



## Town of Cromwell Zoning Board of Appeals

***PUBLIC HEARING AND MEETING  
6:30 P.M. TUESDAY, OCTOBER 13, 2015  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET***

### **Minutes and Record of Votes**

**Present:** Chairman Joseph Morin, Samantha Slade, Dave Ricard, John Whitney (alternate)

**Other Present:** Zoning Enforcement Officer Fred Curtain

#### **1. Call to Order**

The meeting was called to order by Chairman Morin at 6:30pm.

#### **2. Roll Call**

The presence of the above members was noted. Chairman Morin explained to the applicants that they will need all 4 votes in the affirmative to get a variance. He said they had the option to wait a month for a full board. The applicants said they would be heard this evening.

#### **3. Seating of Alternates**

A **motion** was made by Samantha Slade and **seconded** by David Ricard to seat John Whitney as an alternate. *All were in favor; the motion passed.*

#### **4. Approval of Agenda**

A **motion** was made by Samantha Slade and **seconded** by David Ricard to approve the agenda. *All were in favor; the motion passed.*

**5. Public Comments:** none

**6. Public Hearing:**

- a. Application #15-12: Request for a Variance from Article 2.2.B Bulk Requirements (Aggregate Side Yard) to allow for the construction of an addition at 102 Coles Road in the Residence 25 Zone District. Vahig Vartanian is the Applicant and the Owner.

Ms. Slade reads application 15-12.

A **motion** was made by John Whitney and **seconded** by David Ricard to open the public hearing for application 15-12. *All were in favor; the motion passed.*

Vahig Vartanian 277 Chestnut Hill Road in Colchester said that he wants to add an addition that is 10 x 11 in the back and 12 x 12 in the front. He said this will actually square the building to make it 36 x 37 and will still be the same distance to the property line. Mr. Curtain said the issues are the side yard and the aggregate. Mr. Curtain said it was probably built before the zoning regulations and it was confirmed the house was built in 1947. Ms. Slade asked if it would encroach on the shared driveway. And Mr. Curtain said no. Mr. Vartanian said that it is not shared anymore and that he has 14 feet. Mr. Curtain said that that the sign has been up and the certified mailing cards have been submitted.

Chairman Morin asked if anyone wanted to speak regarding application 15-12. No one came forward.

A **motion** was made by David Ricard and **seconded** by John Whitney to close the public hearing for application 15-12. *All were in favor; the motion passed.*

Ms. Slade said the hardship is this was built pre zoning. She said there is not much you can do and this will add to the curb appeal.

A **motion** was made by Samantha Slade and **seconded** by David Ricard to approve application 15-12. *All were in favor; the motion passed.*

Chairman Morin explained the 15 day waiting period.

- b.. Application #15-13 Request for a Variance from Article 2.2.B Bulk Requirements (Aggregate Side and Front Yards) to allow for the construction a building addition, an attached garage and front stoop at 4 Greendale Avenue in the Residence 25 Zone District. David H. McDermott is the Applicant and Owner.

John Whitney reads application 15-13.

A **motion** was made by Samantha Slade and **seconded** by David Ricard to open the public hearing for application 15-13. *All were in favor; the motion passed.*

David McDermott of 4 Greendale Avenue said he is seeking a variance for a 10 foot addition. He said it will be a one car garage which is 10 feet to the neighbors and 23 feet on the other side will remain the same. He said the septic system encroaches on the back yard. He said he also looking for a front yard setback of 4 feet. He said he will put a roof over the front steps. Mr. Curtin said the sign has been up and the certified mailing receipts have been submitted. Chairman Morin asked if 2 Greendale Avenue owner received the mailing. Mr. McDermott said the owner just bought it from the bank and is reselling it and he doesn't care. He said they did send the notice to the bank and Mr. Curtin confirmed.

Chairman Morin asked if anyone wanted to speak regarding the application.

Tom McDermott of 6 Centerwood Drive said the applicant is his son and they are happy to have him in the neighborhood.

A **motion** was made by Samantha Slade and **seconded** by John Whitney to close the public hearing for application 15-13. *All were in favor; the motion passed.*

Ms. Slade said the hardship is the septic system. She said this will add value and curb appeal.

A **motion** was made by David Ricard and **seconded** by Samantha Slade to approve application 15-13. *All were in favor; the motion passed.*

**7. Commissioners Comments:**

Mr. Curtin said that he had withdrawn the order at 621 Main Street and refiled a new cease and desist. He said the applicant has not appealed it. He said they have issued an injunction against him and will go to court in November. He said the neighbors still hear noise and the police department testing was done and it was over the decimal level. He said the applicant has to leave it on Sundays as well which is in violation the condition. He said there is no noise barrier so he could remedy this but he hasn't.

**8. Approval of Minutes:**

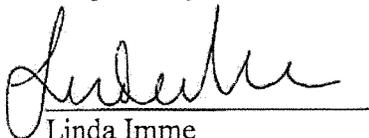
a. August 11, 2015

A **motion** was made by David Ricard and **seconded** by John Whitney to approve the minutes of August 11, 2015. *All were in favor; the motion passed.*

**9. Adjourn**

A **motion** was made by and **seconded** by to adjourn at 6:49pm. *All were in favor; the motion passed.*

Respectfully Submitted,



Linda Imme  
Recording Clerk