



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

***PUBLIC HEARING AND MEETING  
6:30 P.M. TUESDAY APRIL 12, 2022  
TOWN HALL COUNCIL CHAMBERS  
41 WEST STREET CROMWELL***

RECEIVED FOR RECORD  
Apr 05, 2022 01:42P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

### **AGENDA**

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Approval of 2022 Meeting Dates**
7. **Election of Officers**
8. **Public Hearing:**
  - a. Application #22-01: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the extension of the front porch which will accommodate the renovation of the second floor of the house at 75 Nooks Hill Road. Jeffrey Tobias is the Applicant and Jeffrey and Kaitlyn Tobias are the Owners.
9. **Approval of Minutes:**
  - a. January 11, 2021
10. **Adjourn**

# **Memo**

**To:** Zoning Board of Appeals  
**From:** Stuart B. Popper, AICP  
Director of Planning and Development  
**Date:** April 5, 2022  
**Re:** Comments on the April 12, 2022 Meeting Agenda

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## **6. Public Hearing:**

a. Application #22-01: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the extension of the front porch which will accommodate the renovation of the second floor of the house at 75 Nooks Hill Road. Jeffrey Tobias is the Applicant and Jeffrey and Kaitlyn Tobias are the Owners.

*The existing .41-acre or 17,859 square foot lot is located in the R-25 Zone District on the north side of Nooks Hill Road. The site contains an existing 1,158 square foot single family house.*

*The applicant is asking for a variance of the front yard setback to allow for the construction of an extension of the front porch which will accommodate the renovation of the second floor. The existing 17,859 square foot lot is nonconforming to the current R-25 Zone District lot size requirement. The house is also nonconforming to the required 40' front yard setback and the minimum 20' sideyard setback on the west side of the house. Attached is a copy of the map showing the location of the house and the proposed extension of the front porch.*

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 12, 2022 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following item:

1. Application #22-01: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the extension of the front porch which will accommodate the renovation of the second floor of the house at 75 Nooks Hill Road. Jeffrey Tobias is the Applicant and Jeffrey and Kaitlyn Tobias are the Owners.

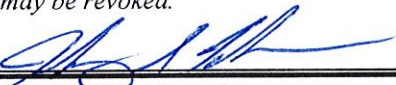
At this hearing interested parties may appear and be heard and written testimony received. The application is on file in the Planning and Development Department office at 41 West Street, Cromwell, Connecticut.

Joseph Morin  
Chairman

Dated in Cromwell, Connecticut this 28th day of March 2022.

**TOWN OF CROMWELL  
ZONING BOARD OF APPEALS**

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

Address: <u>75 Nooks Hill RD</u>	PIN #: <u>00012000</u>
Zoning District:	Volume/Page: <u>1380-325</u>
Applicant: <u>Jeffrey S. Tobias</u>	Property Owner: <u>same</u>
Home or Business Address: <u>75 Nooks Hill RD Cromwell, CT. 06416</u>	Home or Business Address: <u>same</u>
Phone #: <u>860 538 0686</u>	Phone:
Email: <u>Tabasco6531@yahoo.com</u>	<u>same</u>
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.  Signature: 	I hereby consent to the Applicant acting as my agent for the purpose of this application.  Signature:
<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> <u>Request To extend my house approx. 8'8' closer</u> <u>To The Roadway To accommodate a Renovation To The</u> <u>2nd Floor. The House is non conforming To The Required</u> <u>Front yard setback.</u>	

