



Town of Cromwell Zoning Board of Appeals

***PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY, FEBRUARY 14, 2017
ROOM 224/225 CROMWELL
TOWN HALL, 41 WEST STREET***

AGENDA

RECEIVED FOR FILING
2/7 2017 at 9:49 AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Prendergast, Asst
TOWN CLERK

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Public Comments
6. New Business:
7. Public Hearing:

a. Application #17-01: Request for Variances from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback and lot coverage ratio) to allow for the construction of deck in the rear of 29 New Lane. Taylor Scot Gilman is the Applicant and the Owner.

b. Application #17-03: Request for Variance from Section 4.2.D.3 Flood Plain Variance Procedures of the Zoning Regulations to allow for the reconstruction of a portion of Willowbrook Road. The Town of Cromwell is the Applicant and the Owner.

c. Application #17-02: Request for a Motor Vehicle Location approval under Section 10.5 of the Zoning Regulations at 201 Main Street. Timothy Anderegg is the Applicant and S & S Partners Inc. is the Owner.

8. Approval of Minutes:
 - a. December 13, 2016
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 February 14, 2017 in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #17-01: Request for Variances from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback and lot coverage ratio) to allow for the construction of deck in the rear of 29 New Lane. Taylor Scot Gilman is the Applicant and the Owner.
2. Application #17-03: Request for Variance from Section 4.2.D.3 Flood Plain Variance Procedures of the Zoning Regulations to allow for the reconstruction of a portion of Willowbrook Road. The Town of Cromwell is the Applicant and the Owner.
3. Application #17-02: Request for a Motor Vehicle Location approval under Section 10.5 of the Zoning Regulations at 201 Main Street. Timothy Anderegg is the Applicant and S & S Partners Inc. is the Owner.

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 26th day of January 2017

17-01

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: 29 New Lane	PIN #: 001226007
Zoning District: A-15	Volume/Page: 1521-527
Applicant: Taylor Gilman	Property Owner: same
Home or Business Address: 29 New Lane, Unit 1E Cromwell	Home or Business Address: same
Phone #: 860-205-3441	Phone: same
Email: fxmaster +sg@gmail.com	
<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>	<i>I hereby consent to the Applicant acting as my agent for the purpose of this application.</i>
Signature: 	Signature:
Type of Application (check one): <input checked="" type="checkbox"/> Variance from Section <u>2.2.B</u> 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: Build new deck for rear entryways. Requires variances from section 2.2.B Bulk Requirements of the Zoning Regulations. (Front Yard setback and Lot Coverage Ratio)	

Justification for Request:

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

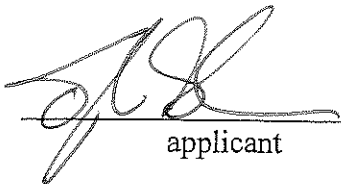
If Appealing a decision of the ZEO, explain why you feel the ZEO is wrong.

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's current location in non-conforming; Therefore
any construction would be non-conforming.
Enlarge deck for safety of tenants

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

12/27/16
date



* Edge of deck
to roadside curb edge

*

- 2. Temporary lighting associated with a fair, carnival or similar function authorized by the Town of Cromwell;
- 3. Temporary light used by the Police Department, Fire Department or Emergency Services.
- 4. The Commission may, by Special Permit, allow lighting that does not comply with the specific standards listed in this Section provided the Commission determines that such proposed lighting is consistent with the intent and purpose of these Regulations.

5.7 CORNER LOTS.

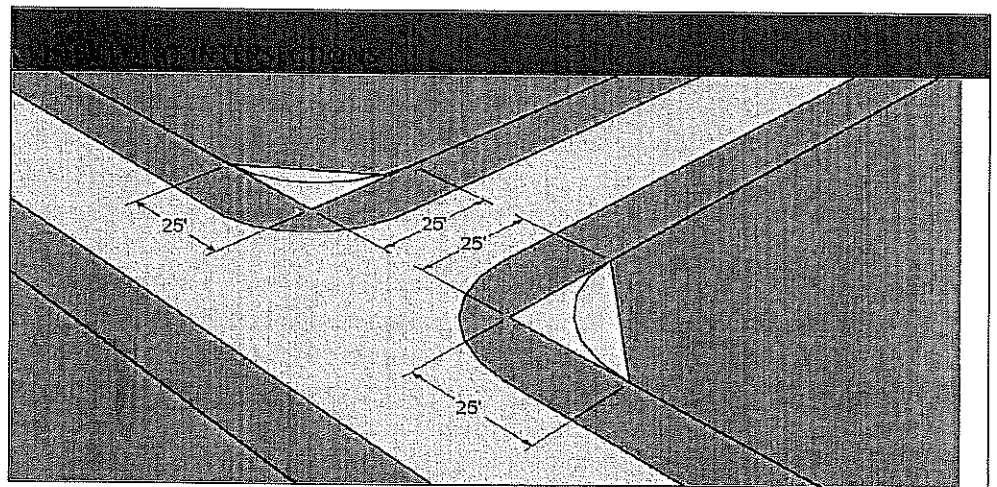
The following regulations pertain to lots with frontage on more than one (1) street:

- 1. A corner lot shall maintain front yard setback requirements for the street on which the main building faces.
- 2. A side yard setback of a minimum of 65 percent of the setback line for the side street shall be maintained.
- 3. All accessory buildings shall maintain front yard setback requirements for each street frontage.
- 4. See Visibility at Intersection and Driveway Obstructions (Section 5.8).

