

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS**

**REGULAR MEETING
7:30 P.M. TUESDAY, JANUARY 24, 2006
ROOM 224
CROMWELL TOWN HALL, 41 WEST STREET**

MINUTES

Present: Vice Chairman Brian Fisk, Stan Terry, Joanne Massey, and Alternate Nicholas Demetriades.

Also Present: Stan Stachura, Board of Liason and Craig Minor, Town Planner.

Absent: Brian Boorman and Ann Flaherty.

- 1. Call to Order:** Brian Fisk called the meeting to order at 7:33 p.m.
- 2. Roll Call:** The above members are noted.
- 3. Seating of Alternates:** Stan Terry made a motion to seat alternate Nicholas Demetriades.
- 4. Approval of Agenda:** Stan Terry made a motion to amend the agenda to delete item # 11, seconded by Joanne Massey. All were in favor.
- 5. Public Comments:** None.
- 6. Public Hearings:** a. **Application #06-01: Variance from Article 18.1.b.5.B. (Parking Requirements) reducing the amount of required parking, to allow construction of a second building at 24 Shunpike Road. Paul Furtado, owner/applicant.**

Attorney Salvatore Petrella represents Mattabassett Realty Inc, also present were James Sakonchick, Engineer for the firm of Kratzert, Jones & Associates, Inc of Milldale, Connecticut, and Paul Furtado owner/applicant who resides at 59 Angela Drive, Wallingford, Connecticut.

Attorney Petrella is requesting a variance of the zoning regulations as they pertain to parking. Specifically, the applicant is requesting a variance from the requirements of Section 18.1.b.5.B., to allow for a reduction in the number of required parking spaces for a new building to replace an existing building.

Attorney Salvatore Petrella submitted his letter dated January 9th, 2006 for the record along with three charts to be looked over by the board.

Nicholas Demetriades asked for clarification on the second page of Attorney Petrella's letter regarding the retail store requirement at the reduced size of the building and Attorney Petrella stated that was correct. The proposal is to eliminate 6478 square feet of building that was taken down to put up a new building of 4522 square feet to be put up.

Nicholas Demetriades also questioned Attorney Salvatore Petrella about the current Dunkin Donuts parking spaces that are available for this site. Jim Sekonchick stated that the original site plan shows 59 spaces however some of those are not accessible for parking. The parking that goes around the existing Dunkin Donuts has 32 parking spaces that are currently functioning right now. The parking spaces that are around the existing Saw Mill Pub are inaccessible to the public.

Paul A. Furtado owner applicant of 24 Shunpike Road says that the peak hours of business are from 6:00 a.m. – 10:00 a.m. Monday thru Friday, and weekends Saturday and Sunday 8:00 a.m. – 11:00 a.m. The accessibility of the location is 65%-70% being drive through business and 30% of the parking usually is used up for the business.

Stan Terry commented that under the guidelines of the Planning and Zoning Approval for the new Dunkin Donuts that the parking would be reduced from 59 spaces to 52 spaces.

Attorney Petrella mentioned with this process we would ask for a variance and go back to planning and zoning commission for site plan approval based on reduction in the parking at that new building site.

No Public Comments were made.

Mr. Minor, Town Planner went over the application. The application was approached back in May. They went for Wetland Approval in May and in July the new regulations took effect.

Attorney Petrella is asking that the town varies a regulation. He shows that he needs a variance, that he has a hardship, and he shows that when they do the build out with the approval of the planning and zoning commission it is going to be as though they are operating under the regulations that were in effect at the time they made the application. Attorney Petrella thanks the commission for their time in this matter.

Vice Chairman Brian Fisk asked Attorney Petrella if he wanted to go ahead with the vote and if anyone votes against this application that they vote without prejudice.

Attorney Petrella would like to go ahead with the vote this evening.

Alternate Nicholas Demetriades made a motion to close the hearing seconded by Stan Terry. All were in favor.

7. Old Business: None.

8. New Business: a. Application #06-01: Variance from Article 18.1.b.5.B. (Parking Requirements) reducing the amount of required parking, to allow construction of a second building at 24 Shunpike Road. Paul Furtado, owner/applicant.

Alternate Nicholas Demetriades made a motion to approve under the old regulations of 52 parking spaces, seconded by Joanne Massey. All were in favor.

9. Commissioners' Comments:

10. Approval of Minutes: a. December 27, 2005 – Stan Terry made a motion to approve seconded by Joanne Massey. All were in favor except Brian Fisk and Alternate Nick Demetriades abstained.

11. Adjourn: Stan Terry made a motion to adjourn at 8:20 p.m., seconded by Alternate Nicholas Demetriades. All were in favor.

Respectfully Submitted,

**Michelle Milardo
Clerk**