



Town of Cromwell Zoning Board of Appeals

REGULAR PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY AUGUST 13, 2019
ROOM 224/225 CROMWELL
TOWN HALL, 41 WEST STREET

AGENDA

RECEIVED FOR RECORD
Aug 07 2019 09:04A
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT *JA*

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Public Comments
6. Public Hearings:
 - a. Application #19-09: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Aggregate Side Yard Set Back and Side Yard Set Back) to allow for the construction of a connection between the house and the garage and a rear addition at 11 Black Haw Drive. Jeffrey C. Coleman is the Applicant and John W. Dorio and Jeffrey C. Coleman are the Owners.
7. Approval of Minutes:
 - a. July 9, 2019
8. Adjourn

Memo

To: Zoning Board of Appeals
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: August 6, 2019
Re: Comments on the August 13, 2019 Meeting Agenda

6. Public Hearing:

a. Application #19-09: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Aggregate Side Yard Set Back and Side Yard Set Back) to allow for the construction of a connection between the house and the garage and a rear addition at 11 Black Haw Drive. Jeffrey C. Coleman is the Applicant and John W. Dorio and Jeffrey C. Coleman are the Owners.

The existing 24,829 square foot lot contains a single family 1,000 square foot house and is located in the R-25 Zone District on the south side of Black Haw Drive. The applicant is proposing to construct a connection between the house and the garage and a rear addition. The connection between the house and garage will modify the existing Aggregate Side Yard from to 81+/- feet to 35+/- feet . The addition to the rear of the house will infringe upon the nonconforming 6 foot +/- side yard on the east side of the property

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 13, 2019 in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #19-09: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Aggregate Side Yard Set Back and Side Yard Set Back) to allow for the construction of a connection between the house and the garage and a rear addition at 11 Black Haw Drive. Jeffrey C. Coleman is the Applicant and John W. Dorio and Jeffrey C. Coleman 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 30th day of July 2019

TOWN OF CROMWELL
ZONING BOARD OF APPEALS

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

Address: 11 Blackhaw Dr. Cromwell	PIN #: 00271000
Zoning District: R-25	Volume/Page: 1650-128
Applicant: Jeff Coleman	Property Owner: Jeff Coleman, John D'Ono
Home or Business Address: 2 Bow Lane Cromwell, CT 06416	Home or Business Address:
Phone #: (860) 471-3470	Phone:
Email: colemanrealtor@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. Signature: 	I hereby consent to the Applicant acting as my agent for the purpose of this application. Signature:
Type of Application (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)	
Description of Request: Request variance from required side yard setbacks. (Aggregate and side) to allow for a ^{construction of} connection between the house and the garage and a rear addition	

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).

