

Town of Cromwell Zoning Board of Appeals

***REGULAR PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY APRIL 13, 2021
ROOM 224/225 CROMWELL
TOWN HALL, 41 WEST STREET***

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Public Hearing:**
 - a. Application #21-09: Request for a Special Permit under Section 7.1.A.2 of the Zoning Regulations to allow for the expansion of a non-conforming structure and use (construct a garage addition) at 574 Main Street. Rajeshri Patel is the Applicant and Shraya31 LLC is the Owner.
7. **Approval of Minutes:**
 - a. March 9, 2021
8. **Adjourn**

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JoAnn Doyle
TOWN CLERK
CROMWELL, CT

LEGAL NOTICE
PUBLIC HEARING
TOWN OF CROMWELL ZONING BOARD OF APPEALS

The Cromwell Zoning Board of Appeals will hold a Public Hearing and Meeting at 6:30 pm on Tuesday April 13, 2021 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following items:

1. Application #21-09: Request for a Special Permit under Section 7.1.A.2 of the Zoning Regulations to allow for the expansion of a non-conforming structure and use (construct a garage addition) at 574 Main Street. Rajeshri Patel is the Applicant and Shraya31 LLC is the Owner.

At this hearing interested parties may appear and be heard and written testimony received. The application is on file in the Planning and Development Department office at 41 West Street, Cromwell, Connecticut.

Joseph Morin
Chairman

Dated in Cromwell, Connecticut this 30th day of March 2021.

21-09

rev. 6/20/2011

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE, ZONING APPEAL, DMV LOCATION APPROVAL,
OR CHANGE OF NON-CONFORMING USE SPECIAL PERMIT**

Address: 574 MAIN STREET	PIN #: 00067900
Zoning District: R-15	Volume/Page: 1624-301
Applicant: RAJESHRI PATEL	Property Owner: RAJESHRI PATEL
Home or Business Address: 212 Country Club Road Middletown, CT 06457	Home or Business Address:
Phone #: 860-301-8138	Phone:
Email: rajupatel0616@gmail.com	
<p><i>I hereby certify that the information presented is to the best of my knowledge true and accurate, and that should such information be proved to be inaccurate or misleading, any permit issued on the basis of this information may be revoked.</i></p> <p>Signature: _____</p>	<p><i>I hereby consent to the Applicant acting as my agent for the purpose of this application.</i></p> <p>Signature: _____</p>
<p>Type of Application (check one):</p> <p><input checked="" type="checkbox"/> Variance from Section <u>7.1.A.3</u> of the Zoning Regulations.</p> <p><input type="checkbox"/> Appeal from ZEO Decision dated _____.</p> <p><input type="checkbox"/> Change of Non-Conforming Use Special Permit.</p> <p><input type="checkbox"/> Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)</p>	
<p>Description of Request:</p> <p><u>Increase an existing Non Conforming structure and</u> used</p> <p><u>built in 1946 with a proposed 096 sq ft garage</u></p> <p><u>addition.</u></p> <p>_____</p> <p>_____</p> <p>_____</p>	

21-09

rev. 6/20/2011

Justification for Request:

If Applying for a variance, state the hardship and explain why the variance is required.

If Appealing a decision of the ZEO, explain why you feel the ZEO is wrong.

If Applying for a change in non-conforming use Special Permit, explain how the new use will be less non-conforming than the current use.

If Requesting DMV Location Approval, state the date of the original Public Hearing (if any).

