

Town of Cromwell Zoning Board of Appeals

REGULAR PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY APRIL 9, 2019
ROOM 224/225 CROMWELL
TOWN HALL, 41 WEST STREET

RECEIVED FOR RECORD
Apr 02, 2019 02:23P
JOAN AHLQUIST
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 Hearings:
 - a. Application #19-03: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of an addition at 116 Washington Road. Gerald W. Purzycki is the Applicant and Gerald W. and Julie W. Purzycki are the Owners.
7. Approval of Minutes:
 - a. March 12, 2019
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 April 9, 2019 in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. Application #19-03: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of an addition at 116 Washington Road. Gerald W. Purzycki is the Applicant and Gerald W. and Julie W. Purzycki are the Owners.

At this hearing interested parties may appear and be heard, and written testimony received. The applications are on file in the office of the Town Planner at 41 West Street, Cromwell, Connecticut.

Joseph Morin
Chairman

Dated in Cromwell, Connecticut this 27th day of March 2019

Memo

To: Zoning Board of Appeals
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: April 2, 2019
Re: Comments on the April 9, 2019 Meeting Agenda

6. Public Hearing:

a. Application #19-03: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of an addition at 116 Washington Road. Gerald W. Purzycki is the Applicant and Gerald W. and Julie W. Purzycki are the Owners.

The existing 13,503 square foot lot contains a single family 1,210 square foot house and is located in the R-25 Zone District on the east side of Washington Road. The existing house is nonconforming to the required lot area and side yard setbacks in the R-25 Zone District. There is no existing sideyard on the north side of the house and the sideyard setback on the south side of the house varies to 32 feet. The required sideyard setback in the R-25 Zone District is 20 feet with an aggregate side yard of 50 feet.

The Applicant is proposing to construct an 8 foot by 12 foot addition on the south side of the house. The addition will reduce the existing sideyard setback on the south side by an additional 8 feet. The hardship is that the lot is already nonconforming and any new construction near the side yards will require a variance. Attached is a map showing the location of the house and the addition.

#19-03

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: 116 Washington Road | PIN #: 00427200 |
| Zoning District: R-25 | Volume/Page: 1569-160 |
| Applicant: Gerry Purzycki | Property Owner: Same |
| Home or Business Address: 116 Washington Rd. Cromwell | Home or Business Address: Same |
| Phone #: 860-635-0505 | Phone: Same |
| Email: IDEALCONTRACTORS@Ymail.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: | Signature: |
| <u>Type of Application</u> (check one): <input checked="" type="checkbox"/> Variance from Section 2.2.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) | |
| <u>Description of Request:</u> House built in 1960, Doesn't conform to current zoning regulations. (building & 8x12' addition, Variance needed for current zoning setbacks. | |

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.