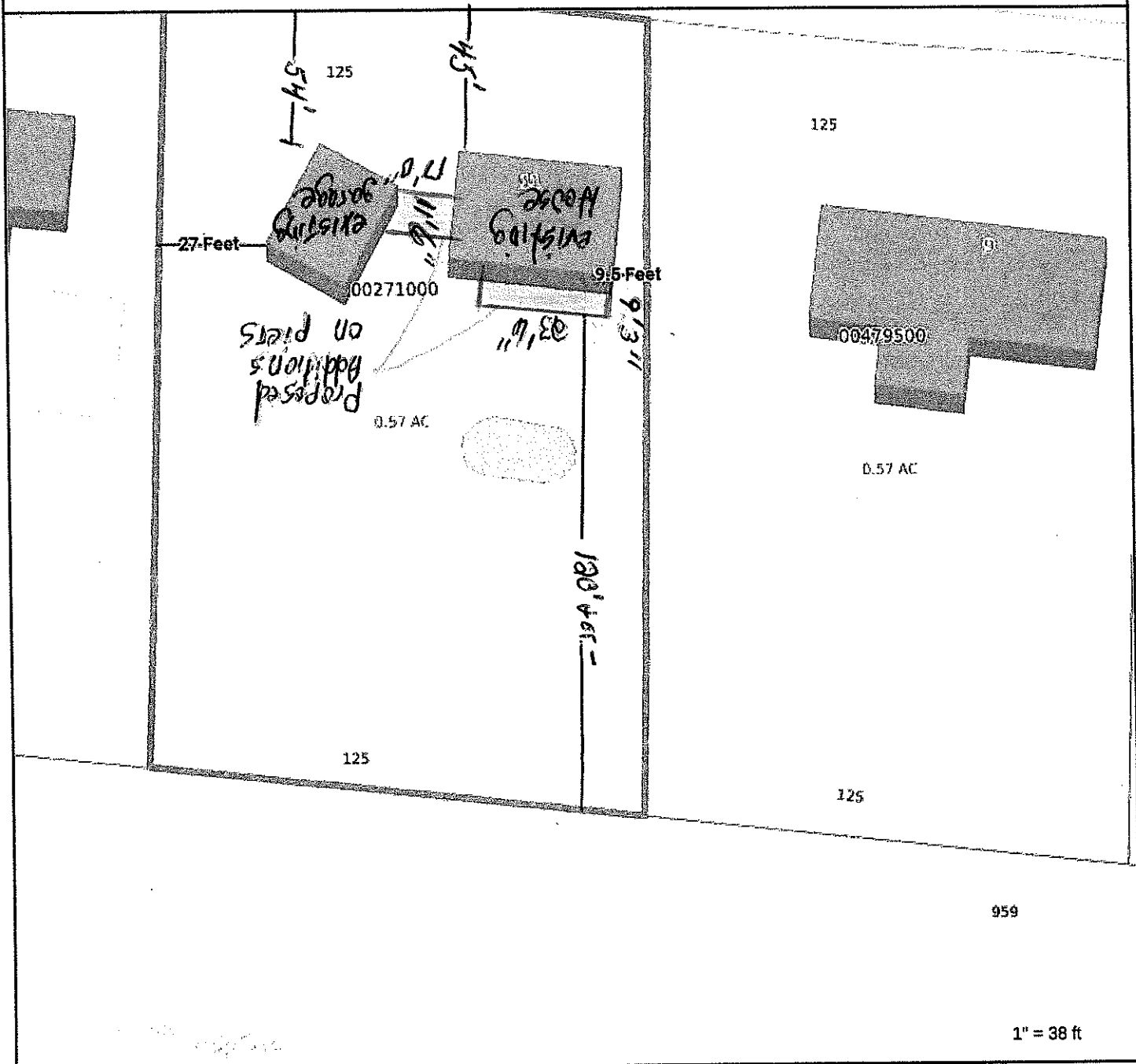
Due to the configuration of the house, the only place to put the addition is next to the side yard. The connector between the house and the garage is for convenience.

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.

Jeffrey C. [Signature]
applicant

7/29/19
date

11 BLACK HAW



Property Information

Property ID 00271000
 Location 11 BLACK HAW DRIVE
 Owner DORIO JOHN 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



Patriot
Properties Inc.

Current Owner
DORIO JOHN W +
COLEMAN JEFFREY C
11 BLACK HAW DRIVE
CROMWELL CT 06416

Previous Owner(s)
SWILLING DAVID J
JOYCE D

General Notes
(2) SHED DORMERS FRONT
38FT REAR DORMIER

Current Value Information

Use Code	Land Value	PA 490 Value	Mkt Adj	Building Value	Outbuildings	Total Value	Total Assessed
101	122,400	0	0	102,300	11,700	236,400	165,480
TOTAL	122,400	0	0	102,300	11,700	236,400	165,480

Previous Value Information

Tax Yr	Land Value	Bldg Value	Outbuildings	Total Value	Total Assessment
2019	122,400	102,300	11,700	236,400	165,480
2018	122,400	102,300	11,700	236,400	165,480
2017	122,400	102,300	11,700	236,400	165,480
2016	117,620	130,000	8,320	255,940	179,150
2015	117,620	130,000	8,320	255,940	179,150
2014	117,620	130,000	8,320	255,940	179,150

Sales Information

Grantee	Vol-Page	Type	SaleDate	SalePrice	Sale Verif	GeneralNotes
DORIO JOHN W +	1650-28	W	06/11/2019	155,000	Other	
SWILLING DAVID J	688-58		11/30/1998	175,000		