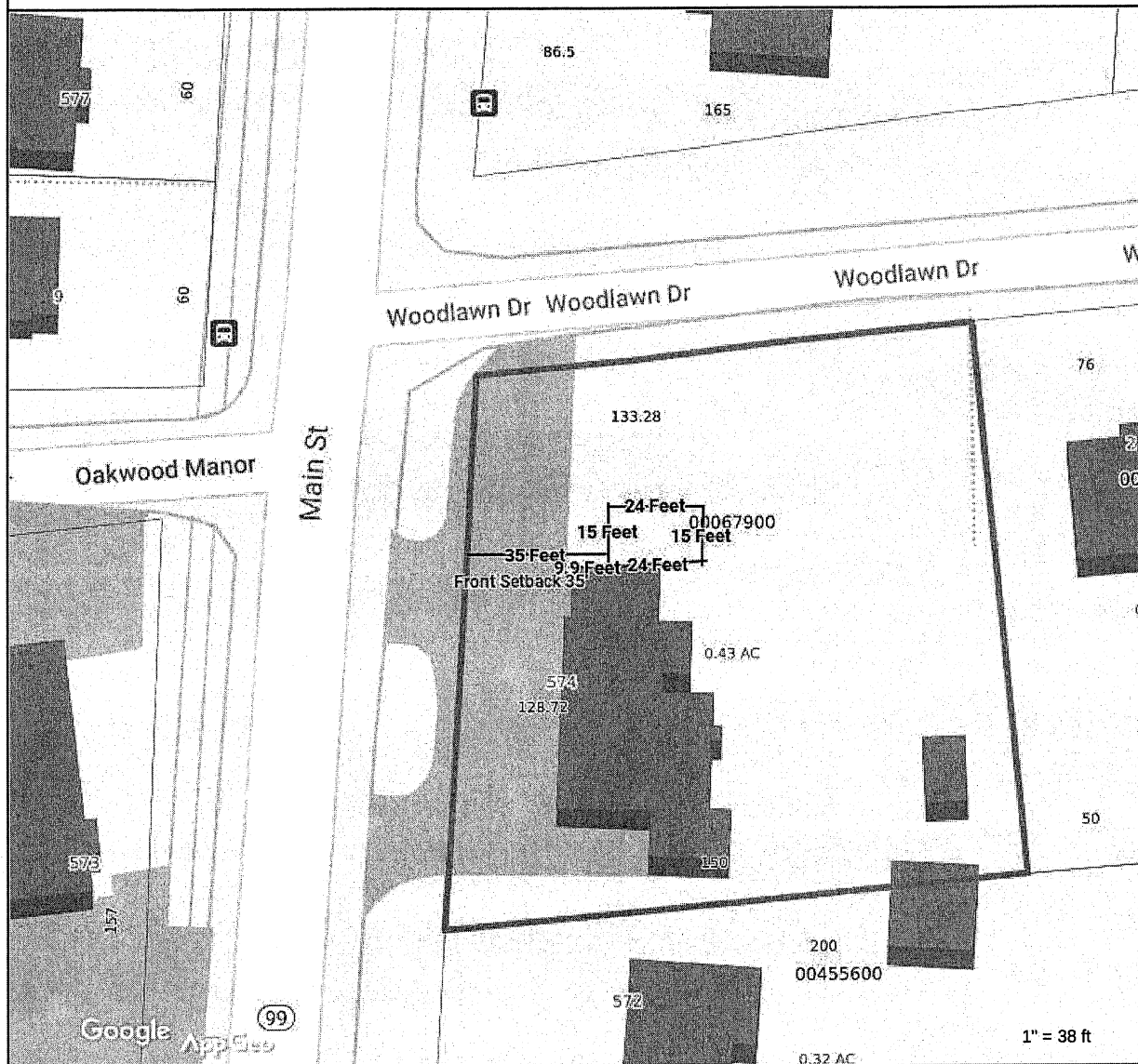
Non Conforming Structure and used to
continue existing Business For storage

1. I will send written notice of this application to the owners of property within 100' of the site not less than 14 days before the public hearing. I will submit the "certificate of mailing" not less than 10 days before the hearing.
2. I will post a sign on the property not less than 14 days before the public hearing per Section 8.10.H. of the Cromwell Zoning Regulations. I will submit an affidavit of posting at the hearing.
3. If my request is dimensional in nature, I have submitted a site plan prepared by a surveyor in accordance with Sec. 10.4.B.2 of the Cromwell Zoning Regulations.

Rajeshwar Patel
applicant

3/26/21
date

574 MAIN STREET- CONCEPTUAL ONLY



Property Information

Property ID 00067900
Location 574 MAIN STREE
Owner
Owner Address
Map Block Lot

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Cromwell, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 7/1/2020
Data updated 11/18/2018

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
SPECIAL PUBLIC HEARING AND MEETING
6:30 PM TUESDAY, MARCH 9, 2021
ROOM 224/225
CROMWELL TOWN HALL, 41 WEST STREET**

Present: Chairman Joseph Morin, Vice Chairman Daniel Delisle, John Whitney, Steven Wygonowski (alternate) and Brian Fisk (Alternate)

Absent: John Keithan and Mark Zampino

Also Present: Director of Planning and Development Stuart Popper, Compliance Officer Bruce Driska, Public

1. Call to Order:

The meeting was called to order by Chairman Joseph Morin at 6:31 p.m.

2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

John Whitney made a motion to seat alternates Steve Wygonowski and Brian Fisk; seconded by Dan Delisle. *All in favor; motion carried.*

4. Approval of Agenda:

Brian Fisk made a motion to approve the agenda; seconded by John Whitney. *All in favor; motion carried.*

5. Public Comments:

None.

6. Public Hearings:

Chairman Joseph Morin read the Legal Notice into the record.

Motion to open Public Hearing for Application #21-07 made by Brian Fisk; seconded by Dan Delisle. *All in favor; motion carried.*

- a. Application #21-07: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setbacks Aggregate and Individual) to allow for the construction of addition in the rear of the house and side of the house at 28 Wildwood Road. Stephen Heizman is the Applicant and the Owner.

Mr. Stephen Heizman, 28 Wildwood Road, Applicant and Owner, addressed the Commission. He said he is requesting a variance of the setback requirements for the Residence 15 zone for the construction of a 20' wide x 40' long x 18.5' high master bedroom and family room addition.

