

12/20 Date of Receipt
160 Fee and Date Paid

#20-19 File Number
Date Decision Published

TOWN OF NORTH HAVEN -- ZONING BOARD OF APPEALS

(Application fees shall be based upon the number of categories indicated)
Submit one (1) application form and 10 copies of plot plans and other supporting documentation

12 Village street, 012-141
(ADDRESS OF BUILDING AND BLOCK MAP, BLOCK & LOT NUMBER)

ZONE

11/14/77
PREVIOUS VARIANCE(S)/DATE

CATEGORIES: (THIS APPLICATION IS FOR)

I. An application for a variance of the zoning regulations

Cite the regulation

2.1.1

Statement of requested variance

In addition to the medical variance, for the use of Professional and Business Offices and Financial institutions and/or similar use to Section 3.2 Office Districts.

Cite the regulation

Statement of requested variance

~~See attached~~

Statement of the hardship that results in the request for a variance (attach additional page if needed)

See attached

II. _____ An application for a special exception or special permit which, according to the zoning regulations, must be granted by the Zoning Board of Appeals

Cite the Special Permit requested

Are any variances needed in conjunction with this Special Permit?

(Yes or No) If yes, a separate application must be submitted for the variance(s)

Give a brief narrative of the Special Permit requested

III. _____ An appeal of an order, requirement or decision made by the agent of the Planning and Zoning Commission or any other official charged with enforcement of the zoning regulations. Give a brief narrative of the appeal being presented.

I (we) hereby attest that all information provided is true and accurate.

Print Applicant's Name, Address & Phone No.

George H. Romanuk Jr.
834 Greens Loop
Cheshire, CT 06410
203-494-8451

Print Owner's Name, Address & Phone No.

George H. Romanuk
9 Stonegate circle
Cheshire, CT 06410
203-272-8187

RECEIVED

OCT 20 2020

TOWN OF NORTH HAVEN
LAND USE AND DEVELOPMENT

Applicant's signature

Owner's signature

VARIANCE PROPOSAL

The proposed variance for 12 Village Street would allow, in addition to the medical variance granted on November 14, 1977, for the use of Professional and Business Offices and Financial Institutions and/or similar use to Section 3.2 Office O Districts.

BACKGROUND

12 Village Street was constructed in 1908. The building was purposefully built in a residential area to be used as a school. Zoning in North Haven began in 1920, and the area where the once school is located is labeled R-20. When the school eventually closed, it remained a unique building in a now residential area, and required a variance in order for the building to continue operating since it was not designed for residential use. In order for private individuals to make use of the building, the city granted a variance in 1977, permitting a medical center, medical offices, and “related medical facilities” including daycare. This variance remains in effect today.

ZONING LAW

For a variance to be granted under C.G.S. § 8-6(3), two conditions must be fulfilled. Dupont v. Zoning Bd. of Appeals of Town of Manchester, 80 Conn. App. 327, 330, 834 A.2d 801, 803 (2003). “(1) the variance must be shown not to affect substantially the comprehensive zoning plan; and (2) adherence to the strict letter of the zoning ordinance must be shown to cause unusual hardship unnecessary to the carrying out of the general purpose of the zoning plan.... The zoning board's action must be reasonably supported by evidence in the record.... The hardship must be different in kind from that generally affecting properties in the same zoning district.” (Citations omitted; internal quotation marks omitted.) Kelly v. Zoning Board of Appeals, 21 Conn.App. 594, 597–98, 575 A.2d 249 (1990). The hardship must be imposed by conditions outside the property owner's control. Hoffer v. Zoning Bd. of Appeals of Town of Oxford, 64 Conn. App. 39 (2001)

PROPOSAL

The proposed variance for 12 Village Street would allow, in addition to the current medical variance, for the use of Professional and Business Offices and Financial Institutions. This proposal, if granted, would retain the character and original intent of the medical variance granted in 1977.

- I. **Addressing the first prong, this proposed variance would not substantially alter the current zoning plan.**

12 Village Street is already a unique building for the area and has been since its birth in 1908. Simply by looking at it, one would assume the building is meant for an entirely different purpose than the homes surrounding the area. Never in the history of the building has it ever been used for R-20 residential purposes. It was once a school, filled with the commotion of hundreds of school children, and daily traffic of buses and parents picking them up and dropping them off. It then became a medical center which it currently is today. Doctors, nurses, secretaries, and patients drive in and out of the building daily. Quest also currently attracts many patients during the week for their routine bloodwork ordered by their physicians. However, residents remain at ease, knowing the building is occupied by professionals, and people that would not bring down the integrity of the area.