Activity Information

Date	Results	Visited By
09/30/2017	No Change - Field Review	Dave Stannard
05/18/2017	Change - Field Review	John Hocking
03/22/2017	Data Mailer No Change	Peter Primiano
06/27/2012	Change - Field Review	
08/16/2006	CC - Visual	
08/03/2006	Callback	
08/01/2006	Measured	
06/24/1997	Measure & Inspected	

Building Permit Information

Date	Permit #	Description	Amount	% Comp	Visit Date	CO Date	GeneralNotes

Land Data

Use	Description	Units	Type	Neigh	Special	Appraised Value	Land Calc	Asmt	Order	Notes
101	Single Family	24,829	SF	R6	PA 490	122,400		0	3200	
Total Area: 0.57						Total Appraised: 122,400		Assessed Value: 85,680		

Exterior Information

Name: Cape Cod
 Style: 1 3/4 Fin
 Location: 1
 Tot Units: 1
 Foundation: Vinyl Siding
 Prim. Ext. Wall: Vinyl Siding
 Sec. Ext. Wall: Gable
 Roof Type: Asphalt Shln
 Roof Cover: WHITE
 Avg. Wall Ht:
 Color:

General Information

Year Bilt: 1973
 Grade: C
 Remodeled Yr:
 Rem. Kitchen Yr:
 Rem. Bath Yr:

Depreciation %

Phys Cond Average 40.00
 Func 0.00
 Econ 0.00
 Spec 0.00
 OV

Total %Dep: 40.00

Calculation

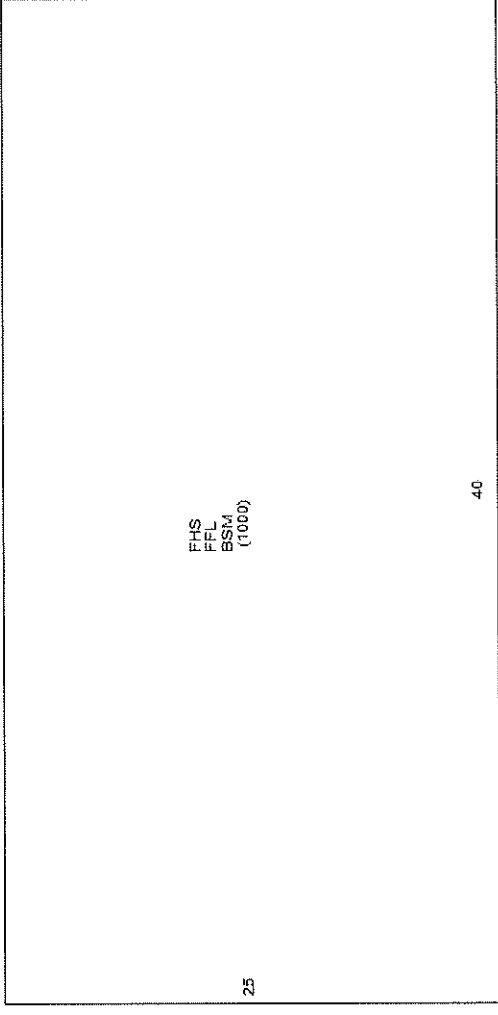
Basic \$/SQ 70.50
 Replacement Cost 170,494
 Depreciation 66,198
 Depreciated Value 102,296
 Final Total (Rounded) 102,300

