

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS**

**PUBLIC HEARING AND REGULAR MEETING
7:00 P.M. TUESDAY, AUGUST 25th, 2009
ROOM 224
CROMWELL TOWN HALL, 41 WEST STREET**

Minutes

Present: Chairman Thomas Tokarz, Allan Spotts, Alternate Ed Wenners, Alternate Brian Fisk and Kim Enowitch.

Absent: Christie Carpino and Joanne Massey.

1. **Call to Order:** Chairman Thomas Tokarz called the meeting to order at 7:02 p.m.
2. **Roll Call:** The above members are noted.
3. **Seating of Alternates:** *Allan Spotts made a motion to seat Alternate Ed Wenners and Alternate Brian Fisk seconded by Kim Enowitch . All were in favor. Alternate Ed Wenners and Alternate Brian Fisk were seated.*
4. **Approval of Agenda:** *Alternate Ed Wenners made a motion to approve the agenda as amended to Table Item 6.a., seconded by Allan Spotts. All were in favor. Agenda approved.*
5. **Public Comments:** None.
6. **Public Hearing And Possible Decision:**
 - a. Application #09-09: Change of Non-Conforming Use Special Permit at 61 River Road. CLM Realty LLC, owner/applicant.

Tabled.
 - b. Application#09-11: Variance from Article 5.9.d and 5.9.e (Flood Plain District), to enlarge the existing enclosed front porch for commercial use at 38 River Road. K3 Holdings LLC, owner, Allan Aylward, applicant.
Allan Aylward of 17 Lancaster Road owner/applicant presented this application.

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He plans to extend the porch and the set back is greater than the surrounding properties. Zoning allows for approximately a 10 % increase for approvability and this is less than 10%. On the first floor is a forensic science lab. A small business that is run by two woman that work approximately 3 hours daily.

Julius Neto of 12 Cannata Drive owns property at 36 River Road, and serves on the Inlands Wetlands Commission and Board of Finance. He has no issues with this application, feels the Mr. Aylward has done a phenomenal job maintaining, and as a neighbor spoke in favor and supports the applicant.

Mr. Aylward plans to duplicate with the same structure as what is currently their now. Technically, they will be doing business in a larger area.

Alternate Brian Fisk mentioned that the footprint is not much bigger and supports the applicant.

Alan Spotts feels that this would be an improvement in the neighborhood and spoke in favor.

Kim Enowitch agrees that it would be a wonderful improvement in the neighborhood but that the expansion for the business does not seem necessary and is opposed to the application.

Alternate Ed Wenners feels that the present use meets a hardship. He feels that business should be encouraged because it is good for the Town of Cromwell and spoke in favor of the application.

Alternate Brian Fisk made a motion to close the public hearing, seconded by Alternate Ed Wenners. All were in favor. Public Hearing closed.

Alternate Brian Fisk made a motion to approve application 09-11, seconded by Allan Spotts. All were in favor except Kim Enowitch opposed. Motion approved.

7. Old Business: None.

8. New Business: None.

9. Commissioners Comments: Alternate Ed Wenners commented about the microphones. Requested if anything can be done about them because they do not seem to be working properly.

10. Approval of Minutes:

- a. *July 28, 2009 – Alternate Ed Wenners made a motion to approve the minutes of July 28th 2009 with a correction to the misspelling of Allan Spotts name, seconded by Allan Spotts. All were in favor. Minutes Approved.*

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11. Adjourn: Alternate Ed Wenners made a motion to adjourn at 7:32 p.m., seconded by Allan Spotts. All were in favor. Meeting Adjourned.

Respectfully Submitted,

***Michelle Milardo
Clerk***