

DRAFT
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
ZONING BOARD OF APPEALS

A meeting of the Zoning Board of Appeals was held on Thursday, July 30, 2020 via videoconference at 7:30 PM.

MEMBERS PRESENT:

Carolyn A. Yaccarino, Chairman
Donald F. Clark, Vice Chairman
Joseph P. Villano, Secretary
A.J. Wambolt
Kenneth Quick, Alternate

MEMBERS ABSENT:

Paul C. Cicarella
Andy Gorry, Alternate

TOWN PERSONNEL:

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

OTHERS PRESENT:

AGENDA:

Ms. Yaccarino, Chairman, opened the meeting at 7:36 PM and introduced the members of the Board, the Town staff, and the Court Reporter. 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.

A-2 SURVEY WAIVER:

1. #A2W-20-01 Application of Steven Piccirillo, Applicant & Owner, relative to 118 Scrub Oak Road, (Map 101, Lot 35), seeking a waiver of the A-2 survey application requirement. R-20 Zoning District.

Mr. Wambolt recused himself from the application.

Mr. Steven Piccirillo, owner and applicant, presented the A-2 Survey Waiver application. He

stated that he will submit an application for a fence height variance, if he receives a waiver.

PUBLIC HEARING:

Mr. Villano read the call for the first Public Hearing:

2. #20-06 Application of Shellie Longo-Collins, Applicant, Shellie Longo-Collins & Sarah Collins, Owners, relative to 1 Greenfield Lane, (Map 19, Lot 10), per Section 8.6.2.1, requesting a fence height variance of 1' to permit a 4' high fence where 3' is required. R-40 Zoning District.

Mrs. Shellie Longo-Collins, owner and applicant, presented the application requesting a fence height variance of 1' to permit a 4' high fence where 3' is required. She stated that her property is a corner lot.

Ms. Yaccarino asked for public comment.

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

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

3. #20-07 Application of 444 State Street LLC, Applicant & Owner, relative to 444 State Street, (Map 26, Lot 55), per Section 8.3.3.1, requesting approval to enlarge an existing non-conforming building. CB40/R-20 Zoning Districts.

Mr. James Pretti, Engineer at Criscuolo Engineering presented the application to permit the construction of an additional 1300 square foot addition to an existing non-conforming building at 444 State Street. He stated that the addition is for vehicle bays and service spaces at Executive Volkswagen. An approval was granted for a 2000 square foot addition by the Planning & Zoning Commission on November 12, 2019.

Ms. Yaccarino asked for public comment.

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

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

4. #20-08 Application of MSW Realty, LLC, Applicant, BAD Realty LLC, Owner, relative to 310 Quinnipiac Avenue, (Map 22, Lot 4), per Section 2.1.1.2, requesting to allow a business office in a non-owner occupied dwelling/structure and employing in such office more than two persons who are not residents of the premises. R-20 Zoning District.

Attorney Timothy Lee with Fasano, Ippolito, Lee & Florentine, LLC in New Haven, presented the application to allow a business office use at 310 Quinnipiac Avenue. He stated that

Laydon Construction Company proposes to occupy the space for their administrative offices. The Board asked questions regarding prior approvals and outside storage and Attorney Lee responded.

Ms. Yaccarino asked for public comment.

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

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

5. #20-09 Application of Vigliotti Construction, Co., Applicant, Piepers' Farm, LLC, Owner, relative to 343 Clintonville Road, (Map 69, Lot 55), per Section 2.4.1.1 (a), requesting a side yard setback variance of 18' to permit a side yard setback of 32' where 50' is required. EH Zoning District.
6. #20-10 Application of Vigliotti Construction, Co., Applicant, Piepers' Farm, LLC, Owner, relative to 379 Clintonville Road, (Map 69, Lot 55), per Section 2.4.1.1 (a), requesting a side yard setback variance of 18' to permit a side yard setback of 32' where 50' is required. EH Zoning District.

The Board elected to hear Applications #20-09 and #20-10 together.

Attorney Timothy Lee with Fasano, Ippolito, Lee & Florentine, LLC in New Haven, presented the application on behalf of his client, Vigliotti Construction. He stated that the applicant received Subdivision approval from the Inland Wetlands Commission and the Planning & Zoning Commission and will be submitting an application for site plan approval for an Elderly Housing Development. If approved, this variance will allow for the construction of a club house which is proposed to be constructed between the two lots.

The board asked questions and they were answered by Attorney Lee.