**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).

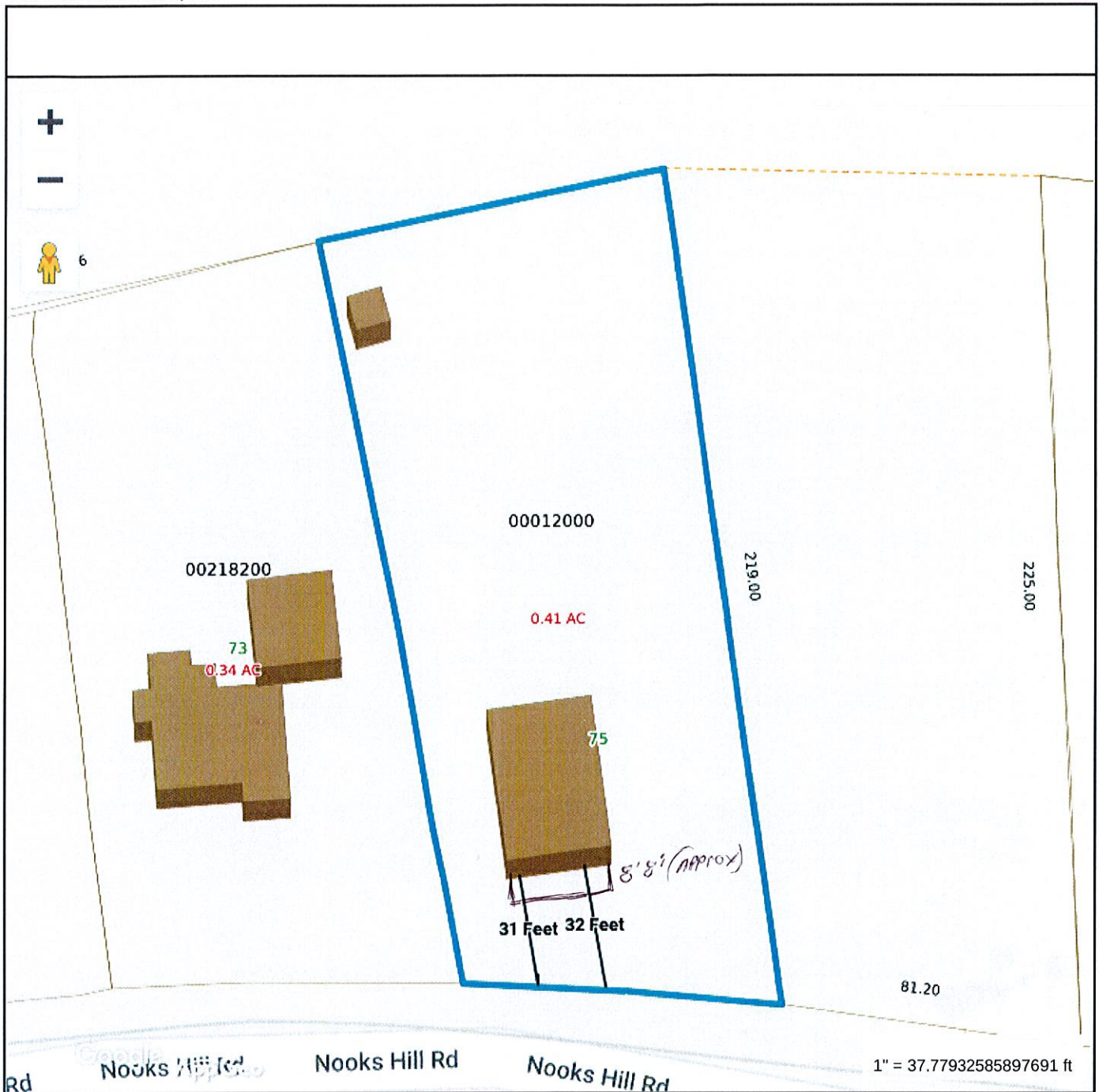
We will be extending our Front Porch From approx. 5'  
To 8'8', The Post will be used To stabilize The 2<sup>nd</sup>  
Floor of The House.

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.

  
applicant

3/8/22  
date





## Property Information

Property ID 00012000  
 Location 75 NOOKS HILL  
 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 6/25/2021  
 Data updated on a daily basis

Print map scale is approximate.  
 Critical layout or measurement activities should not be done using this resource.

**TOWN OF CROMWELL  
SPECIAL MEETING ZONING BOARD OF APPEALS  
6:30 PM TUESDAY, JANUARY 11, 2022  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** John Whitney, Mark Zampino, Daniel Delisle and Chairman, Joseph Morin (via telephone)

**Absent:** Vice Chairman, John Keithan, Steve Wygonowski (alternate), Brian Fisk (alternate)


**Also, Present:** Director of Planning and Development Stuart Popper, and Zoning Compliance Officer, Bruce Driska.

**1. Call to Order:**

The meeting was called to order by Chairman Joseph Morin at 6:30 p.m.

**2. Roll Call:**

The presence of the above members was noted.

RECEIVED FOR RECORD  
Feb 04, 2022 02:09P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT 

**3. Seating of Alternates:**

No alternates were seated.

**4. Approval of Agenda:**

Daniel Delisle made a motion to approve the agenda; seconded by John Whitney.  
*All in favor; Motion passed.*

**5. Public Comments:**

There were no comments.