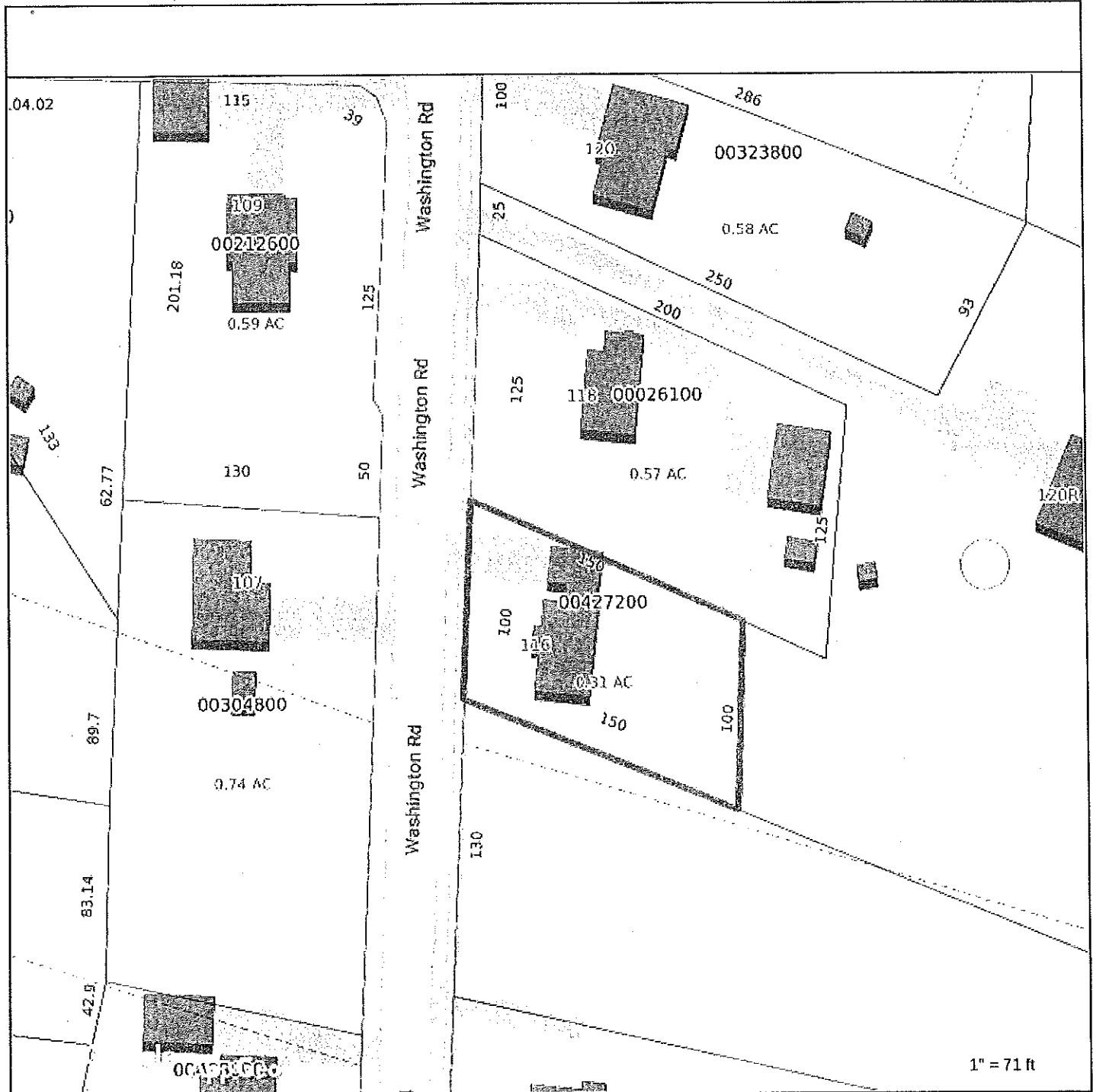
If Requesting DMV Location Approval, state the date of the original Public Hearing (if any).

HOUSE built 1960 -
- Doesn't conform to current zoning -
- regulations

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.

Gerry Puzychi
applicant

3/18/2019
date



Property Information

Property ID 00427200
 Location 116 WASHINGTON ROAD
 Owner PURZYCKI GERALD W



MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT

Town of Cromwell, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 7/1/2018
 Data updated 11/18/2018

50

Washington Rd

Gerald Purzycki
116 Washington Rd.
Cranwell, CT 06416

100

EXISTING
24'x68'
HOUSE

20'

24'

Back
55'