Room Count

Total Rooms: 7
 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: 2.0



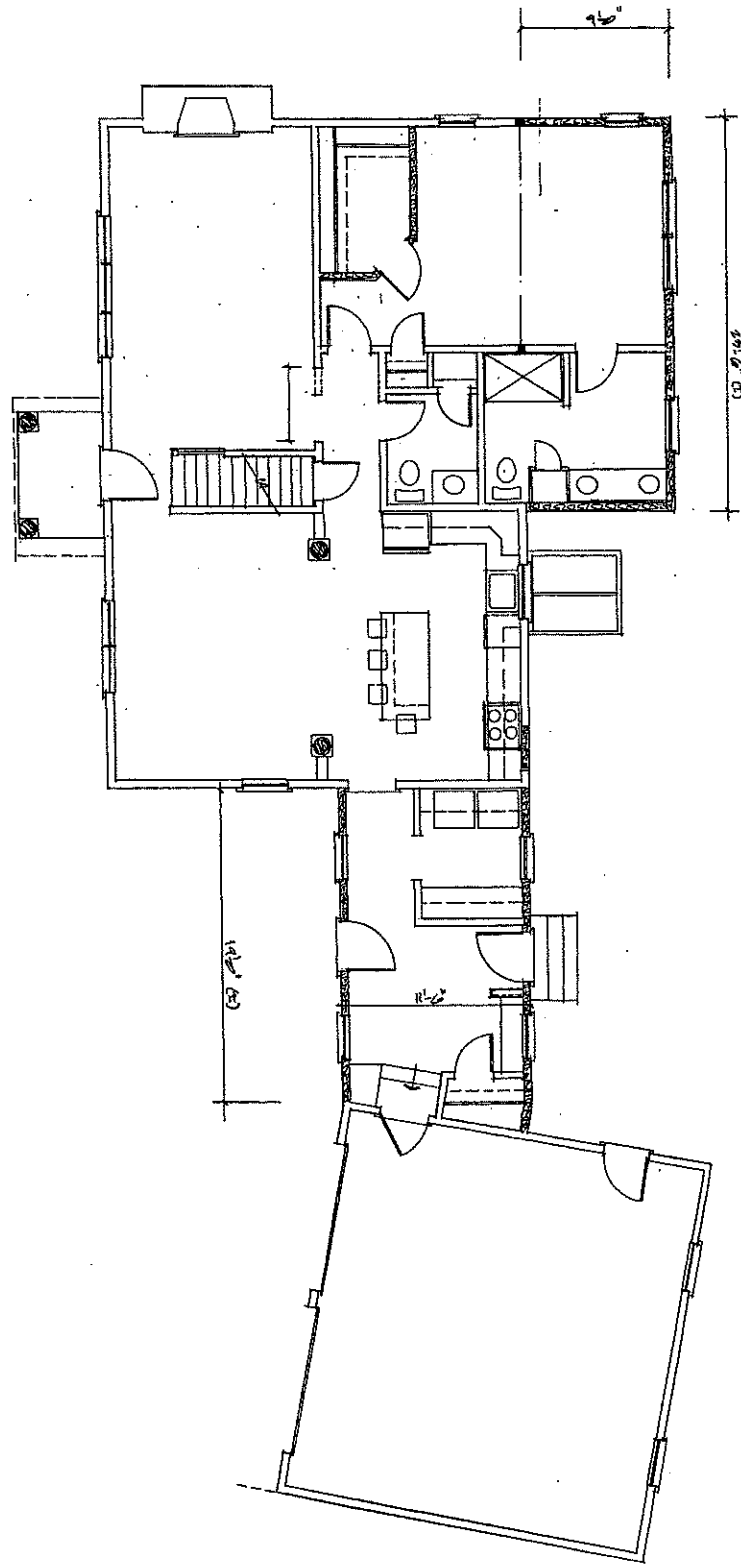
Extra Features / Yard Items (1st 10 Lines Displayed)

Code	Description	Qty	Size	Cond.	Year	Unit Price	Dep%	UndepValue	Appraised Value	Assessment	
PAC1	Patio Concre	1	264	AV	1977	2.50	30	792	600	420	
SPL4	Pool AG Rect	1	1	AV	2002	0.00	13	0	0	0	
GAR1	Garage Frame	1	528	AV	1977	25.00	30	15,940	11,100	7,770	
Total Yard Items:							11,700	Total Appraised:	11,700	Total Assessed Value:	8,190

Sub Area Detail

Code	Desc.	Living	Gross Area
FFL	First Floor	1,000	1,000
FHS	Finished Hll	650	650
BSM	Basement	0	1,000

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



REVISIONS

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
REGULAR PUBLIC HEARING AND MEETING
6:30 PM TUESDAY, JULY 9, 2019
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

RECEIVED FOR RECORD
Jul 16, 2019 02:50P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT *Jc*

Present: Chairman Joseph Morin, Vice Chairman Daniel T. Delisle, John Whitney, Mark Zampino, Brian Fisk (alternate), Steve Wygonowski (alternate)

