

**MEETING MINUTES OF ZONING BOARD OF APPEALS  
MAY 19, 2021**

The West Haven Zoning Board of Appeals held a Public Hearing and Regular Meeting on Wednesday May 19, 2021 at Cielo Banquet (aka West Haven Italian American Club), 85 Chase Lane, West Haven, CT at 7:15 P.M.

PRESENT: Commissioners Clifford, Wise, Porto, Rivera, DeLeo, Zentarski, and Assistant City Planner Conniff. Absent were Commissioners Caple and Coscia.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: Commissioner Porto made a motion to approve the meeting minutes of April 21, 2021, seconded by Commissioner DeLeo and passed.

**New:**

**Public Hearing**

**21 Harding Street:** A request to permit a front yard setback of 14' where 20' is required and permit a side yard setback of 6'9" where 10' is required in a R2 (Single Family Detached Residential) district, under section 10.4.2 of the City of West Havens Zoning Regulations. Owner/Applicant: Jack and Alicia Glagowski; File #037-21 V

Jack Glagowski, owner/applicant, stated this application is for an enlargement of their front deck by 5' and to build it across the entire width of the house, which is about 29 ft. Two letters from Mr. & Mrs. Shu, 8 Corey Court and Nick Scalia, 19 Morris St. were submitted to the file in support of this application. Mailings were submitted. No comments from the Fire Department and City Engineer. Building Official just confirmed permits are needed.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

**630 Ocean Avenue:** An application for a Special use exception for short-term rentals. The applicant should demonstrate the requirements that are expected for short-term rental. Under Article 1 section 2, section 50 and table 39.1 of the City of West Havens Zoning Regulations. Owner/Applicant: Russell Mawn; File# 036-21 SUE

Letter was read into the record asking for a continuance to the next meeting in June 16, 2021.

**400 Frontage Road:** The application is for a proposed 2<sup>nd</sup> story addition to an existing Medical Marijuana Grow Facility. A variance to permit 83 parking spaces where 124 parking are required in a LM (Light Manufacturing) district under section 60.13 of the City of West Havens Zoning Regulations. Owner: Michael G. (Jerry) McCabe/Applicant: David Lipton, CEO; File # 038-21 V

Kevin Davignon, Architect, explained this property is a single story building. The business moved in 2014 and they have expanded over this time. Due to the possibility of recreational marijuana being passed, a second story will be added to back of the existing 20,000 sq. ft. building. The existing building is vacant at this time. The first floor will be 70% grow area and the remaining 30% office space. The second floor will be grow area. This application is to seek relief from the parking requirement. This is an automated growing warehouse. Seth Sholes, president of Advanced Grow, stated he is one of four producers in the state and they sell to 18 pharmacies in the state. The parking was calculated based on the three areas, office, grow and light manufacturing use. Mailings were submitted to the file. Comments from the building official and Fire Marshall were read into the record. No comments from the City Engineer. There are presently 60 employees but may be increased by another 20. No public will be allowed at this facility.

Three calls were made to speak in favor and three calls were made to speak in opposition to this application.

**37 Shingle Hill Road:** The Applicant request several variances from the Active Adult Communities, Regulation in the R-1 zone.

1. To permit the construction of semi-detached dwelling units, having a portion of one wall in common with an adjoining dwelling unit, where the regulations permit dwelling units to be attached by garage only.
2. A minimum lot area variance to permit 128,554 sq. ft. of lot area where 200,000 sq. ft. is required.
3. Maximum density to permit 18 dwellings units to be constructed where three units are permitted.
4. A side yard variance (East & West) to permit 15 ft. where 30' ft. is required.
5. A rear yard variance to permit 35 ft. where 50 ft. is required.
6. Maximum building coverage variance to allow 21.1% of building coverage where 20% is required.
7. Maximum impervious coverage to allow 26.3% where 10% is required.
8. Maximum lot coverage to permit 46.5% where 30% is required.
9. Maximum open space to permit 52.5% where 70% is required.

In the R1 (Single Family Detached Residence) district under section Art. 1 Section 1 sub sec 1.4, Art. 2, Section 13 sub sec. 13.1; Table 13.3 Article 11 Section 90 of the City of West Haven Zoning Regulations. Owner / Applicant BLT, LLC File #040-21 V

Attorney Amendola has requested a continuance of this application.

**Deliberation on Public Hearing Items:** Motion made by Commissioner DeLeo to go into deliberation, seconded by Commissioner Rivera and passed.

**21 Harding Street:** A request to permit a front yard setback of 14' where 20' is required and permit a side yard setback of 6'9" where 10' is required in a R2 (Single Family Detached

Residential) district, under section 10.4.2 of the City of West Havens Zoning Regulations. Owner/Applicant Jack and Alicia Glagowski; File #037-21 V

Commissioner Porto made a motion to approve File #037-21 V, seconded by Commissioner Rivera. Roll call was called. File #037-21 passed 5 – 0.

**630 Ocean Avenue:** An application for a Special use exception for short-term rentals. The applicant should demonstrate the requirements that are expected for short-term rental. Under Article 1 section 2, section 50 and table 39.1 of the City of West Havens Zoning Regulations. Owner/Applicant: Russell Mawn; File# 036-21 SUE

Commissioner Porto made a motion to continue File #036-21 SUE, seconded by Commissioner Rivera and passed.

**400 Frontage Road:** The application is for a proposed second story addition to an existing Medical Marijuana Grow Facility. A variance to permit 83 parking spaces where 124 parking are required in a LM (Light Manufacturing) district under section 60.13 of the City of West Havens Zoning Regulations. Owner Michael G. (Jerry) McCabe / Applicant David Lipton, CEO. File # 038-21 V

Commissioner Wise made a motion to approve File #038-21 V with the condition that the parking approval goes with the tenant/use and a new tenant must get a new approval on parking, seconded by Commissioner Rivera. Roll call was called. File #038-21 V approved 5 – 0.

**37 Shingle Hill Road:** The Applicant request several variances from the Active Adult Communities, Regulation in the R-1 zone.

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Commissioner DeLeo made a motion to continue File #040-21 V to June 16, 2021, seconded by Commissioner Wise and passed.

**Staff Reports** - none

**Adjournment:** 7:48 p.m.

Commissioner DeLeo made a motion to adjourn, seconded by Commissioner Wise and passed.