



## **Town of Cromwell Zoning Board of Appeals**

***REGULAR PUBLIC HEARING AND MEETING  
6:30 P.M. TUESDAY JUNE 8, 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:

RECEIVED FOR RECORD  
Jun 03, 2021 02:18P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

a. Application #21-11: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard and Sideyard Setback) to allow for the construction of addition on the side of the house at 8 Alexander Drive. Vincent and Marcia Sacco are the Applicants and Vincent A. Sacco and Marsha Pendleton are the Owners.

7. Approval of Minutes:
  - a. May 11, 2021
8. Adjourn

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 June 8, 2021 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following item:

1. Application #21-11: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard and Sideyard Setback)s to allow for the construction of addition on the side of the house at 8 Alexander Drive. Vincent and Marcia Sacco are the Applicants and Vincent A. Sacco and Marsha Pendleton are the Owners.

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 24th day of May 2021.

#21-11

**TOWN OF CROMWELL  
ZONING BOARD OF APPEALS**

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

<b>Address:</b> 8 Alexander Dr. Cromwell, CT	<b>PIN #:</b> 00404100
<b>Zoning District:</b> R-25	<b>Volume/Page:</b> 256-125
<b>Applicant:</b> Vincent & Marcia Sacco	<b>Property Owner:</b> Vincent & Marcia Sacco
<b>Home or Business Address:</b> 8 Alexander Drive Cromwell, CT 06416	<b>Home or Business Address:</b> 8 Alexander Drive Cromwell, CT 06416
<b>Phone #:</b> (860) 632-7698	<b>Phone:</b> (860) 632-7698
<b>Email:</b> marshmallow6@comcast.net	
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. <b>Signature:</b> <i>Marcia Pendleton-Sacco</i> <i>Vincent Sacco</i>	I hereby consent to the Applicant acting as my agent for the purpose of this application.  <b>Signature:</b>
<b>Type of Application (check one):</b> <input checked="" type="checkbox"/> Variance from Section <u>2.2.B</u> of the Zoning Regulations. <input type="checkbox"/> Appeal from ZEO Decision dated _____ <input type="checkbox"/> Change of Non-Conforming Use Special Permit. <input type="checkbox"/> Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)	
<b>Description of Request:</b> <i>+ front yard</i> <i>Side yard Variance; only available space to accomodate addition with access to house.</i>	

**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).

Handicap accessible addition for 95 yr. old mother.

Please, see attached " " "

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.

Marcia Pendleton-Sacco

Vincent Sacco  
applicant

05/15/2021  
date

5/15/2021

We are hoping to make modifications to our home at #8 Alexander Drive.

A handicap accessible addition would make it possible for Vincent's 95 year old mother to stay with us.

Vincenzina Sacco was born March 27, 1926. She recently celebrated her 95<sup>th</sup> birthday.

Age has taken a toll on her. In March of 2020 she suffered a stroke and was rushed to Hartford Hospital. She fought her way back, but the weakness caused by the stroke caused her to fall and break her hip in February 2021. Once again, she fought her way back after much rehab and has returned to her home in Hartford. Her mobility requires the use of a walker or wheelchair. Her home is not 'handicap friendly'. It is extremely difficult to get her in and out of the house. It is time to make other arrangements. We would like her to be able to come stay with us. The addition would accommodate her needs and allow her to remain safe with family.

The Rockfall Company is a CAPS (Certified Aging-in-Place Specialist) Company. The CAPS program was developed as a collaboration between the National Association of Home Builders (NAHB), the NAHB Research Center and AARP. It was developed to address the growing need for home modifications in maturing years. To "age in place" is preferred living in a safe home with independence and comfort. The addition would include living space and bedroom with barrier free access, with wide doors with no thresholds to accommodate the wheelchair or walker. The bathroom will have handicap facilities and handrails. Providing this addition is a cost-effective alternative for long term care.

Vincent and Marcia Sacco

8 Alexander Drive

Cromwell, CT 06416

Home # (860)632-7698

Cell # (860)214-4240

Email: [marshmallow6@comcast.net](mailto:marshmallow6@comcast.net)

# **Memo**

**To: Zoning Board of Appeals**  
**From: Stuart B. Popper, AICP**  
**Director of Planning and Development**  
**Date: June 3, 2021**  
**Re: Comments for the June 8, 2021 Meeting Agenda**

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## **6. Public Hearing:**

a. Application #21-11: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard and Sideyard Setback) to allow for the construction of addition on the side of the house at 8 Alexander Drive. Vincent and Marcia Sacco are the Applicants and Vincent A. Sacco and Marsha Pendleton are the Owners.