8'x12' ADDITION
PROPOSED 8' ADDITION
76' HOUSE LENGTH

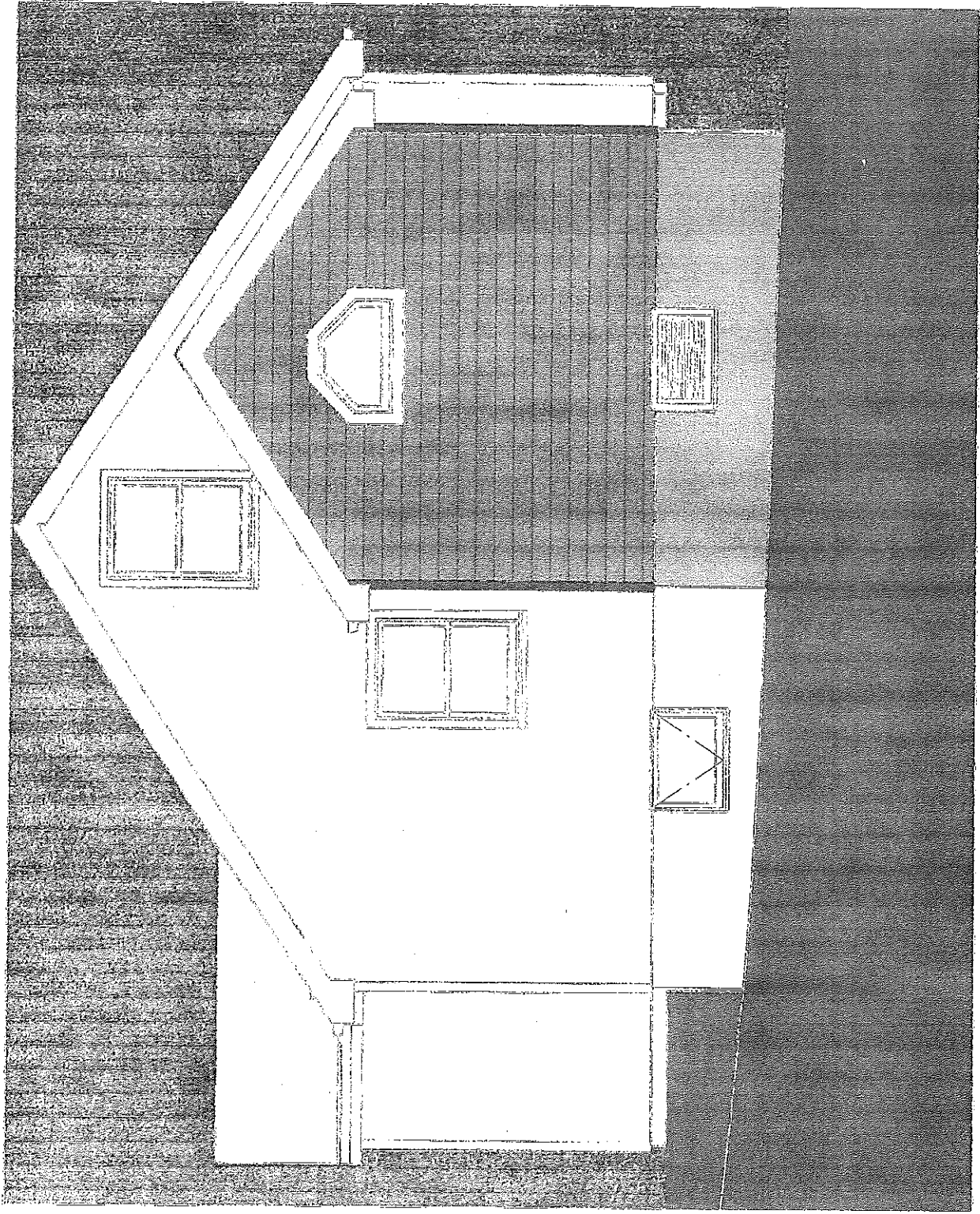
004271200

EXISTING STRUCTURE
NO SET BACK

5 FEET

100

125



DRAWINGS PROVIDED BY:

PROJECT DESCRIPTION:

Ideal Purzycki Master Closet

SHEET TITLE:

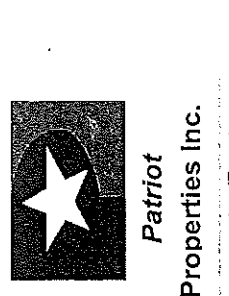
NO. DESCRIPTION BY DATE

SCALE:

DATE:

3/17/2019

A-3



TOWN OF CROMWELL

Parcel ID: 00427200

Location: 116 WASHINGTON ROAD

Map-Lot 34-19C

Printed By: Shawna

04/06/2018 9:06:29PM

Last Revaluation - October 1, 2017

Patriot Properties Inc.

Property Factors

| Use Code | Land Value | PA 490 Value | Mkt Adj Cost | Building Value | Outbuildings | Total Value | Total Assessed |
|----------|------------|--------------|--------------|----------------|--------------|-------------|----------------|
| 101 | 93,100 | 0 | 133,500 | 133,500 | 0 | 226,600 | 158,620 |
| TOTAL | 93,100 | 0 | 133,500 | 133,500 | 0 | 226,600 | 158,620 |

| Previous Value Information | Land Value | Bldg Value | Outbuildings | Total Value | Total Assessmen |
|----------------------------|------------|------------|--------------|-------------|-----------------|
| 2018 | 93,100 | 133,500 | 0 | 226,600 | 158,620 |
| 2017 | 93,100 | 133,500 | 0 | 226,600 | 158,620 |
| 2016 | 86,970 | 136,040 | 0 | 223,010 | 156,110 |
| 2015 | 86,970 | 136,040 | 0 | 223,010 | 156,110 |
| 2014 | 86,970 | 136,040 | 0 | 223,010 | 156,110 |
| 2013 | 86,970 | 136,040 | 0 | 223,010 | 156,110 |