Similarly, allowing for the use of Professional and Business Offices and Financial Institutions and/or similar use to Section 3.2 Office O Districts, would keep the same integrity the residents of the area desire. Additionally, noise and traffic may also decrease due to the variance. For example, an Accountants Office or an Architect would create much less traffic and noise than a primary care physician or a Quest. A financial consultant would certainly cause less noise and traffic than a daycare or physical therapy center. The proposed change requested is not extraordinary, it simply proposes an extension of use for other professionals in the area. This proposal is requesting the allowance to fit with the times so the building may remain active. Therefore, the comprehensive zoning plan of the area would not be substantially affected.

II. 12 Village Street carries an unusual hardship by the nature of the building, that is different from other properties in the same zoning district and due to conditions outside of the property owners control.

Reiterating the paragraphs above, 12 Village Street is a unique building for the R-20 area, due to its design that does not accommodate for residential use. It is certainly different than the homes surrounding the property, and because it is unique, it suffers a hardship unlike other buildings in the same area.

Additionally, the healthcare profession has not remained stagnant since November of 1977. Preferential medical treatment is slowly moving away from small town doctors to larger corporations. In response, local doctors are more willing to attach themselves to a larger corporation for security rather than risk a solo practice. In 2012, Yale purchased 6 Devine Street, North Haven, and turned the surrounding area into a medical center with the permission of the town. Local doctors are now

condensing towards this area to take advantage of the great rates and customers that now prefer treatment there. As a result of this and various other factors as well, 12 Village Street tenants have been on the decline.

The 12 Village Street building is capable of holding 9 tenants, but currently is only accommodating 5. Since 2012, 2 tenants have left the building. Additionally, the building has received only 1 new tenant in the past 8 years of consistently being on the market with the help of 4 different real estate companies. It is clear from these numbers that 12 Village Street may not fit the demand and archetype a medical professional requires. The towns authorization of Divine Street has certainly played a role and its operation is clearly outside the property owners control.

CONCLUSION

12 Village Street is a very unique building in the area, in that it predates zoning, was originally a school, and never in its history had been used for residential purposes, yet, is located in a residential area. Without a variance, the building would not be able to function. By allowing for Professional and Business Offices and Financial Institutions and/or similar use to Section 3.2 Office O Districts, the integrity of the area would remain the same, and perhaps even get better by decreasing traffic and noise. Therefore, please consider and grant this variance so that 12 Village Street may continue to function effectively in the foreseeable future.

- George H. Romania

November 14, 1977

Carl Cella, Esquire
One Old Broadway
North Haven, Connecticut 06473

Re: #77-63 - Village St. School

Owner: Town of North Haven

Dear Mr. Cella:

Please be advised that after the public hearing meeting, during deliberation session, held November 10, 1977 of the Zoning Board of Appeals, the Board voted to grant the appeal of Charles Christoforo relative to Village Street School, Village Street from section 4.1.6 requesting a use variance to permit a medical center including medical offices together with related medical facilities including day care facilities for elderly and very young, subject to the following conditions:


1. that the applicant seek for the Town to post "No Parking" signs on both sides of Village Street;
2. that the lighting in the parking area be set up so as not to be objectionable to the neighbors.

Please also be advised that the above approval is subject to Planning and Zoning approval.

In accordance with State Statutes, a copy of this approval must be filed by you in the Land Records of the Town of North Haven.

Very truly yours,

NORTH HAVEN ZONING BOARD OF APPEALS


Joan Murphy, Secretary

gbr

Certified Mail - Return Receipt Requested

17-63

ZONING BOARD OF APPEALS
NORTH HAVEN, CONNECTICUT

Application for Special Exception Variance From the Zoning Regulations

Two Copies of this appeal and two plot plans drawn to scale are required.

APPLICANT: Charles Christoforo ADDRESS: ⁶³⁰ Middletown Avenue, No. Haven, C
OWNER: Town of North Haven ADDRESS: Church Street, North Haven, CT
LESSEE: _____ ADDRESS: _____

Location of the Affected Premises: Street number and/or Lot No. _____ Zone R-20
Located on the south side of Village Street, _____ feet, If only lot # give _____
(direction) east from the intersection of Village Street and Quinnipiac Ave.
Additional Identifying Features; i.e., building color, composition, landmarks, mail box, etc. _____

Site of Old Village Street School

This appeal relates to: Special Exception Use Area Yard Dimensions Height
Building Coverage Signs Accessory Buildings Other use variance
What section of the Zoning Regulations is being appealed? 4.1.6 Has any previous
appeal been filed in connection with these premises? no When _____

Date of Purchase of Property: _____

Describe Appeal Briefly: Request a use variance to permit a medical center including medical offices together with related medical facilities including day care facilities for elderly and very young, all as more specifically set forth in the attached proposal.

