



Town of Cromwell Zoning Board of Appeals

***PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY JULY 11, 2023
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET CROMWELL***

RECEIVED FOR RECORD
Jul 03, 2023 11:43A
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. **Public Hearing:**
 - a. Application #23-04: 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 side yard setback at 6 Oak Ridge Drive in the Residence 25 Zone District. Lisa M. Vooys is the Applicant and the Owner.
7. **Board Members Comments:**
8. **Approval of Minutes:**
 - a. May 9, 2023
9. **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, July 11, 2023 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following item:

1. Application #23-04: 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 side yard setback at 6 Oak Ridge Drive in the Residence 25 Zone District. Lisa M. Vooy's is the Applicant and 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 26th day of June 2023.

Memo

To: Zoning Board of Appeals
From: Stuart B. Popper, AICP
 Director of Planning and Development
Date: July 3, 2023
Re: Comments on the July 11, 2023 Meeting Agenda

6. Public Hearing:

a. Application #23-04: 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 side yard setback at 6 Oak Ridge Drive in the Residence 25 Zone District. Lisa M. Vooy's is the Applicant and the Owner.

The existing .35-acre lot is located in the R-25 Residential Zone District on the south side of Oak Ridge Drive. The site contains an existing 1,208 square foot single family house. The house is non-conforming to the required sideyard setbacks. This includes the minimum aggregate set back of 50 feet and the required minimum set back of 20 feet for the side yard on the east side of the house. The addition will reduce the existing side yard setback from 16.3 feet to 14.5 feet on the east side of the house.

The applicant is requesting a 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 side yard setback. Attached is a copy of the site plan showing the house and the proposed addition.

23-04

rev. 6/20/2011

TOWN OF CROMWELL
ZONING BOARD OF APPEALSAPPLICATION FOR VARIANCE, ZONING APPEAL, DMV LOCATION APPROVAL,
OR CHANGE OF NON-CONFORMING USE SPECIAL PERMIT

Address: 6 Oak Ridge Dr.	PIN #: 00039600
Zoning District: R-25	Volume/Page: 1737 - 195
Applicant: Lisa M. Voody	Property Owner: Lisa M. Voody
Home or Business Address: 6 Oak Ridge Dr. Cromwell, CT 06416	Home or Business Address:
Phone #: (860) 490-1858	Phone:
Email: LMVOODY512@yahoo.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.
Signature: Lisa M. Voody	Signature:
Type of Application (check one): <input checked="" type="checkbox"/> Variance from Section 22.B. 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)	
Description of Request: The location of the house within the property boundaries makes it necessary to get a variance to add an addition to the house. The addition will extend 5.5 feet into the side yard.	

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).

The location of the house makes the variance necessary.

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.

John M. Voors
applicant

6/16/23
date

Parcel ID: 00039600 Location: 6 OAK RIDGE DRIVE

Map-Lot 66-11A

Last Revaluation - October 1, 2022

Current Value Information		Mkt Adj Cost		Total Assessed	
Use Code	Land Value	PA 490 Value	Building Value	Outbuildings	Total Value
101	134,400	0	205,700	0	340,100
TOTAL	134,400	0	205,700	0	340,100

CROMWELL CT 06416



Patriot
Properties Inc.

6 OAK RIDGE DRIVE

CT 06416

Previous Value Information

Tax Yr	Land Value	Bldg Value	Outbuildings	Total Value	Total Assessment
2021	117,100	164,200	0	281,300	196,910
2020	117,100	164,200	0	281,300	196,910
2019	117,100	164,200	0	281,300	196,910
2018	117,100	164,200	0	281,300	196,910
2017	117,100	164,200	0	281,300	196,910
2016	113,300	192,560	1,800	307,660	215,360

Sales Information

Grantee	Vol-Page	Type	SaleDate	SalePrice	Sale Verif	GeneralNotes
VOOYS LISA	1737-195	Q	09/01/2021			
VOOYS JEFFREY A	869-2		09/27/2002	250,000	No Consideration	

Previous Owner(s)

VOOYS JEFFREY A

VOOYS LISA M

General Notes

PULL DOWN ATTIC STAIRS

Zoning Data

Desc. %
R-25 100.00

Utilities
2 Public Water
6 Septic

BAA

Activity Information

Date	Results	Visited By
06/29/2022	No Change - Field Review	MB
09/30/2017	No Change - Field Review	Dave Stannard
06/07/2017	No Change - Field Review	John Hocking
04/10/2017	Data Mailer Change	Luc Mailloux
02/14/2014	Permit- Miscellaneous	Assessor Office
02/14/2014	Permit- Miscellaneous	Assessor Office
04/24/2013	Permit- Miscellaneous	Assessor Office
04/17/2013	Permit- Miscellaneous	Assessor Office
08/22/2012	Change - Field Review	
12/06/2006	Measure & Inspected	

