aye

ADJOURN:

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