



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

***REGULAR PUBLIC HEARING AND MEETING  
6:30 P.M. TUESDAY AUGUST 10, 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:
  - a. Application #21-14: Request for Variance from Section 5.3.H Sign Regulations of the Zoning Regulations (s) to allow for the installation of a monument sign in the R-15 Zone District at 573 Main Street. 573 Main Street Cromwell, LLC is the Applicant and Knights of Columbus Building Association is the Owner.
7. Approval of Minutes:
  - a. July 13, 2021
8. Adjourn

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AUG 03, 2021 12:08P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

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 August 10, 2021 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following item:

1. Application #21-14: Request for Variance from Section 5.3.H Sign Regulations of the Zoning Regulations (s) to allow for the installation of a monument sign in the R-15 Zone District at 573 Main Street. 573 Main Street Cromwell, LLC is the Applicant and Knights of Columbus Building Association is 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 July 2021.

**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> 573 Main Street	<b>PIN #:</b> 00260100
<b>Zoning District:</b> R15	<b>Volume/Page:</b> 32-214
<b>Applicant:</b> 573 Main Street, Cromwell, LLC	<b>Property Owner:</b> Knights of Columbus Bldg Assn
<b>Home or Business Address:</b> c/o JLN Contracting 510 Christian Lane, Unit C, Berlin, CT 06416	<b>Home or Business Address:</b> 573 Main Street Cromwell, CT 06416
<b>Phone #:</b> 860-829-8820  <b>Email:</b> jay@jlncontracting.com	<b>Phone:</b> 860-759-0480
<i>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>  <b>Signature:</b>	<i>I hereby consent to the Applicant acting as my agent for the purpose of this application.</i>   <b>Signature:</b>
<b><u>Type of Application</u> (check one):</b> <input checked="checked" type="checkbox"/> Variance from Section <u>5.3.H</u> Sign Standards 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><u>Description of Request:</u></b> Applicant is requesting a variance of the sign regulation 5.3.H in order to install business signage at the front of the building in order to identify the business. <hr/> <hr/> <hr/> <hr/>	

**Justification for Request:**

If Applying for a variance, state the hardship and explain why the variance is required.

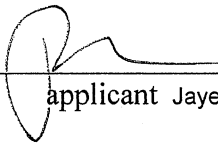
If Appealing a decision of the ZEO, explain why you feel the ZEO is wrong.

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).

Applicant is requesting a variance of the sign regulation 5.3.H in order to install business signage at the front of the building in order to identify the business. A variance is required because the zoning regulations in this district due not allow for any type of signage. The proposed building design will not allow for any signage to be on the building itself, therefore a monument sign is proposed for this property which we feel will compliment the surrounding area. There are several other businesses on Main Street in this district that have monument signs.

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 Jaye B Stuart, Member

7/21/2021

date

**Town of Cromwell  
Zoning Board of Appeals**

**REGULAR PUBLIC HEARING AND MEETING  
6:30 PM TUESDAY, JULY 13, 2021  
ROOM 224/225  
CROMWELL TOWN HALL, 41 WEST STREET**

**Present:** Chairman Joseph Morin, John Whitney, Mark Zampino, Brian Fisk (alternate) and Steve Wygonowski (alternate)

**Absent:** Vice Chairman Daniel Delisle and John Keithan

**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 Chairman Joseph Morin at 6:30 PM.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates:**

John Whitney made a motion to seat Brian Fisk and Steve Wygonowski as alternates; seconded by Mark Zampino. *All in favor; motion carried.*

**4. Approval of Agenda:**

Mark Zampino made a motion to approve the agenda; seconded by Brian Fisk. *All in favor; motion carried.*

**5. Public Comments:**

None

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AUG 03, 2021 12:08P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

**6. Public Hearing:**

Chairman Joseph Morin read the Legal Notice into the record.

- a. Application #21-12: Request for a Special Permit under Section 7.1.A.2 of the Zoning Regulations to allow for a change from one non-conforming use to another (fraternal organization to office) at 573 Main Street. 573 Main Street Cromwell, LLC is the Applicant and Knights of Columbus Building Association is the Owner.
- b. Application #21-13: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the construction of front step overhang at 573 Main Street. 573 Main Street Cromwell, LLC is the Applicant and Knights of Columbus Building Association is the Owner.

Brian Fisk made a motion to open the Public Hearing for Application #21-12; seconded by John Whitney. *All in favor; motion carried.*

Mark Zampino made a motion to open the Public Hearing for Application #21-13; seconded by John Whitney. *All in favor; motion carried.*

Mr. Jim Cassidy, Owner and Principal Engineer at Hallisey, Pearson & Cassidy, 630 Main Street, Cromwell addressed the Commission. Mr. Cassidy, representing JLN Contracting, began his presentation and explained that the existing .32-acre lot is in the R-15 Residential Zone District on the west side of Main Street and the south side of Oakwood Manor. He said the site contains the existing 3,796 square foot Knights of Columbus building. Mr. Cassidy explained that the building has been used for a variety of uses over the years including fraternal organization and private parties, which are nonconforming to the existing R-15 Residential Zone District.