Building Permit Information

Date	Permit #	Description	Amount	% Comp	Visit Date	CO Date	GeneralNotes
04/06/2021	27536	HVAC	13,992	100		14-May-2021	BOILER
02/14/2014	23388	Solar Panels	18,000	100	14-Feb-2014		Install 22 Solar Panels
02/14/2014	23389	Electric	6,000	100	14-Feb-2014		Wire 22 Solar Panels
04/24/2013	21588	Electric	1,000	100	24-Apr-2013		For pool pump & GFCI rece
04/17/2013	21568	Abv Ground Pool	2,900	100	17-Apr-2013	13-May-2013	W/gate & pool alarm

Land Data

Use	Description	Units	Type	Neigh	Special Land Calc	Appraised Value	PA 490 Asmt	Neigh Order	Notes
101	Single Family	15,246	SF	R6		134,400	0	4600	
Total Area: 0.35		PA 490 Use Asmt: 0		Total Appraised: 134,400		Assessed Value: 94,080			



Town of Cromwell Zoning Board of Appeals

***PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY MAY 9, 2023
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET CROMWELL***

RECEIVED FOR RECORD
May 15, 2023 11:27A
JoAnn Doyle
TOWN CLERK
CROMWELL, CT *JD*

Minutes and Record of Votes

Present: Vice Chairman Dan Delisle, Mark Zampino, John Whitney and Steve Wygonowski (alternate)

Absent: Chairman Joseph Morin, John Keithan

Also Present: Director of Planning and Development, Stuart Popper, Zoning Enforcement Officer Bruce Driska

1. **Call to Order** - the meeting was called to order by Vice Chair Delisle at 6:30pm
2. **Roll Call** - The presence of the above members was noted.
3. **Seating of Alternates** - A motion was made by John Whitney and seconded by Mark Zampino to seat Steve Wygonowski as an alternate. All were in favor; the motion passed.
4. **Approval of Agenda** - A motion was made by Mark Zampino and seconded by John Whitney to approve the agenda. All were in favor; the motion passed
5. **Public Comments** - none
6. **Public Hearing:**
 - a. Application #23-03: Request for Variance from Section 3.3.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the construction of the building in the front yard setback at 48 Berlin Road in the Highway Business Zone District. Gary Hatch on behalf of AutoZone, Inc. is the Applicant and ORION PRO FRIEND SL LLC is the Owner.

Chairman Dan Delisle read the public hearing notice dated April 25, 2023.

A motion was made by John Whitney and seconded by Mark Zampino to open the public hearing for application #23-03. All were in favor; the motion passed.

Mr. Daniel Patrick, Attorney with Cuddy and Feder said he is here with Dean Apostoleris, Engineer with Kimley Horn and are representing the applicant. He said we are seeking a variance for a front yard setback since there is a 25-foot requirement in the Highway Business zone from the lot line. Attorney Patrick showed the parcel on the map, described the site, the location and the easement in front of the lot on the west side. Attorney Patrick explained the odd shape of the lot with the front property line located

Kimley Horn and are representing the applicant. He said we are seeking a variance for a front yard setback since there is a 25-foot requirement in the Highway Business zone from the lot line. Attorney Patrick showed the parcel on the map, described the site, the location and the easement in front of the lot on the west side. Attorney Patrick explained the odd shape of the lot with the front property line located behind the easement. He said as a result the front of the building is located within the front yard setback. He noted that this is the cause of the hardship because as a result the front yard setback is located so far from Berlin Road.

He said to conform with the setback we would have to have the building and loading zone facing Route 372 and that doesn't work. Attorney Patrick said the condition is on paper and not to visible eye since the easement area is our front yard hinderance. He said we technically don't own the easement area but have complete rights to it and will use it. He said the 6, 600 square foot building will match the existing buildings on Berlin Road and it won't be any further out or back than any others.

Mr. Driska asked if the unique shape and the easement for parking is your hardship and Attorney Patrick said yes, it is a very unique property.

Mr. Wygonowski asked if the easement could change and Attorney Patrick said they would have to purchase it but we don't want to spend the money since we do own it but we just don't have the title.

Mr. Popper told the Board that the formal site plan will go to Planning and Zoning if this is approved and we will see all of the specifics there. He said the Town Engineer will review the drainage as part of the site plan review.

A motion was made by Mark Zampino and seconded by John Whitney to close the public hearing for application #23-03. All were in favor; the motion passed.

A motion was made by John Whitney and seconded by Mark Zampino to approve application #23-03. All were in favor; the motion passed.

Mr. Popper said there is a 15-day appeal period but they are welcome to come in anytime to start the site plan.

7. **Board Members Comments:** Mr. Wygonowski asked if the review of the bylaws would be on future agendas and Mr. Popper said yes.

8. **Approval of Minutes:**
a. April 11, 2023

A motion was made by Mark Zampino and seconded by John Whitney to approve the minutes of April 11, 2023. All were in favor; the motion passed.

9. **Adjourn:** A motion was made by John Whitney and seconded by Mark Zampino to adjourn at 6:45pm. All were in favor; the motion passed.

Respectfully Submitted,



Linda Imme
Recording Clerk