

**TOWN OF CROMWELL  
ZONING BOARD OF APPEALS**

**PUBLIC HEARING AND REGULAR MEETING  
7:30 P.M. TUESDAY, JUNE 27, 2006  
ROOM 224  
CROMWELL TOWN HALL, 41 WEST STREET**

**MINUTES**

Present: Chairman Brian Boorman, Vice Chairman Brian Fisk, Alternate Nicholas Demetriades, Joanne Massey, Stan Terry and Ann Flaherty (arrived 7:36p.m.).

Also Present: Craig Minor, Town Planner.

1. Call to Order: Brian Boorman called the meeting to order at 7:33 p.m.
2. Roll Call: The above members are noted.
3. Seating of Alternates: Brian Fisk made a motion to seat Alternate Nicholas Demetriades, seconded by Stan Terry. All were in favor.
4. Approval of Agenda: Brian Fisk made a motion to approve the agenda, seconded by Joanne Massey. All were in favor.
5. Public Comments: None.
6. Public Hearings:
  - a. Application #06-05: Variance from Article 8.1 (Minimum Sideyard and Sideyard Aggregate) for an addition to the house at 5 Capilos Drive. Robert and Imelda Dillon, owner/applicant. Continued from May 23, 2006.

Brian Fisk made a motion to open application #06-05, seconded by Ann Flaherty. All were in favor.

Kathleen Kowalshyn represents the Dillon's. Robert and Imelda Dillon have an exceptionally narrow lot with a deck that existed when the house was purchased back in 1980. They plan to extend two-feet to make a 3 season room. The setback is more than 50-60 feet from what they want to add on to.

Stan Terry made a motion to close application #06-05, seconded by Brian Fisk. All were in favor. Motion Passed.

Joanne Massey made a motion to approve application #06-05, seconded by Brian Fisk. All were in favor except Brian Fisk opposed, Nick Demetriades abstained, and Ann Flaherty abstained. Motion Failed.

b. Application #06-09: Variance from Article 8.1 (Minimum Sideyard and Sideyard Aggregate) for an addition to the house at 15 Geer Street. Redmond and Izabela Walsh, owner/applicant.

Brian Fisk made a motion to close application #06:09, seconded by Joanne Massey. All were in favor. Motion Passed.

Brian Fisk made a motion to approve application #06-09, seconded by Joanne Massey. All were in favor.

Mr. Redmond Walsh owner of 15 Geer Street wants to add a deck to his house. The house was built back in 1930 and was subdivided in 1952. He has a corner lot which is treated different than other lots. He has a smaller lot than other owners because it is a corner lot. Due to side-yard setback changes he is unable to do anything with this lot and feels that it is unfair.

Rich Waters 84 South Street spoke in favor of this application. He feels that it is unfair that every time anyone asks for variance the same thing happens due the predated zoning regulations. Residents who buy property are not able to do what they want on their property and it becomes to be a hardship for the property owner.

Harold Johnson spoke in favor. There is no harm with deck off side of the house and he feels that it will be a great addition.

Kevin Sirois 17 Geer Street spoke in favor. He thinks that it will make the town and neighborhood look better and that it will be a good addition to his home.

Brian Fisk mentioned that the deck would not interfere it is far enough back.

Nick Demetriades mentioned the difference that distinguishes this from other applications heard is that it has a 16 foot extra area and does not impend or impede on any issue with neighbors. This is a corner lot and has restrictions and contributing factors of being a dead end street.

Brian Fisk made a motion to close, seconded by Joanne Massey. All were in favor. Motion Passed.

Brian Fisk made a motion to approve, seconded by Joanne Massey. All were in favor. Motion Passed.

c. Application #06-11: Variance from Article 8.1 (Minimum Sideyard and Sideyard Aggregate) to create a rear lot line with less than the minimum rear yard setback from the existing building at 60 Hicksville Road. Covenant Home Inc. applicant; Children's Home of Cromwell, Inc., owner.

Attorney Julie Straminski spoke on behalf of Covenant Home Inc. She submitted a map and is asking for a boundary line adjustment. The reason they are requesting a boundary line adjustment is due to the 50-foot rear yard requirement with a building that is located on the premises. They are hoping to obtain a 35-foot rear yard requirement instead. There is a plan to construct a residential development that will add to the town tax rolls and create an additional 3000 square feet by obtaining the 35-foot rear yard requirement. This would tremendously benefit them to comply with the town density requirements for the overall Covenant Village which is a total of 35 acres. This will also help them with the town usable space requirements and the impervious coverage requirements.

Nick Demetriades does not see any self imposed hardships.

Attorney Julie Straminski discussed the hardship is the fact that when the client absorbed the property it will have expanded their property to 38 acres. The reason why they are bringing this up is due to the new construction. The concerns are with the density requirements, usable space requirements and impervious coverage because they are trying to conform with the towns regulations regarding the overall property.

Attorney Julie Straminski also mentioned that they have not actually purchased yet and there is no self-imposed hardship.

Dave Visconti 45 Hicksville Road spoke against this application. He has many questions and does not see hardship.

Brian Fisk made a motion to close application #06-11, seconded by Joanne Massey.

Brian Fisk made a motion to approve application #06-11, seconded by Joanne Massey. No one was in favor, Brian Fisk and Nick Demetriades opposed. Motion Failed.

7. Old Business: None.

8. New Business:

a. Application #06-10: DMV "Dealers and Repairers License" Location Approval at 160 and 160 R Sebeth Drive. Complete Automotive Repair Specialists LLC, applicant.

John Natalie has an existing business in Berlin Connecticut and plans to move to Cromwell. He is an auto repair specialist and his business name is Complete Auto Repair Specialist LLC. He has a license for general repair and used car dealer.

Craig Minor, Town Planner discussed that if this is approved tonight that it still has to go before Planning and Zoning for the repair permit and it specifically says repair. If he has plans to go for full fledged used car dealer he will have to go back before the Planning and Zoning for that part of the permit. He is half-way there. The state licenses are good but you still need to get your local permits.

Brian Fisk made a motion that the Chairman signs as long as the appropriate boxes are filled in, seconded by Stan Terry. All were in favor. Motion Passed.

b. Application #06-12: Appeal from ZEO Cease and Desist Order dated June 14, 2006 issued to Cobblestone Associates LLC regarding excavation activities at 72 Berlin Road. Cobblestone Associates LLC, appellant.

Brian Fisk made a motion to be brought forward at the next meeting on July 25, 2006, seconded by Joanne Massey. All were in favor. Motion Passed.

9. Commissioners' Comments: Chairman Brian Boorman discussed the importance of members being available and on time for the meetings.

10. Approval of Minutes:

a. May 23, 2006 – Brian Fisk made a motion to approve with corrections page 1: Top Heading April 23, 2006 minutes posted May 31, 2006 should be May 23, 2006, under Also Present Stan Stachura, Board of Selectman Liaison, page 2 5<sup>th</sup> paragraph typo application, seconded by Joanne Massey. All were in favor except Stan Terry abstained. Motion Passed.

11. Adjourn: Brian Fisk made a motion to adjourn at 8:45, seconded by Ann Flaherty. All were in favor. Motion Passed.

Respectfully Submitted,

Michelle Milardo  
Clerk