**6. Approval of 2022 Meeting Dates:**

John Whitney made a motion to approve the 2022 meeting dates; seconded by Mark Zampino. *All in favor; Motion passed.*

**7. Election of Officers:**

Daniel Delisle made a motion to nominate Joseph Morin for Chairman; seconded by Mark Zampino. *All in favor; Motion passed.*

Chairman Joseph Morin made a motion to nominate Daniel Delisle for Vice Chairman; seconded by Mark Zampino. *All in favor; Motion passed.*

Chairman Joseph Morin asked Mr. Popper if there were any other officers to nominate and Mr. Popper said no.

## **8. Public Hearing:**

a. Application #21-16: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback, Aggregate Side Yard Setback and building coverage ratio) to allow for the construction of two car garage on the side of the house at 9 Ridge Road. William & Rebecca Coons are the Applicants and the Owners.

Daniel Delisle read the legal notice.

John Whitney made a motion to open the public hearing; seconded by Mark Zampino.

*All in favor; Motion passed*

Mr. John Wagenblatt from the LRC Group at 160 West Street Suite E in Cromwell said he is here representing the applicant Mr. Coons. Mr. Wagenblatt said with him is Jay Zaleski, developer at 48 Evergreen Road in Cromwell. Mr. Wagenblatt said the applicant, Mr. Coons, unfortunately, could not attend the Public Hearing due to feeling unwell.

Mr. Wagenblatt explained that 9 Ridge Road is in the R25 Zone and the applicant is requesting a variance from Section 2.2.B Bulk Requirements of the Zoning Regulations for the side yard setback, the aggregate side yard setback and the building coverage ratio. He said this was to allow for the construction of garage addition on the east side of the house next to the existing single car garage.

Mr. Wagenblatt explained that the proposed sideyard between the easterly property line and the easterly face of the garage will be 15.9 feet where 29.9 feet currently exists. He said that this will result a 14-foot decrease in the existing side yard and a 14-foot decrease in the aggregate side yard setback. Mr. Wagenblatt explained that the building coverage will increase from 13.1% to 15.5%.

Mr. Wagenblatt noted that 9 Ridge Road contains only 17,573 square feet versus the 25,000 square feet required in the R-25 Zone District, the frontage is only 100 feet while the R-25 Zone District requires 130 feet. He said the lot is nonconforming and almost any expansion of the existing home will require a variance. Mr. Wagenblatt said the nonconformity of the lot is the hardship for the variance to allow for the construction of the attached second garage bay. He said he has two letters of support from the owners at 7 Ridge Road and 11 Ridge Road.

Mr. Popper said the hardship is that this is an existing, non-conforming lot and as noted by Mr. Wagenblatt almost any renovations would require a variance. He said this hardship is similar to other variance requests that the Board has approved for nonconforming lots.

Chairman Morin, the other board members and Mr. Popper discussed the existing configuration of the side yard and the paved patio in the back of the house. Chairman Morin was concerned about access to the backyard once the existing sidewalk leading to



the back yard on the side of the house was replaced by the garage addition. Mr. Wagenblatt clarified how access would be maintained to the back yard after the addition is constructed.

Mr. Popper read the letters from the abutting properties. He said Mr. Nick Delmeno who lives at 7 Ridge Road stated he has no issues with this application and Mr. and Mrs. Todd and Tina Bickmore at 11 Ridge Road have no issues with this application.

The board members asked about the appearance of the garage addition. Mr. Jay Zaleski said the façade of the garage addition will match and blend in with the existing façade of the house.

Mark Zampino made a motion to close the public hearing; Seconded by John Whitney. *All in favor; Motion passed.*

John Whitney made a motion to approve the variance as stated in the application; Seconded by Mark Zampino. *All in favor; Motion passed.*

**9. Approval of Minutes:**

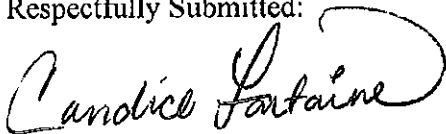
a. October 12, 2021

Mark Zampino abstained approving the minutes due to being absent on October 12<sup>th</sup>. John Whitney made a motion to approve the October 12, 2021, minutes; Seconded by Dan Daniel Delisle. *All in favor; Motion passed.*

**10. Adjourn:**

John Whitney made a motion to adjourn at 6:53PM; Seconded by Daniel Delisle. *All in favor; Motion passed.*

Respectfully Submitted:



Candice Fontaine  
Administrative Secretary