*The existing non-conforming 19,602 square foot lot is located in the R-25 Zone District on the east side of Alexander Drive. Please note that the lot has a lot frontage of only 101 feet versus the required 130 feet. Attached is a copy of the site plan showing the proposed addition.*

*The applicant is proposing to remove the existing carport on the south side of the house. The applicant is proposing to construct an 840 square foot addition containing an accessory apartment for a family member in place of the carport. The addition will contain an underground garage and a 140 square foot covered porch. The addition will have a 3.7-foot side yard on the south side of the lot. The required minimum sideyard setback in the R-25 Zone District is 20 feet. While the minimum aggregate sideyard setback in the R-25 Zone District is 50 feet. The existing sideyard on the north side of the house is 35.3 feet.*

*The applicant is asking for a variance of 9.4 feet from the minimum front yard setback from 40 feet to 29.6 feet and a variance of 16.3 feet from the minimum sideyard setback of 20 feet to 3.7 feet.*

**Town of Cromwell  
Zoning Board of Appeals**

**REGULAR PUBLIC HEARING AND MEETING  
6:30 PM TUESDAY, MAY 11, 2021  
ROOM 224/225  
CROMWELL TOWN HALL, 41 WEST STREET**

**Present:** Vice Chairman Daniel Delisle, John Whitney, John Keithan, Mark Zampino, Brian Fisk (alternate), and Chairman Joseph Morin (via phone)

**Absent:** Steve Wygonowski (alternate),

**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 Vice Chairman Daniel Delisle at 6:30 PM.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates:**

Alternate Brian Fisk was present but not seated.

**4. Approval of Agenda:**

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

**5. Public Comments:**

None

**6. Public Hearing:**

John Keithan read the Legal Notice into the record.

- a. Application #21-10: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the construction of addition on the side of the house at 45 Lincoln Road. Sean Flanigan is the Applicant and the Owner.

A motion to open Public Hearing for Application #21-10 was made by John Whitney; seconded by Joseph Morin. *All in favor; motion carried.*

Mr. Sean Flanigan, Applicant and Owner of 45 Lincoln Road addressed the Commission. Mr. Flanigan explained that he is seeking a variance from the R-15 setback of 35 feet to 25 feet for a proposed porch and garage/studio addition. He explained that the hardship in this case is that the home was built in 1938 when current zoning regulations were not yet in place and did not leave room for future expansion. Mr. Flanigan said the existing single-car garage will be removed and the driveway will be relocated adjacent to the

addition. Mr. Popper clarified that there is no setback requirement for the driveway. One tree will be removed. Mr. Popper said the required sign has been posted at the property and all neighbors have been notified. No comments from Public.

Vice Chairman Daniel Delisle asked if there were any members of the public present who wished to address the Board. There were no comments from the public.

A motion to close Public Hearing for Application #21-10 was made by Joseph Morin; seconded by John Whitney. *All in favor; motion carried.*

Vice Chairman Dan Delisle asked for a motion for Application #21-10. Mark Zampino made a motion to approve Application #21-10; seconded by John Whitney. There were no comments or discussion. *All in favor; motion carried.*

- b. 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.

A motion to continue the Public Hearing for Application #21-09 was made by John Keithan; seconded by John Whitney. *All in favor; motion carried.*

The Applicant, Ms. Rajeshri Patel, addressed the Commission. Ms. Patel was joined by her contractor, Mr. Robert Kozynik of Rocky Hill. Ms. Patel explained to the Board that she would like to erect a 15' x 24' garage next to the existing garage. The Board members discussed the revised plan. Mr. Popper said that staff is recommending that the following conditions be placed on the garage if it is approved by the Board. He said the first condition is going to be that the garage will have no access from the existing garage. Mr. Popper said that the second condition is going to be that the garage shall only be used for residential purposes and it shall not be used for any business-uses related to the existing liquor store. Ms. Patel noted that the garage door will match that of the existing garage and the exterior finish of the new structure will match the existing structure.

Mr. Popper said the required sign was posted at the site, the legal notice was published, and notice went to the abutting neighbors.

Vice Chairman Daniel Delisle asked if there were any members of the public present who wished to address the Board.

Mr. Popper read a letter from a member of the public who is opposed to the expansion of the non-conforming structure and use unless the expansion and use is only for non-business purposes. He said the letter also questioned whether the site will contain the required number of parking spaces with the addition. Mr. Popper said that there is enough parking. He noted that if the Board agrees to the staff recommended conditions than the Board has addressed all the person's concerns.

There were no other members of the public wishing to speak for or against this application.

A motion to close Public Hearing for Application #21-09 was made by Mark Zampino; seconded by John Whitney. *All in favor; motion carried.*



Chairman Joseph Morin made a motion to approve Application #21-09 with the following conditions: The garage will have no access from the existing garage. The garage shall be used for residential purposes only and it shall not be used for any uses related to the existing liquor store; seconded by Mark Zampino. There were no comments or discussion. *All in favor; motion carried.*

Director of Planning and Development Stuart Popper explained to all the Applicants present at this meeting how the permit process works after an application is approved. He explained that after the application is approved, the Town will put an ad in the newspaper. Mr. Popper said there is a 14-day appeal period from the date of publication of the legal notice for anyone who feels the decision was inappropriate. He said a building permit is not issued until the 14-day appeal period ends. Mr. Popper said 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.

**7. Approval of Minutes:**

a. April 13, 2021

Mark Zampino pointed out two grammatical errors on Page 2 of the April 13, 2021 minutes. Mr. Zampino also clarified that he asked on what basis the visits to ensure compliance would be made. Mr. Driska replied that he would make periodic unannounced visits.

John Whitney made a motion to approve the minutes as corrected from April 13, 2021; seconded by Dan Delisle. *All in favor; motion carried.*

**8. Adjourn:**

John Whitney made a motion to adjourn the meeting at 6:54 PM; seconded by John Keithan. *All in favor; motion carried.*

Respectfully Submitted:

Michelle L. Armetta  
Recording Clerk