What specific hardship is claimed With respect to the use variance the building has been used for school and offices; residential zoning regulations are not totally clear as to whether this type of facility is permitted; and the proposed use is the most practical giving due regard to the present use, the lot size and the existence of the building.

(I) (We) hereby depose and say that all the above statements and the statements contained in any papers submitted herewith are true to the best of (my) (our) knowledge and belief.

(Signature of Owner and date) Charles Christoforo Oct 17 97
(Signature of Appellant, Lessee, or Agent and Date)

OFFICE USE ONLY

Date of Filing 10/17/97 Fee of \$ 15.00 Received by: J.P. Sullivan
Signed by: _____
Zoning Enforcement Officer

#99-63

ZONING BOARD OF APPEALS
NORTH HAVEN, CONNECTICUT

Application for Special Exception Variance From the Zoning Regulations

Two Copies of this appeal and two plot plans drawn to scale are required.

APPLICANT: Charles Christoforo ADDRESS: Middletown Avenue, North Haven, CT

OWNER: Town of North Haven ADDRESS: Church Street, North Haven, CT

LESSEE: _____ ADDRESS: _____

Location of the Affected Premises: Street number and/or Lot No. _____ Zone R-20

Located on the south side of Village Street, _____ feet, If only lot # give _____
(direction) east from the intersection of Village Street and Quinnipiac Ave.

Additional Identifying Features; i.e., building color, composition, landmarks, mail box, etc. _____

Site of Old Village Street School

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(I) (We) hereby depose and say that all the above statements and the statements contained in any papers submitted herewith are true to the best of (my) (our) knowledge and belief.

(Signature of Owner and date) Charles Christoforo Oct 17 77
(Signature of Appellant, Lessee, or Agent and Date)

OFFICE USE ONLY

Date of Filing 10/17/77 Fee of \$ 25.00 Received by: J. P. Haberman

Signed by: _____
Zoning Enforcement Officer

Medical Center Proposal

The proposed conversion of Village Street School to a Medical Center was considered because of demonstrated need for certain services in the community:

1. It is obvious that the densely populated Montowese area is in need of medical care for its citizens throughout the day, (not only 9-5 situation). The central location of Village Street School lends itself to this potential use. Dr. Cristoforo has agreed to move his office into the proposed complex and eventually extend office hours, increase ancillary services and personnel, and thereby provide a physical care center operation til 11:00 p.m.; and on weekends.

The center would be capable of providing acute care as well as follow-up care for conventional medical problems (routine M.D. office procedures.) A Physical Therapy Department would be an integral part of the above and would provide the requirements of the community and would operate directly under the auspices of physician and trained physical therapists.

2. In addition to the above (and operating in conjunction with the above) it is proposed that a Day Care Center for senior citizens be established as part of the center. It is our belief that this type of care is needed in the

6/11/68
Cristoforo

community and with the approval of State Regulating Agencies it is possible to operate at the Village Street site. At the Day Care Center under the direction of medically trained individuals, senior citizens will be able to spend the day, enjoy lunch, have transportation to other sites (theatre, swimming and recreation etc.) There will be on going entertainment provided on the premises and at the same time immediate availability to the physician's office and acute care center (as proposed above).

Senior citizens who are not enrolled in the Day Care Center will be invited to participate at all levels and it is possible that some arrangements might be made to provide lunch and other services to those individuals not quite in need of supervised day care services.

Of course the operation of the Day Care Center is contingent upon State and Local Zoning Board approval.

3. Because we believe that some exposure of the aged to youth and vice-versa is psychologically beneficial, it is proposed that a nursery school might eventually be in operation as part of the complex. Although this is not immediate, we would like to have this option left open (pending state and local approval).

We realize that completion of the above proposal(s) will result in the expenditures of significant finances and personal time and dedication to such details. In all of this regard, the planners would like to have some latitude in permission to expand to other medical areas which may not

W.A.P.
O.M.L.

have been even discussed at this time, but which would directly relate to the operations of a Medical Center.

There is no question that any operation proposed would essentially be compatible with any other operation in existence at the site. (ie physician office; Day Care Center)

Charles C. [unclear]

12/9/79
CMC