| General Notes |
|-----------------------|
| HTUB: SELF CONTAINING |

| Previous Owner(s) |
|-------------------|
| PURZYCKI GERALD W |

| General Notes |
|-----------------------|
| HTUB: SELF CONTAINING |

| Sales Information | Grantee | Vol-Page | Type | SaleDate | SalePrice | Sale Verif | GeneralNotes |
|-------------------|-------------------|----------|------|------------|-----------|------------|--------------|
| | PURZYCKI GERALD W | 1569-160 | | 09/19/2016 | 0 | Other | |
| | PURZYCKI GERALD W | 563-167 | | 07/15/1994 | 0 | | |

| Activity Information | Date | Results | Visited By |
|----------------------|------------|--------------------------|---------------|
| | 09/30/2017 | No Change - Field Review | Dave Stannard |
| | 05/22/2017 | Change - Field Review | John Hocking |
| | 04/06/2017 | Data Mailer No Change | Luc Mailloux |
| | 07/11/2012 | Change - Field Review | |
| | 03/04/2009 | Change - RE Listing | |
| | 08/20/2008 | Permit- Miscellaneous | AO |
| | 08/20/2008 | Permit- Miscellaneous | |
| | 12/09/2006 | Callback | |
| | 08/17/2006 | Measured | |
| | 01/23/1998 | Measure & Inspected | |

| Building Permit Information | Date | Permit # | Description | Amount | % Comp | Visit Date | CO Date | GeneralNotes |
|-----------------------------|------------|----------|-------------|--------|--------|------------|---------|---------------|
| | 10/26/2007 | 17323 | Siding | 600 | 100 | 08/20/2008 | | install vinyl |

| Land Data | Use | Description | Units | Type | Neigh |
|-----------|-----|---------------|--------|------|-------|
| | 101 | Single Family | 13,503 | SF | R4 |

| Land Adjustments | Special | Appraised Value | Land Calc | Asmt. Order | Notes |
|------------------|---------|-----------------|-----------|-------------|-------|
| | PA 490 | 93,100 | 0 | 3300 | |

Utilities
2 Public Water
3 Public Sewer
BAA

Zoning Data
Desc. %
R-25 100.00

Property Factors
Census 5702
Flood:
Topo: Rolling
Street: Paved
Dev. Map
Dev. Map

Building Permit Information
Date: 10/26/2007
Permit #: 17323
Description: Siding
Amount: 600
% Comp: 100
Visit Date: 08/20/2008
CO Date: install vinyl

Land Data
Use: 101
Description: Single Family
Units: 13,503
Type: SF
Neigh: R4
Total Area: 0.31

Land Adjustments
Special: PA 490
Appraised Value: 93,100
Land Calc: 0
Asmt. Order: 3300
Notes:

Total Appraised: 93,100
PA 490 Use Asmt: 0
Assessed Value: 65,170

Disclaimer: This information is believed to be correct but is subject to change and is not warranted

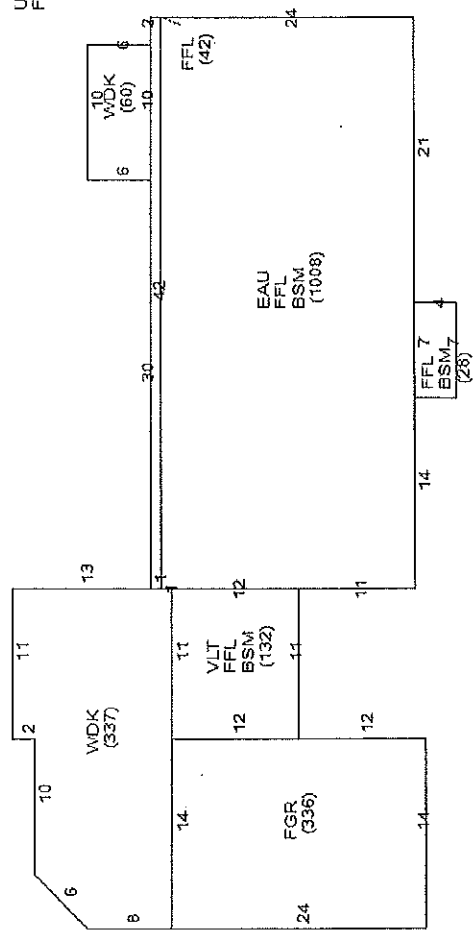
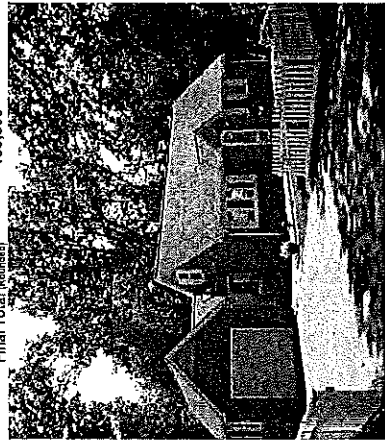
Exterior Information
 Building Type: Cape Cod
 Story Ht: 1 Alt Fin
 Living Units: 1
 Foundation:
 Prim. Ext. Wall: Vinyl Siding
 Sec. Ext. Wall:
 Roof Type: Gable
 Roof Cover: Arch. Shingl
 Avg. Wall Ht:
 Color: GRAY