Ms. Yaccarino asked for public comment.

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

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

7. #20-11 Application of 135 Washington NH, LLC, Applicant, Washington Associates, Owner, relative to 135 Washington Avenue, (Map 73, Lot 13), per Section 5.1.2, requesting a side yard setback variance of 18' to permit a side yard setback of 2' where 20' is required. IL-30 Zoning District.

Attorney Dennis Ceneviva of the Ceneviva Law Firm in Meriden, presented the variance Application to permit the construction of a 7000 square foot Auto Parts Store.

Mr. John Mancini of BL Companies explained the site plan and discussed the hardships. The board asked questions and they were answered by Mr. Mancini.

Ms. Yaccarino asked for public comment.

1. Mr. John McKnight of 11 St. John Street spoke in favor of the application.

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

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

8. #20-12 Application of Edward DeArias & Alexandra Lesenskyj, Applicants & Owners, relative to 1 Windsor Road East, (Map 42, Lot 209), per Section 8.6.2.1, requesting a fence height variance of 1.5' to permit a 4.5' high fence where 3' is required. R-20 Zoning District.

Mr. Edward DeArias presented the fence height variance application. He stated that his lot is on a steep hill and on a corner.

The board asked questions and they were answered by Mr. DeArias.

Ms. Yaccarino asked for public comment.

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

DELIBERATION SESSION:

A-2 SURVEY WAIVER:

1. #A2W-20-01 Application of Steven Piccirillo, Applicant & Owner, relative to 118 Scrub Oak Road.

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

Yaccarino – aye Clark – aye Villano – aye Quick – aye

The A-2 survey waiver was approved.

PUBLIC HEARINGS:

2. #20-06 Application of Shellie Longo-Collins, Applicant, Shellie Longo-Collins & Sarah Collins, Owners, relative to 1 Greenfield Lane.

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

voted as follows;

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. The hardship is public safety.
3. #20-07 Application of 444 State Street LLC, Applicant & Owner, relative to 444 State Street.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
4. #20-08 Application of MSW Realty, LLC, Applicant, BAD Realty LLC, Owner, relative to 310 Quinnipiac Avenue.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. This variance is conditioned on there being no outdoor storage of any type on the property, including but not limited to: construction vehicles, machinery, equipment, materials, or supplies.
5. #20-09 Application of Vigliotti Construction, Co., Applicant, Piepers' Farm, LLC, Owner, relative to 343 Clintonville.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. The hardship is the wetlands on the site.

2. Owner owning both adjoining properties.

6. #20-10 Application of Vigliotti Construction, Co., Applicant, Piepers' Farm, LLC, Owner, relative to 379 Clintonville Road.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. The hardship is the wetlands on the site.
2. Owner owning both adjoining properties.

7. #20-11 Application of 135 Washington NH, LLC, Applicant, Washington Associates, Owner, relative to 135 Washington Avenue.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. The hardship is the unusual traffic condition caused by the easement that runs along the entire north side of the property.
2. The granting of this variance will help avoid safety concerns caused by traffic on the north side of the property.

8. #20-12 Application of Edward DeArias & Alexandra Lesenskyj, Applicants & Owners, relative to 1 Windsor Road East.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

In approving the application, the Board stated the following:

1. The approval is for the safety of children and pets.
2. The hardship is the corner lot.
3. There is a large distance from the street that ensures adequate sightline.

OTHER: None

ENFORCEMENT ACTIONS:

- Cease and Desist, 2222 Ridge Road

Zoning Enforcement Officer, Laura Magaraci stated that she and Town Counsel are working with the violator towards a resolution.

- Cease and Desist, 315 Washington Avenue

Zoning Enforcement Officer, Laura Magaraci stated that she has been in contact with the violator and is expecting that they will be submitting a site plan application with the Planning & Zoning Commission.

- Cease and Desist, 336 State Street

Zoning Enforcement Officer, Laura Magaraci stated that she has been in contact with the violator and is expecting that they will be submitting a site plan application with the Planning & Zoning Commission.

CORRESPONDENCE: None

MINUTES:

- 18 June 2020

Mr. Clark moved to approve the 18 June 2020 meeting minutes; Mr. Villano seconded the motion. The Board voted as follows:

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Quick – aye

ADJOURN:

There being no further business, Mr. Clark moved to adjourn; Mr. Villano seconded the motion; the board unanimously approved the motion. The meeting was adjourned at 9:11 pm.