



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

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JoAnn Doyle  
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CROMWELL, CT

***PUBLIC HEARING AND MEETING  
6:30 P.M. TUESDAY JUNE 14, 2022  
TOWN HALL COUNCIL CHAMBERS  
41 WEST STREET CROMWELL***

### **AGENDA**

- 1. Call to Order**
- 2. Roll Call**
- 3. Seating of Alternates**
- 4. Approval of Agenda**
- 5. Public Comments**
- 6. Public Hearing:**
  - a. Application #22-02: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of the addition in the rear of the house at 559 Main Street. Rose A. and Mark E. Horan are the Applicants and the Owners.
- 7. Approval of Minutes:**  
April 12, 2022
- 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 14, 2022 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following item:

1. Application #22-02: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of the addition in the rear of the house at 559 Main Street. Rose A. and Mark E. Horan are the Applicants and 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 27th day of May 2022.

**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> 559 main street	<b>PIN #:</b> 00350000
<b>Zoning District:</b> R-15	<b>Volume/Page:</b> 1665 / pg 54
<b>Applicant:</b> Rose + Mark Horan	<b>Property Owner:</b> HORAN, ROSE + MARK
<b>Home or Business Address:</b> 559 Main St	<b>Home or Business Address:</b>
<b>Phone #:</b> 860 205 8794	<b>Phone:</b>
<b>Email:</b> RAO Horan @ Gmail . com	
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 hereby consent to the Applicant acting as my agent for the purpose of this application.
<b>Signature:</b> Rose Horan	<b>Signature:</b>

**Type of Application (check one):**  
☒ Variance from Section 2.2.B of the Zoning Regulations.  
☐ Appeal from ZEO Decision dated \_\_\_\_\_.  
☐ Change of Non-Conforming Use Special Permit.  
☐ Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)

**Description of Request:**  
 Requesting Variance to Construct addition to back of house.

**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).

Existing lot is Non Conforming. &  
the new addition will encroach on the  
south side of Road.

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.

Rose Horton  
applicant

5/23/22  
date

**TOWN OF CROMWELL  
ZONING BOARD OF APPEALS  
6:30 PM TUESDAY, APRIL 12, 2022  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** John Whitney, Mark Zampino, Daniel Delisle and Steve Wygonowski (alternate)

**Absent:** Chairman, Joseph Morin, Vice Chairman, John Keithan, Brian Fisk (alternate) and Zoning Compliance Officer, Bruce Driska.

**Also, Present:** Director of Planning and Development Stuart Popper,

**1. Call to Order:**

The meeting was called to order by Daniel Delisle at 6:30 p.m.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates:**

John Whitney made a motion to seat Steve Wygonowski as an alternate; Seconded by Mark Zampino. *All in favor; Motion passed.*

**4. Approval of Agenda:**

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

**5. Public Comments:**

There were no comments.

**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.

Mr. Popper read the legal notice.

Mark Zampino made a motion to open the public hearing; seconded by John Whitney  
*All in favor; Motion passed*

Mr. Popper said 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. He noted that the site contains an existing 1,158 square foot single family house.

Mr. Popper said 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. He explained that the existing 17,859 square foot lot is nonconforming to the current R-25 Zone District lot size requirement. Mr. Popper said that 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.

Jeffrey Tobias, resident at 75 Nooks Hill Road addressed the Board and distributed photos of the extension of the front porch which will accommodate the renovation of the second floor of the house to the commission. He explained the current size of the existing porch is 5 ft. 5 in, and he would like to extend it to 8 ft. 8 in from the front of the house. Mr. Tobias said this is important to support the raised roof and the second floor addition that is proposed to be built.

The Board members discussed how the house is non-conforming to the required front yard and side yard setbacks. Mr. Popper said any extension from the current front porch would require a variance because it is not conforming to the front yard setback. Mr. Popper explained how the lot and the location of the house are both non-conforming , which causes the hardship.

Steve Wygonowski asked if there was any feedback from the neighbors and Mr. Popper said Mr. Tobias notified the neighbors and put a sign up and there were no negative comments made by anyone.

Daniel Delisle asked if the tree in front of the house is staying, and Mr. Tobias said the tree is staying.

John Whitney made a motion to close the public hearing; Seconded by Mark Zampino. *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.*

Mr. Popper said there will be an ad put in the newspaper next Tuesday, and Mr. Tobias will have to wait two weeks from then to file a building permit. He also said, if he is in a rush, he can file a building permit and also file a letter stating the hold is harmless if anyone should appeal the application.

## **7. Approval of Minutes:**

### **a. January 11, 2022**

Steve Wygonowski abstained approving the minutes due to being absent on January 11<sup>th</sup>.

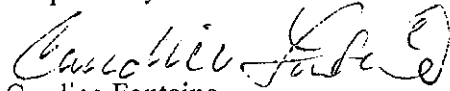
Mark Zampino made a motion to approve the January 11, 2022, minutes; Seconded by

John Whitney. *All in favor; Motion passed.*

**8. Adjourn:**

Mark Zampino made a motion to adjourn at 6:49PM. *All in favor; Motion passed.*

Respectfully Submitted:

A handwritten signature in cursive script, appearing to read "Candice Fontaine".

Candice Fontaine  
Administrative Secretary