Interior Information
 Prime Wall: Drywall
 Sec. Wall: Hardwood
 Floor Type:
 Sec. Floor:
 Heat Fuel: Oil
 Heat Type: Hot Water
 Sec. Ht Type:
 % A/C: 100
 % Sprinkled:
 Bsmt. Gar: 1 Add. Kit: 0
 Fireplaces: 1 Gas: 0
 Int. Condition: Average

Condo Information
 Name:
 Style:
 Location:
 Tot Units:
General Information
 Year Blt: 1960
 Grade: C
 Remodeled Yr:
 Rem. Kitchen Yr:
 Rem. Bath Yr:

Depreciation %
 Phys Cond Good 26.00
 Func 0.00
 Econ 0.00
 Spec 0.00
 OV 0.00
Total %Dep: 26.00

Calculation
 Basic \$/SQ 70.50
 Replacement Cost 180,452
 Depreciation 46,918
 Depreciated Value 133,534
 Final Total (Rounded) 133,500



Unsketched Subareas:
 FBA (584)

Room Count
 Total Rooms: 5
 Bedrooms: 3

Bath Features
 Full Baths: 2
 Addl. Full Baths: 0
 Half Baths: 0
 Addl. Half Baths: 0
 Full Bths Below: 0
 Half Bths Below: 0
 Other Fixtures: 0
 Total Baths: 20

Extra Features / Yard Items (1st 10 Lines Displayed)

| Code | Description | Qty | Size | Cond. | Year | Unit Price | Dep% | UndepValue | Appraised Value | Assessment |
|------|-------------|-----|------|-------|------|------------|------|------------|-----------------|------------|
|------|-------------|-----|------|-------|------|------------|------|------------|-----------------|------------|

Sub Area Detail

| Code | Desc. | Living | Gross Area |
|--------------|-----------------|--------------|--------------|
| FFL | First Floor | 1,210 | 1,210 |
| VLT | Vaulted Ceiling | 0 | 132 |
| EAU | Expansion At | 0 | 403 |
| FBA | Fin Bsmt Avg | 0 | 584 |
| FGR | Garage | 0 | 336 |
| WDK | Wood Deck | 0 | 397 |
| BSM | Basement | 0 | 1,168 |
| Total | | 1,210 | 4,230 |

Total Sp. Features: Total Appraised: Total Assessed Value

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
REGULAR PUBLIC HEARING AND MEETING
6:30 PM TUESDAY, MARCH 12, 2019
ROOM 224/225 CROMWELL TOWN HALL 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Vice Chairman Daniel Delisle, Mark Zampino, John Whitney, John Keithan, Steven Wygonowski (alternate)

Absent: Chairman Joseph Morin, Brian Fisk (alternate)

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 Chairman Delisle at 6:37 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

John Whitney made a motion to seat Steven Wygonowski; Seconded by Mark Zampino.
All in favor; motion passed.

4. Approval of Agenda

A motion to accept the agenda as presented was made by John Whitney; Seconded by Mark Zampino. *All in favor; motion passed.*

5. Public Comments: NONE

6. Public Hearing:

Vice Chairman Delisle read the legal notices for both public hearings.

- a. Application #19-01: Request for a Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of an addition at 19 Catherine Street. Lauren E. Rondinone is the Applicant and the Owner.

John Whitney made a motion to open the public hearing for Application #19-01, Seconded by John Keithan. *All were in favor; motion passed.*

Lauren Rondinone presented the application. He said that the variance was needed because of the existing design and structure of the home. He said that the addition would be off of the kitchen and contain a family room, half bath and pantry. Putting it elsewhere on the house would either further impact the neighbors or impact the flow of the house and current bedroom layout. He said that the addition was inverted by one foot to reduce the required variance.

