

10/20/20 Date of Receipt  
\$150/60 Fee and Date Paid

#20-18 File Number  
Date Decision Paid

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 14 copies of plot plans and other supporting documentation

356 Washington Avenue Map 85 Lot 32 CB40  
(ADDRESS OF BUILDING AND BLOCK MAP, BLOCK & LOT NUMBER) ZONE PREVIOUS VARIANCE(S)/DATE

CATEGORIES: (THIS APPLICATION IS FOR)

I. X An application for a variance of the zoning regulations  
Cite the regulation 8.10.3.1 Statement of requested variance See attached  
Cite the regulation \_\_\_\_\_ Statement of requested variance \_\_\_\_\_  
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)

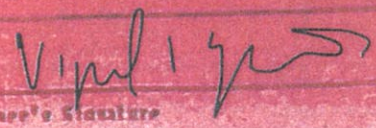
III. \_\_\_\_\_ In appeal of an order, requirement or decision made by the agent of the Planning and Zoning Commission or any other official charged with enforcement of the zoning regulations. Give a brief narrative of the appeal being presented.  
Give a brief narrative of the Special Permit requested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

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

Print Applicant's Name, Address & Phone No.  
Chintan Patel  
174 Old Kings Highway  
Wilton, CT 06897

Print Owner's Name, Address & Phone No.  
NHPP LLC  
87 Farm Hill Road  
Orange, CT 06477

  
Applicant's Signature

  
Owner's Signature

## ATTACHMENT TO VARIANCE APPLICATION

The owner/applicant seek a variance to Section 8.10.3.1 to permit a retail package store within 259.94 feet from a school where 500 feet is required.

The subject parcel is located at 356 Washington Avenue. It is the former "Party City" retail site. It is located in the CB 40 zone, which permits retail package stores by special permit. The applicant proposes to purchase the site and locate a retail package store in the building which has been vacant for some time. The site is located on Washington Avenue and the existing site development including the building, parking and site configuration makes it ideal for the proposed use as a retail package store.

A variance is needed based on the site's proximity to the Aces School located on Temple street. From property line to property line, the school is closer than 500 feet from the subject's property line in the northeast corner. However, there are a number of unique hardships and circumstances that support the granting of this variance. First of all, as noted above, while the respective property lines are 259.94 feet, the actual access to the two sites by vehicle or by foot well exceeds 800 feet. Given the fact that the northern and eastern side of the subject site and the school property are surrounded with six foot high chain link fences, and a significant portion of that distance is heavily wooded, it would be nearly impossible to access the two properties directly along the distance less that is less than 500 feet. These facts and circumstances can be clearly seen in the aerial photograph included in the application package. The rationale that arguably support the separation distance under the regulation are non-existent in the present case based on the actual property lines, the intervention of a number of properties between the two sites in the rear yards and the fences and other obstructions that provide sufficient buffering from the proposed use.

Variances for the on-site consumption of alcohol for restaurants have been previously granted within 500 feet of this school for similar reasons. 344 Washington Avenue has been granted relief for two restaurants with liquor permits currently located in that Plaza. The same was true for 380 Washington Avenue in 2000 for a restaurant with a liquor permit. Additionally, the "Bar" restaurant, located almost directly across the street on Washington Avenue and "Aircraft Liquor" at 386 Washington Avenue, which is only 218 feet from the school, have existed for many years within 500 feet of the school with no adverse effects. Finally, the "Adelphia Diner" received similar relief proximate to Quinnipiac University three years ago. As a result, our request is not unique.

As a result, given the requisite hardships articulated herein, and the fact that the requested variance will have a positive impact upon the site, without adversely impacting the neighboring environs or the school, the applicant respectfully requests that the Board look favorably upon this variance request.





**Property Information**

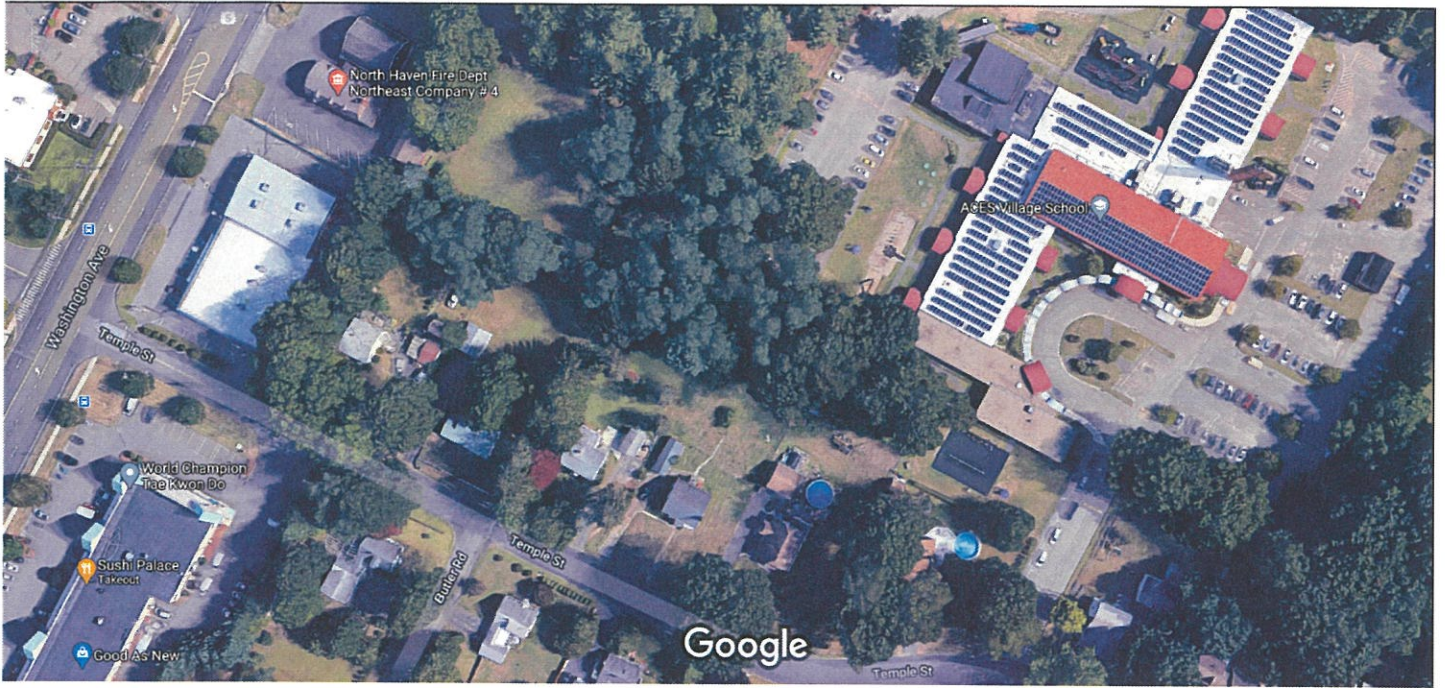
Property ID 085 032  
 Location 356 WASHINGTON AVE  
 Owner N H P LLC



**MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT**

Town of North Haven, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 4/1/2020  
 Data updated 4/1/2020



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