Absent: John Keithan

Also Present: Director of Planning and Development Stuart Popper, Zoning Enforcement Officer Bruce Driska, Recording Clerk Sherry-Rose McGuire

1. **Call to Order:** The meeting was called to order by Chairman Joseph Morin at 6:30 p.m.
2. **Roll Call:** The presence of the above members was noted.
3. **Seating of Alternates:**
John Whitney made a motion to seat Steve Wygonowski and Brian Fisk; Seconded by Mark Zampino. *All in favor; motion passed.*
4. **Approval of Agenda:**
Mark Zampino made a motion to approve the amended agenda; Seconded by Daniel Delisle. *All were in favor; motioned passed.*
5. **Public Comments:** None
6. **Public Hearing**

Vice Chairman Daniel Delisle read the Application #19-04 for the public hearing.

- a. Application # 19-04: Request Variance from Section 2.2B Bulk Requirements of the Zoning Regulations (minimum Lot Size) to allow for the construction of the

bridge replacement adjacent to 57 Coles Road. Connecticut DOT is the Applicant and Edward Lewandoski is the Owner.

Mark Zampino made a motion to open the public hearing for Application #19-04; Seconded by Steve Wygonowski. *All were in favor; motion passed.*

Dennis McDonald was representing for the applicant, Connecticut Department of Transportation. The owners of the property are Edward and Rita Lewandowski of 57 Coles Road. Property located at 57 Coles Road is contained in an R-25 Zone and the current lot area is 25,490.50 square foot. In connection with the project known as replacement of Bridge No. 05939, North Road Extension over Coles Brooke, and acquisition of 1,490 ± square foot is required for the project. Once the acquisition is complete the remaining lot area will consist of 23,690.50 ± square foot. As a result of the acquisition the lot size will be nonconforming.

Under Connecticut General Statute 48-24, failure to grant the variance would result in the total acquisition of the subject property thus denying the owners use and occupancy of the remainder through no fault of their own.

The Department of Transportation is working in conjunction with the Town of Cromwell. This is a Town of Cromwell project that is funded by 80% federal funded, and 20% town funded. The town requested that the Department of Transportation required the right away because of the Town of Cromwell does not have the staff to do the bridge reconstruction. Department of Transportation has submitted exhibit A & B which are opinion letters from a private Attorney and the Attorney General stating that in the statute 48-24, they do not require a signature from the owners for the state to apply. Mr. McDonald has met with the owners on two occasions, and explained what would be happening today. The owner was on vacation and unable to attend, it was suggested that if they have any comments or question to submit them to the town or Mr. McDonald. It was believed that nothing was submitted.

Mr. Popper was asked if he has received anything. He stated that he did not receive anything. Sign was posted as required.

It is believed that the bridge was originally built in 1980, an easement to construct and maintain the bridge was required. This project is a full bridge

replacement. The state did an annual inspection which concluded that it is in serious conditioning which including heavy rusting and putrefying to the pipes.

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

Mark Zampino made a motion to close the public hearing; Seconded by Daniel Delisle. *All in favor; motion passed.*

John Whitney made a motion to approve the Application # 19-04: Request for Variance from Section 2.2B Bulk Requirements of the Zoning Regulations (minimum Lot Size) to allow for the construction of the bridge replacement adjacent to 57 Coles Road. Connecticut DOT is the Applicant and Edward Lewandoski is the Owner; Seconded by Mark Zampino. *All in favor, motion passed.*

- b. Joseph Morin read the Application # 19-05 for the public hearing.

Application #19-05: Request for Variance from Section 2.2B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of a garage at 4 Timber Hill Road. Christine Dimenna is the Applicant and the Owner.

Joseph Morin made a motion to open the public hearing for Application #19-05; Seconded by John Whitney. *All were in favor; motion passed.*

Ms. Dimenna requested a variance for the side yard to construct garage addition. Because of the lot configuration the addition can only be built on the right side of the house.

The left side yard is measuring at 17 foot, and the right-side yard is measuring at 36 foot. The total measurement of the garage is being proposed to be 26 foot by 30 foot by 26 foot. Leaving a remaining 10-foot property on the right side of the house.

Mr. Popper stated that the hardship of the lot is was the configuration of the lot.