Mr. Heizman said the existing house was built in 1951 and does not comply with today's Residence 15 zoning setbacks. He noted that the planned addition falls completely within

the required zoning setbacks. Mr. Heizman said the current setback requirements for a Residence 15 zone are as follows: Front 35', Side 15', Aggregate Side 35', and Rail 25'. He said the existing house is non-conforming based on current setback requirements. Mr. Heizman said the addition will be connected to the grandfathered non-conforming house and since the existing house built in 1951 is non-conforming a variance is required.

Mr. Heizman showed the Board members a sketch of the proposed addition footprint.

Mr. Popper said there were no staff comments for Application #21-07. Mr. Heizman said he notified the neighbors and received no feedback.

Mr. Bruce Driska said he had discovered that an RV was parked in the front yard of this property which is contrary to what zoning regulations allow. He said he spoke with Mr. Heizman who was not aware of the zoning regulation. Mr. Driska said that as soon as the snow melts and the ground is dry enough, Mr. Heizman will relocate the RV to conform with zoning regulations.

Chairman Morin asked if there were any members of the public present to address the Board. There were none. He asked Mr. Popper if he had any comments to read into the record. Mr. Popper said no. Chairman Morin asked if the Board members had any questions or comments for Mr. Heizman. There were none.

Motion to close Public Hearing for Application #21-07 made by Brian Fisk; seconded by John Whitney. *All in favor; motion carried.*

Chairman Joseph Morin asked for a motion to approve or deny application #21-07. Brian Fisk made a motion to approve Application #21-07; seconded by John Whitney. *All in favor; motion carried.*

Motion to open Public Hearing for Application #21-08 made by John Whitney; seconded by Dan Delisle. *All in favor; motion carried.*

- b. Application #21-08: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setbacks Aggregate and Individual and Lot Coverage) to allow for the construction of attached garage at 591 Main Street. Jose and Jacquelyn Munoz are the Applicants and Jose Munoz is the Owner.

Ms. Jacquelyn Munoz, 591 Main Street, the Applicant, addressed the Commission. Ms. Munoz is requesting three variances to build a 25' x 25' garage. She explained that the house was built in 1926 prior to zoning regulations and was not sited to accommodate a reasonably sized garage. Ms. Munoz said in order to follow the current regulations, a smaller garage would have to be built and be unable to accommodate the size needed for the garage, interior stairs, and bedrooms above. She explained that there would be a Side yard variance of 17.5' feet where 20' is required and an Aggregate Side yard variance of 24.5' and where 35' is required and a Lot coverage variance of 16.71% where 15% is required.

Chairman Joseph Morin inquired about the proposed garage being a 2-car garage and that the driveway was only wide enough for one car. Ms. Munoz replied that they will need to widen the driveway to accommodate two cars. Mr. Popper added that a variance is not

needed to widen the driveway. Mr. Morin requested that the plans be revised to show the removal of grass to widen the driveway.

Mr. Steven Wygonowski asked about the steps in the garage leading the house. Ms. Munoz replied that the entrance to the garage from the house will be in the dining room and a few steps will be required to enter the home from the garage.

Vice Chairman Dan Delisle asked the Applicant about the bedrooms proposed over the garage. Ms. Munoz replied that they intend to put bedrooms above the garage for personal use. Mr. Delisle asked if there would be a kitchen above the garage. Ms. Munoz replied no.

Chairman Morin asked if there were any members of the public present to address the Board. There were none. He asked Mr. Popper if he had any comments to read into the record. Mr. Popper said no. Chairman Morin asked if the Board members had any other questions or comments for Ms. Munoz. There were none.

Motion to close Public Hearing for Application #21-08 made by John Whitney; seconded by Dan Delisle. *All in favor; motion carried.*

Chairman Joseph Morin asked for a motion to approve or deny application #21-08. John Whitney made a motion to approve Application #21-08; seconded by Brian Fisk. *All in favor; motion carried.*

Director of Planning and Development Stuart Popper explained to all the Applicants present at this meeting how the application process works. Mr. Popper explained that if your application is approved, the Town will put an ad in the newspaper and there is a 14-day appeal period from the date of publication of the legal notice for anyone who feels that the decision was inappropriate. He said a building permit is not issued until the 14-day appeal period ends. Mr. Popper noted, however, if the Applicant wants to begin the project before the end of the appeal period, a formal letter may be submitted that would hold the Town harmless if the decision is appealed.

The Commission thanked Mr. Popper.

7. Approval of Minutes:

a. February 9, 2021

John Whitney made a motion to approve the minutes from February 9, 2021; seconded by Dan Delisle. *All in favor; motion carried.* (Brian Fisk abstained.)

8. Adjourn:

John Whitney made a motion to adjourn the meeting. *All in favor, motion carried.* Meeting adjourned at 6:50 p.m.

Respectfully Submitted:

Michelle L. Armetta
Recording Clerk