

2-17-21
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Date of Receipt
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#21-02

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

332 State Street Map 34 Lot 108 CB-40 2.32 Acres
(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 Statement of requested variance

Cite the regulation Statement of requested variance
8.7.8.2.1 See Attached.
11.1.3

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

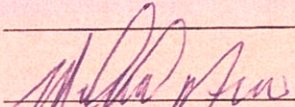
II. An application for a special exception or special permit which, according to the zoning regulations, must be granted by the Zoning Board of Appeals
 Cite the Special Permit requested
 Are any variances needed in conjunction with this Special Permit?
(Yes or No) If yes, a separate application must be submitted for the variance(s)

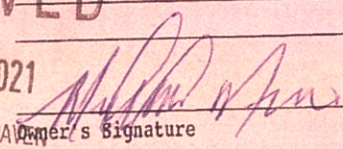
III. Give a brief narrative of the Special Permit requested
An appeal of an order, requirement or decision made by the agent of the Planning and Zoning Commission or any other official charged with enforcement of the zoning regulations. Give a brief narrative of the appeal being presented.

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

Print Applicant's Name, Address & Phone No.
North Haven Investments, Inc.
332 State Street
North Haven, CT 06473

Print Owner's Name, Address & Phone No.
North Haven Investments, Inc.
332 State Street
North Haven, CT 06473


Applicant's signature

RECEIVED
FEB 17 2021
TOWN of NORTH HAVEN
LAND USE AND DEVELOPMENT

Owner's signature

Attachment to Variance Application

The applicant/owner hereby requests the following variance in regard to its proposal to enlarge its existing building and parking area in the rear of its property located at 332 State Street, all as shown on the plans submitted with this application:

1. A maximum 23' side yard variance for the southwest corner of the proposed building addition, where pursuant to Section 8.7.8.1., when adjacent to a Residence District a 50' side yard is required and a minimum of 27' is provided. (See cross hatched semi-circle)
2. A 35' variance to the 50' foot vegetated buffer requirement contained in Section 11.1.3., where in lot lying in more than one District and where the proposed expansion of a permitted use exceeds 40 feet into the other district, where 15 feet is provided along the northwestern side of the property. (See, cross hatched area)

The Applicant desires to expand its operations by adding a building addition, parking and outdoor storage in the rear of its site. The property suffers from a "split-zone" affliction, as do the adjacent properties to the north (328 State Street) and to the south (336 State Street). It is primarily located in the CB-40 zoning district along the State Street frontage. However, as indicated on the map, the rear of the property lies in the R-20 zone which extends easterly from Hartford Turnpike.

The law of land use and zoning in our State abhors split zoning. It is generally recognized that zone lines should fall along property lines. In this case the split zoned nature of the parcel, its topography and the location of the existing building are all hardships unique to this site, which support the variances requested hereunder.

The applicant is desirous of improve its site and expanding its commercial business and the split zone configuration has stymied its ability to implement the proposed improvements. First, where adjacent to a residential district a 50 foot side yard is required. The existing building in only 27' from the split zoned property to the south (336 State Street). Although that property is used for commercial office use as it is primarily located in the CB-zone as well, the eastern most section which is within 27' feet of the proposed building addition, is residentially zoned. As a result, the 50' set back applies to the small circumference of the addition as the enclosed map indicates. However, in light of the fact that 336 State Street is utilized as a commercial property the side yard variance will not have any adverse impact on that site.

The same can be said for the buffer variance requested on the northwest corner of the property proposed for additional parking. The same distance and topographical issues exist on that side as well. The area to the west of the parking area will contain a 50'buffer to the residential property to the east. The property to the north, where only a 15' buffer is provided, suffers from the same split zone affliction as the subject site and 336 State Street. That property is also used for commercial purposes with parking in the rear of the site.

Additionally, and perhaps most importantly, the granting of the application would permit the redevelopment to be accomplished in a manner necessary to best protect the safety of the employees,

vendors and visitors to the site. The symmetrical alignment of the building and the parking and storage area proposed, which would not be possible without the requested variances, would permit safe and orderly vehicular and pedestrian traffic on this site.

For all the foregoing reasons the applicant respectfully requests that the Board look favorably upon the requested variances.

Mario DiGoia
42 State Street
North Haven, CT 06473

February 15, 2021

RE: Variance Application for 332 State Street, North Haven

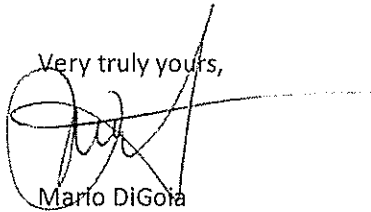
Dear Members of the Zoning Board of Appeals:

I am in receipt of the variance application submitted by North Haven Investments, Inc. as it abuts my property located at 336 State Street.

Please be advised that I have no objection to the granting of this application. Both of our properties are afflicted by the same split-zone designation toward the rear of the lots. I have no objection to the proposed building addition as it pertains to the setback from the rear portion of my property. Although zoned residential it is used for commercial purposes.

Thank you for your time and cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mario DiGoia', is written over a horizontal line. The signature is stylized and somewhat cursive.

Mario DiGoia
Member, 336 State Street, LLC

Robert Macina
42 Mountain View Terrace
North Haven, CT 06473

February 15, 2021

RE: Variance Application for 332 State Street, North Haven

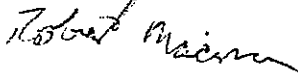
Dear Members of the Zoning Board of Appeals:

I am in receipt of the variance application submitted by North Haven Investments, Inc. as it abuts my property located at 328 State Street.

Pleased be advised that I have no objection to the granting of this application. Both of our properties are afflicted by the same split-zone designation toward the rear of the lots. I have no objection to the proposed parking area as it pertains to the required 50' buffer requirement from the side yard in the rear portion of my property. Although zoned residential it is used for commercial purposes.

Thank you for your time and cooperation.

Very truly yours,



Robert Macina
Member, RAM328, LLC