Mr. Cassidy explained that the Applicant, JLN Contracting, wishes to purchase, renovate, and use the existing building located at 573 Main Street for professional offices. He noted that JLN Contracting is a local commercial general contractor currently located on Christian Lane in Berlin. Mr. Cassidy said JLN has six full-time employees who will utilize this location as their main office. He noted that JLN's business hours are weekdays from 7:00 am to 5:00 pm and the office will be closed on weekends and holidays. Mr. Cassidy said JLN is a subcontractor, and, as such, does not own any construction equipment. He noted that the only deliveries received at the office are office supplies.

Mr. Cassidy explained that the Applicant is requesting approval from the Zoning Board of Appeals to continue the non-conforming use of the property. He said the Applicant is also requesting a variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (front yard setback) on the Main Street side of the building to allow for the construction of covered entrance at the front of the building. Mr. Cassidy said the hardship for the front overhang is the existing location of building. He explained that the property will be fully renovated into approximately 3,100 SF of office space and 700 SF of storage space on the first floor and the basement will be designed for storage as well. Mr. Cassidy said JLN does not propose any outdoor storage. He said the site plan shows the office use, 15 parking spaces including handicapped spaces on the north side of the building and a new handicapped access. Mr. Cassidy showed a before and after rendering of the property which includes the proposed front entry canopy.

Mr. Cassidy explained that the building setback is 20 feet and the covered addition will extend 6 feet from out from the face of the building. He said the covered entrance is needed for the protection of handicap persons entering the building. Mr. Cassidy said the plans call for putting a new stone veneer around the bottom of the building and vinyl siding on the upper portion, redoing the roof and putting dormers on it on each side of the building. He said the new front entrance will be no closer to the street than the existing entrance. Mr. Cassidy said new landscaping will also be installed. He noted that the applicant will be submitting an application to the Planning and Zoning Commission to modify the existing site plan as described this evening.

Mr. Cassidy concluded his presentation and asked the Commission for questions and comments. Commissioner Steve Wygonowski asked about the existing handicapped ramp. Mr. Jay Stewart General Manager, JLN Contracting addressed the Commission and explained the plans for the handicapped parking, showing the space located off Oakwood Manor. Mr. Cassidy also explained that the overhead door shown, which is where the kitchen is currently located, will be used for storage and the dormers will be for aesthetic purposes only.

Mr. Stuart Popper commented that this building has been around for quite a while and for sale for many years. He noted that there have been a variety of proposed uses and everyone has always asked what the best fit for the neighborhood would be. Mr. Popper explained that from his perspective, this is an ideal use for this non-conforming use so close to a residential neighborhood. He explained that the Applicant needs a variance because they want to change from one non-conforming use (fraternal organization) to another non-conforming use (office). If the Application is approved by ZBA, the Applicant would appear before the Planning and Zoning Commission with an application to modify the site plan as shown this evening and also add any new signage. Mr. Popper said a variance will be needed to place a sign in an R-15 zone.

Chairman Joseph Morin asked if there were any public comments. There were none.

Chairman Joseph Morin made a motion to close the Public Hearing for Application #21-12; seconded by Brian Fisk. *All in favor; motion carried.*

Chairman Joseph Morin asked for a motion to act on Application 21-12. Mark Zampino made a motion to approve Application 21-12; seconded by Brian Fisk. *All in favor; motion carried.*

John Whitney made a motion to close the Public Hearing for Application #21-13; seconded by Mark Zampino. *All in favor; motion carried.*

The Commission members and Mr. Cassidy briefly discussed issues relating to front-yard setbacks.

Chairman Joseph Morin asked for a motion to act on Application 21-13. Brian Fisk made a motion to approve Application 21-13; seconded by Mark Zampino. *All in favor; motion carried.*

Mr. Popper explained once an application is approved by the ZBA, that he will put a legal noticed to that effect in the newspaper. He 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. Mr. Popper said a building permit is not issued until after the 14-day appeal period ends. He noted, however, 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:**

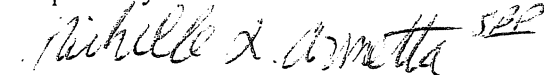
**a. June 8, 2021**

Mark Zampino had a correction to page 2, paragraph 5. The word "precedence" should instead be "precedent". Mark Zampino then made a motion to approve the minutes of June 8, 2021, as corrected; seconded by Brian Fisk. *All in favor; motion carried.*

**8. Adjourn:**

John Whitney made a motion to adjourn the meeting at 6:57 PM. *All in favor; motion carried.*

Respectfully Submitted:

 *Michelle L. Armetta* <sup>SEP</sup>

Michelle L. Armetta  
Recording Clerk