

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
Johnn Dowle
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. Vooys 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. Vooys 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 a 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 APPEALS

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

Address: 6 Oak Ridge Dr.	PIN#: 00039400
Zoning District: R-25	Volume/Page: 1737 - 195
Applicant: LISAM. VODYS	Property Owner: LISA M. VODYS
Home or Business Address: 6 OUL Ridge Dr.	Home or Business Address:
Cromwell, CT 06416	
Phone #: (860) 490-1858	Phone:
Email: LMVODYS12@ychoo. God	
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: JSh M. Vovin	Signature:
Type of Application (check one):	
Variance from Section 22.3 of	f 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-/)
Description of Request:	
The location of the house	within the property
boundaries makes it necess	unito cita varance do
and district to the last	T- 1100
add in addition to the h	
extend 5.5 feet into the si	de yard.
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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.
necessary.

- 1. I will send written notice of this application to the owners of property within 100' of the site <u>not</u> 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 <u>not less than 14 days</u> 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 <u>prepared by a surveyor</u> in accordance with Sec. 10.4.B.2 of the Cromwell Zoning Regulations.

Am M. Voors
applicant

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date

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ParcellD: 00039600

	Condo Information	Name:	Style:	Location:	Tot Units:	General Information	Year Bit: 1996	Grade: C+	Remodeled Yr.	Rem. Kitchen Yr.	Rem. Bath Yr.	
Bidg Seq 1 Of 1	Exterior Information	Raised Ranch	1 Story	-		: Vinyl Siding		Gable	Asphalf Shin		CREAM	
Bldg S	Exterior	Bullding Type:	Story Ht	Living Units:	Foundation:	Prim. Ext. Wall:	Sec. Ext. Wall:	Roof Type:	Roof Cover.	Avg. Wall Ht:	Color	

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Interior Intornation	Ξ	ormation	100	
Prime Wall:		Drywall		
Sec. Wall:				
Floor Type:		Carpet	20.4	
Sec. Floor:		Hardwood	20 %	
Heat Fuel;		75		
Heat Type:		Hot Water		
Sec. Ht Type:				
% AC:		8		
% Sprinided:		0		
Bsmt. Gar.		2		
Kitchens:	-	Add. Kit:	o	
Fireplaces:	-	Gas:	0	
Int. Condition:		Typical		1

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Other Fixtures:
Total Baths:

Room Count
Total Rooms: 7
Bedrooms: 3

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	/ qns	ub Area Detail	
ပ္ပိ	Code Desc.	Living	Gross Area
FF	First Floor	1,208	1,208
RBM	Raised Basement	0	1,092
RBB	Rs Fin Bsmt Bl Avg	0	440
WDK	Wood Deck	0	388
Total		1,208	3,128

- :				Extra	Featur	es / Yard Items	Extra Features / Yard Items (1st 10 Lines Displayed	Display	(pa/	700 10
8	Description	ð	Size	Cond.	Year	Description City Size Cond. Year Unit Price Dep%	p% UndepVa	-n	UndepValue Appraised Value	Assessment
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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 DOWNE TOWN CLERK
CRONWELL, CT

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 locate 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