



**Town of Cromwell
Zoning Board of Appeals**

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***PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY, DECEMBER 13, 2016
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET***

Minutes and Record of Votes

Present: Vice Chairman Dan Delisle, Brian Fisk, John Keithan, Stephen Wygonowski and Mark Zampino.

Absent: Chairman Joseph Morin and John Whitney.

Also Present: Director of Planning and Development Stuart Popper

1. **Call to Order** – The meeting was called to order by Vice Chairman Delisle at 6:41 pm.
2. **Roll Call** – The presence of the above members was noted.
3. **Seating of Alternates**

A motion was made by John Keithan and seconded by Mark Zampino to seat Alternates Brian Fisk and Stephen Wygonowski. *All were in favor; the motion passed.*

4. **Approval of Agenda**

A **motion** was made by Brian Fisk and **seconded** by John Keithan to approve the agenda. *All were in favor; the motion passed.*

5. **Public Comments** – None.

6. **New Business:**

a. **Approval of 2017 Zoning Board of Appeals Meeting Calendar**

A **motion** was made by John Keithan and seconded by Mark Zampino to approve the agenda. *All were in favor; the motion passed.*

7. **Public Hearings:**

A **motion** was made by John Keithan and **seconded** by Mark Zampino to open the public hearings. *All were in favor; the motion passed.*

a. Application #16-13: Request for a Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (for Front Yard and Side Yard Setbacks) to allow for the construction of a shed in the front and side yards at 34 Geer Street. Joseph P. Fazekas is the Applicant and Joseph P. Fazekas and Randi G. Fazekas are the Owners.

Mr. Joseph Fazekas of 34 Geer Street addressed the Board. He explained that his home has limited area for storage of equipment and hence the need for the shed. Mr. Fazekas explained that he did not realize that building the shed in the front yard was a violation of the Zoning Regulations. He said he had ceased construction of the shed when notified by Mr. Curtin and filed the application for the variance. Mr. Fazekas said the hardship is the sloping nature of the rear and side yards of the lot. He explained that is why there is no place in the back yard or side yards for the shed and that is why he located in the front yard.

The Board members and Mr. Fazekas discussed the location of his property, the topography of the lot, the surrounding uses and the neighborhood in general.

Vice Chairman Dan Delisle asked if any members of the public wanted to speak on this application. Samatha Slade of Road addressed the Board. Ms. Slade said as a former member of the Zoning Board Appeals she has seen several similar applications approved in the past.

A motion was made by John Keithan and **seconded** by Brian Fisk to close the public hearings for Application #16-13. *All were in favor; the motion passed.*

A motion was made by Brian Fisk and **seconded** by John Keithan to approve Application #16-13. Mark Zampino abstained. *All others were in favor; the motion passed.*

b. Application #16-14: Request for Variances from Section 7.5.A Permitted Zones and Distance Requirements and Section 7.5.B Location Requirements and Limitations of the Zoning Regulations. This is to allow for the sale of alcoholic beverages in the Industrial Zone and within 1,500 feet of another premise serving alcoholic beverages at 14 Alcap Ridge. ATI New England is the Applicant and Fourteen Alcap LLC is the Owner.

Mr. Rick Pizzonia owner of ATI New England addressed the Board. He said he was here this evening with his business partner Mr. Chris Darby. Mr. Pizzonia explained that they would like to sell beer and wine in their snack bar area to their customers. He explained that in their former Middletown facility they did the same thing. He said it was for his customers only and would not be a bar or ever become a bar. The Board members and Mr. Pizzonia discussed the hours of operation, the nature of the business and how the sale of beer and wine in the snack bar area would fit in.

A motion was made by Mark Zampino and **seconded** by Stephen Wygonowski to close the public hearings for Application #16-14. *All were in favor; the motion passed.*

A motion was made by Brian Fisk and **seconded** by Mark Zampino to approve Application #16-14. *All were in favor; the motion passed.*

Vice Chairman Dan Delisle explained that after the legal notice is published there is a fifteen 15

day appeal period. He said after the appeal period is over the applicant will receive the variance form to file on the land records. Vice Chairman Dan Delise said if the applicants have any questions they should contact Mr. Popper.

7. Commissioners Comments:

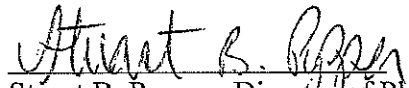
8. Approval of Minutes:
a. September 13, 2016

A motion was made by John Keithan and **seconded** by Brian Fisk to approve the minutes. Mark Zampino and Stephen Wygonowski abstained. *All were in favor; the motion passed.*

9. Adjourn

A **motion** was made by John Keithan and **seconded** by Brian Fisk to adjourn at 7:20 pm. *All were in favor; the motion passed.*

Respectfully Submitted



Stuart B. Popper, Director of Planning and Development
Acting Clerk