

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, November 19, 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
Paul C. Cicarella
Kenneth Quick, Alternate

MEMBERS ABSENT:

Andy Gorry, Alternate

TOWN PERSONNEL:

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

OTHERS PRESENT: None

AGENDA:

Ms. Yaccarino, Chairman, opened the meeting at 7:31 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.

A-2 SURVEY WAIVER:

1. #A2W-20-02 Application of Fakhra Butt, Applicant & Owner, relative to 1 Todd Drive, (Map 102, Lot 7), seeking a waiver of the A-2 survey application requirement. R-40 Zoning District.

Mrs. Butt, applicant and owner, presented the application for a waiver of the requirement of an A-2 Survey. Mr. Clark asked about the fence location and Mrs. Butt responded.

PUBLIC HEARING:

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

2. #20-16 Application of EDC Properties, Applicant & Owner, relative to 2 Grasso Avenue, (Map 36, Lot 37), per Section 8.3.3.1, requesting approval to enlarge an existing non-conforming building. IL-80 Zoning District.

Mr. James Pretti, Engineer at Criscuolo Engineering presented the application to permit the expansion of the building at 2 Grasso Avenue. He presented the site plan and stated that the applicant is proposing to convert an attic space to a second floor office space.

The Board asked questions and Mr. Pretti responded.

Ms. Yaccarino asked for public comment.

1. April Capone, 105 Quinnipiac Avenue, spoke in favor of the application. She and her husband own #8 & #10 Grasso Avenue.

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

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

3. #20-17 Application of 151 Washington Avenue, LLC, Applicant & Owner, relative to 151 Washington Avenue, (Map 73, Lot 16), per Section 8.8.7.2 (3), requesting a sign setback variance of 6.5' to permit a sign setback of 11' where 17.5' is required. IL-30 Zoning District.

Attorney Bernard Pellegrino of the Pellegrino law firm, presented the variance application to permit a monument sign at Citizens Bank located at 151 Washington Avenue.

The Board asked questions and Attorney Pellegrino 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:

4. #20-18 Application of Chintan Patel, Applicant, NHPP, LLC, Owner, relative to 356 Washington Avenue, (Map 85, Lot 32), per Section 8.10.3.1, requesting a variance of 240.06' to allow a liquor permit within 259.94' of a school where 500' is required. CB-40 Zoning District.

Attorney Bernard Pellegrino of the Pellegrino law firm, presented the variance application proposing a retail liquor store at 356 Washington Avenue.

Mr. Jeff Kravet, representing the owner discussed the closing of another liquor store and proposing to open a larger liquor store.

The Board asked questions and Mr. Kravet and Attorney Pellegrino responded.

Ms. Yaccarino asked for public comment.

1. Sashi Patel, owner of Candid Cleaners, spoke in opposition to the application.
2. Manish Patel, 2221 Avalon Haven Drive, spoke in opposition.
3. Attorney John Paresi, representing the owners of Sav Rite Liquors, spoke in opposition. He stated that there is no hardship and requested that the application be denied.
4. Nick Conti, owner of Sav Rite Liquors, spoke in opposition to the application.
5. Vishal Patel, 11 Revere Road, spoke in opposition to the application.
6. Rati Patel spoke in opposition to the application.
7. Manta Patel, 2221 Avalon Haven Drive stated that she supports local businesses and not "big box" stores and is in opposition.
8. Haresh Bidja, 134 Sugar Hill Road opposes the application.
9. Raj Moore, 87 Bishop Street, opposes the application

Attorney Pellegrino addressed the public comment.

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

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

5. #20-19 Application of George H. Romania, Jr., Applicant, 12 Village Street, LLC, Owner, relative to 12 Village Street, (Map 12, Lot 141), per Section 2.1.1, requesting a use variance to permit Professional and Business Offices and Financial Institutions in a residential zoning district. R-20 Zoning District.

Mr. George Romania Jr., presented the application for a use variance at 12 Village Street. He explained the tenant history at the property. He stated that the building is in a residential zone but is designed for business uses.

The Board asked questions and Mr. Romania responded.

Ms. Yaccarino asked for public comment.

1. Jeff Kravet spoke in favor of the application.
2. Matthew Iannone, co-owner, spoke in favor of the application.
3. Len Champion spoke in favor of the application.

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

6. #20-20 Application of Baybrook Remodelers Inc., Applicant, Courtney P. Cupples, Owner, relative to 115 Ridgewood Avenue, (Map 25, Lot 32), per Section 2.1.1.9, requesting an aggregate side yard setback variance of 3' to permit an aggregate side yard setback of 22' where 25' is required. R-12 Zoning District.

This application has been postponed to the 17 December 2020 meeting.

DELIBERATION SESSION:

A-2 SURVEY WAIVER:

1. #A2W-20-02 Application of Fakhra Butt, Applicant & Owner, relative to 1 Todd Drive. 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 Cicarella – aye

The waiver request was approved.

PUBLIC HEARINGS:

2. #20-16 Application of EDC Properties, Applicant & Owner, relative to 2 Grasso Avenue.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Cicarella – aye

In approving the application, the Board stated the following:

1. This proposed work would not change the footprint of the building.

3. #20-17 Application of 151 Washington Avenue, LLC, Applicant & Owner, relative to 151 Washington Avenue.

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

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Cicarella – aye

In approving the application, the Board stated the following:

1. The request is reasonable.
2. The sign would be in keeping with signs in the area.
3. The sign won't block the sightline.

4. #20-18 Application of Chintan Patel, Applicant, NHPP, LLC, Owner, relative to 356 Washington Avenue.

Ms. Yaccarino moved to continue the deliberations for this application to the 17 December 2020 meeting; Mr. Cicarella seconded the motion. The board voted as follows;

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Cicarella – aye

The deliberations were continued.

5. #20-19 Application of George H. Romania, Jr., Applicant, 12 Village Street, LLC, Owner, relative to 12 Village 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 Cicarella – aye

In approving the application, the Board stated the following:

1. No outdoor storage is permitted on the property.
2. Banks are excluded from the uses allowed by this variance.
3. The hardship is the design of the building is for business uses, not residential uses.
4. The trend to consolidate medical offices contributes to the hardship.

OTHER: None

ENFORCEMENT ACTIONS:

Zoning Enforcement Officer, Laura Magaraci stated that the Cease & Desist order has been resolved.

CORRESPONDENCE: None

MINUTES:

- 15 October 2020

Ms. Yaccarino moved to approve the 15 October 2020 meeting minutes; Mr. Villano seconded the motion. The Board voted as follows:

Yaccarino – aye Clark – aye Villano – aye Wambolt – aye Cicarella- 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 10:04 pm.