Mr. Popper said that the house was located in the R-15 Zone and referenced the materials in the Commissioners' packets, specifically a map showing the existing house and location of the addition and a map of the property in relation to the abutters. He said that there was a large hedge buffering the properties and that the applicant had indicated that it would remain. Mr. Popper said that the zone requires a 15,000 square foot lot and that the existing lot was 12,926 square feet and contained a 1,068 square foot house. The lot is non-confirming with the existing side yard on the north being only 8 feet 4 inches. He said that the requirement is 20 feet with an aggregate of 50 feet. He said that the hardship was the existing non-conformity and that any new construction would require a variance. The addition will result in a 9 foot 4 inch side yard.

Steve Wygonowski asked about the back stair and was told it was an exit door for the addition, opposite of the impacted neighbor. Mr. Rondinone said that the proposed window was for light filtration only and would be up higher so it would not look into the neighbor's yard. He said that the roof lines would be in such a way that you would not see the addition from the front of the house.

The hearing was opened to the public. There were no public comments.

John Keithan made a motion to close the public hearing; Seconded by Mark Zampino.
All in favor; motion passed.

The applicant submitted the notice of mailing and affidavit regarding the posting of the sign.

Steve Wygonowski asked if it was common to expand a house on a nonconforming lot and Mr. Popper said that it was.

John Whitney made a motion to approve Application #19-01: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of an addition at 19 Catherine Street; Seconded by Mark Zampino.
All were in favor; motion passed.

- b. Application #19-02: Request for a Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of an addition at 200 West Street. Linh D. Truong and Linda Duong are the Applicants and the Owners.

John Whitney made a motion to open the public hearing for Application #19-02, Seconded by Mark Zampino. *All were in favor; motion passed.*

Mr. Popper said that the property is in the Highway Business zone, on the north side of West Street. There is currently a single family house there that the applicants want to convert into a restaurant. The proposal is to demolish an existing sunroom and construct an addition.

Matthew Pegolo, AIA, with Pegarch Architecture & Design Services, presented on behalf of the applicants. He said that the lot was an existing nonconforming site and that the applicants were proposing to open a Vietnamese restaurant there.

He said that the existing sunroom extends off the rear by 12 feet and they are proposing to replace it with a 20-foot structure, thus increasing the encroachment into the side yard by an additional 8 feet. The addition would contain a kitchen, some seating and an entry point. He said that the hardship was the existing nonconforming site and that any other design would affect the proposed restaurant layout and parking areas. He reviewed the architectural plans and elevations of the building design.

Mr. Popper reviewed his comments memo dated March 5, 2019. He said that the lot is nonconforming and that anything built there would require a variance. He said that there is sufficient rear yard but the side yard would be reduced from 10 feet 8 inches to 10 feet 5 inches. The zone requires 25 feet with an aggregate side yard of 50 feet. He said that the impact was only 8 feet because they were replacing an existing 12-foot structure. Mr. Popper said that the abutting vacant property is owned by the neighboring condominium association and, if ever developed, would be a commercial use and not residential. He said that, if approved, the applicants would be in front of Planning and Zoning next for site plan approval.

There was no public in attendance to comment on the application.

John Whitney made a motion to close the public hearing for Application #19-02; Seconded by Mark Zampino. *All in favor; motion passed.*

John Whitney made a motion to approve Application #19-02: Request for a Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of an addition at 200 West Street; Seconded by Mark Zampino. *All were in favor; motion passed.*

7. Approval of Minutes:

a. November 13, 2018:

Mark Zampino made a motion to approve the minutes as presented; Seconded by Steve Wygonowski.

In favor: Daniel Delisle, Mark Zampino, Steven Wygonowski.
Abstained: John Whitney, John Keithan.

Motion passed.

b. December 11, 2018:

John Keithan made a motion to approve the minutes as presented; Seconded by Mark Zampino.

In favor: Mark Zampino, John Whitney, John Keithan, Steven Wygonowski.
Abstained: Daniel Delisle.

Motion passed.

8. Adjourn: Motion to adjourn made by Steven Wygonowski; Seconded by John Keithan.
Meeting adjourned at 6:59 p.m.

Respectfully Submitted,



Julie C. Petrella
Recording Clerk