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

John Whitney made a motion to close the public hearing; Seconded by Daniel Delisle. *All in favor; motion passed.*

Mark Zampino made a motion to approve the Application #19-05: Request for Variance from Section 2.2B Bulk Requirements of the Zoning Regulations (Side Yard Set Back) to allow for the construction of a garage at 4 Timber Hill Road. Christine Dimenna is the Applicant and the Owner; Seconded by John Whitney. *All in favor, motion passed.*

- c. Vice Chairman Daniel Delisle read the Application #19-06 for the public hearing.

Application #19-06: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Building Coverage Ratio) to allow for the construction of an addition at 21 Oakwood Manor. Ariana Vecchiaro is the Applicant and the Owner.

Mark Zampino made a motion to open the public hearing for Application #19-06; Seconded by John Whitney. All were in favor; motion passed.

Ariana Vecchiaro requested a variance in order to extend the back of the house. The addition would extend the kitchen out about 10 foot by 10 foot. Increasing the coverage ratio from 14+ % to 16%. The proposed addition would be 10 foot by 18 foot by 7 foot.

The hardship that is present is due to the age of house and the laws that did not take into consideration future livability. The house was built in 1942 with four bedrooms and an extremely small kitchen. If approved for a variance, and addition to the kitchen would create much needed livable kitchen space.

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

John Whitney made a motion to close the public hearing; Seconded by Steve Wygonowski. *All in favor; motion passed.*

Mark Zampino made a motion to approve the Application #19-06: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Building Coverage Ratio) to allow for the construction of an addition at 21

Oakwood Manor. Ariana Vecchiaro is the Applicant and the Owner; Seconded by John Whitney. *All in favor, motion passed.*

- d. Vice Chairman Daniel Delisle read the Application #19-07 for the public hearing.

Application # 19-07: Request for Variance from Section 5.3.D and 5.3.H of the Zoning Regulations (sign Placement and Size) to allow for a free-standing sign to promote businesses to be located within the Town of Cromwell town right of way on the south side of Country Line Drive. The Town of Cromwell is the Applicant and the Owner.

Mark Zampino made a motion to open the public hearing for Application #19-06; Seconded by Daniel Delisle. All were in favor; motion passed.

Mr. Popper is representing the Town of Cromwell. The Town is proposing to install a sign at the corner of County Line Drive (south side) to promote the businesses located and to be located on County Line Drive.

The hardship is the location of the existing and new businesses and the lack of visibility. There was a previously existing non-conforming sign that this sign will replace.

The Town is currently negotiating with the state to use some of a grant that was left over to cover for some of the cost of the sign. Depending on the amount of funds that is received the proposed size is 7-foot-tall by 7-foot length with panels, with a brick foundation. The double-sided sign maybe be lit from the ground, but the sign itself will not be lit. It will be advertising the Public Works/Sewer Department building, the Transfer Station, the existing businesses and future businesses at 120 County Line Drive.

There was no public attendance to comment on the application.

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

John Whitney made a motion to approve the Application # 19-07: Request for Variance from Section 5.3.D and 5.3.H of the Zoning Regulations (sign Placement and Size) to allow for a free-standing sign to promote businesses to be located

within the Town of Cromwell town right of way on the south side of Country Line Drive. The Town of Cromwell is the Applicant and the Owner; Seconded by Mark Zampino. *All in favor, motion passed.*

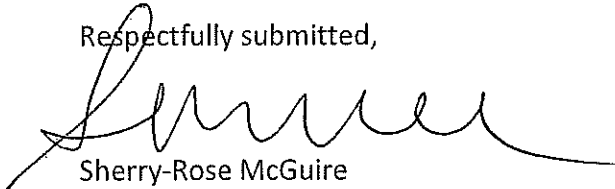
7. Approval of minutes :

a. April 9, 2019:

John Whitney made a motion to approve the minutes as presented; Seconded by Steve Wygonowski. *All in favor; motion passed.*

8. Adjourn: John Whitney made a motion to adjourn the meeting. *All were in favor; motion passed.* Meeting adjourned at 7:11 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sherry-Rose McGuire', with a long horizontal flourish extending to the right.

Sherry-Rose McGuire
Commission Clerk