5.8 VISIBILITY AT INTERSECTIONS AND DRIVEWAY OBSTRUCTIONS.

5.8.A Intersections.

- 1. On a corner lot in any district, no planting, snow, structure, fence, walls or obstruction to vision more than three (3) feet in height shall be placed or maintained within the triangular area formed by the intersecting street lines and a straight line connecting points on said street lines, each of which points is 25 feet distant from the point of intersection.
- 2. Any obstruction to vision which in the opinion of the Cromwell Traffic Authority is a traffic hazard shall be removed as a violation of these regulations.



5.8.B Driveways.

CURRENT OWNER		TOPO	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT		Assessed Value	
GILMAN TAYLOR SCOTT		1 Level	2 Public Water	1 Public		Description	Code	Appraised Value	Assessed Value
29 NEW LANE			3 Public Sewer			RES LAND	1-1	64,140	44,900
CROMWELL, CT 06416						DWELLING	1-3	165,260	115,680
Additional Owners:						RES OUTBL	1-4	12,960	9,070
SUPPLEMENTAL DATA									
Census Tr.	5703	DV Map #							
Prior Zoning	A-15	DV Lot #							
Color	WHITE	Callback							
100 Yr Flood		K&E Penalty							
GIS ID:	00122600	ASSOC PID#	42/ 44/ 10/ /						
BAA									

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	W/M	V/I	SALE PRICE	V.C.	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
GILMAN TAYLOR SCOTT		1521/ 52	04/13/2015	Q	I	370,000	14	2015	1-1	44,900	2014	1-1	44,900	2013	1-1	44,900
ZAMPINI MICHAEL JR		1383/ 137	08/10/2011	U	I		29	2015	1-3	113,980	2014	1-3	113,980	2013	1-3	113,980
SECRETARY OF HOUSING AND URBAN DEVELOPM		1322/ 024	03/22/2011	U	I	212,572	14	2015	1-4	7,560	2014	1-4	7,560	2013	1-4	7,560
WELLS FARGO BANK NA		722/ 1	01/19/2010	U	I	189,000										
RUSCO DANIEL			11/02/1999													

PREVIOUS ASSESSMENTS (HISTORY)		Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
Appraised Bldg. Value (Card)		2015	1-1	44,900	2014	1-1	44,900	2013	1-1	44,900
Appraised XF (B) Value (Bldg)		2015	1-3	113,980	2014	1-3	113,980	2013	1-3	113,980
Appraised OB (L) Value (Bldg)		2015	1-4	7,560	2014	1-4	7,560	2013	1-4	7,560
Appraised Land Value (Bldg)										
Special Land Value										
Total Appraised Parcel Value										
Valuation Method:										
Adjustment:										
Net Total Appraised Parcel Value				166,440			166,440			169,650

APPRaised VALUE SUMMARY 10-01-2012

This signature acknowledges a visit by a Data Collector or Assessor

Permit ID	Issue Date	Type	Description	Amount	Issp. Date	% Comp.	Date Of CO	Comments
24025	05/10/2016	SI	Siding	25,000	08/03/2016	100	05/15/2012	Vinyl Siding
20542	02/23/2012	OT	Other	4,250	08/15/2012	100	05/15/2012	The in existing boiler for 2nd fl. new gas piping
20400	12/21/2011	OT	Other	3,500	08/15/2012	100	05/15/2012	Run 2 gas lines & triple furnace
20384	12/14/2011	AD	Addition	25,000	08/15/2012	100	05/15/2012	4x7 & new windows, rf

BUILDING PERMIT RECORD		LAND LINE VALUATION SECTION	
4 FAMILY- 4 KIT, 4 LR, 6 BDRMS, 4-3 PC BTHS; EXT=LOC	NOTES	Notes-Adj	Special Pricing
		LOC/CI	

B Use Code	Use Description	Zone	D Frontage	Depth	Units	L Factor	S.A	Acres	C Factor	ST Lx	Adj	LOC/CI	Notes-Adj	Special Pricing	Land V
1	4 Family	R-15			12,197	SF 0.7000	3	1.0000	0.90	4800	1.00	LOC/CI			6

CONSTRUCTION DETAIL

Element	Description	Attributes	Code	Description	Percentage						
Style	Multi Family	Total Rooms	104	4 Family	100						
Grade	C+	Bedrooms	COST/MARKET VALUATION								
Exterior Wall 1	Vinyl Siding	Full Baths									
Exterior Wall 2	Vinyl Siding	Half Baths									
Roof Structure	Gable	Jet Tub									
Roof Cover	Arch. Shingles	Full Baths below	1795 VG								
Interior Wall 1	Plastered	Half Baths below									
Interior Wall 2	Average	Total # Baths									
Interior Flr 1	Hardwood	Fireplace									
Interior Flr 2	Oil	Fireplace Dtd.	22								
Heat Fuel	Hot Water	Gas Fireplace									
Heat Type	None	Fin Bsmt %									
AC Type	None	Fin Bsmt Qual									
			165,260								
						Building Appraised Value					
									Overall % Cond		

BUILDING PERMIT INFO

Issue Date	Type	% Comp.	Date of CO	Comments
05/10/2016	SF	100	05/15/2012	Vinyl Siding Tie in existing boiler for 2nd fl. new gas piping Run 2 gas lines & triple furnace 4x7 & new windows, rf
02/23/2012	OT	100	05/15/2012	
12/21/2011	OT	100	05/15/2012	
12/14/2011	AD	100	05/15/2012	

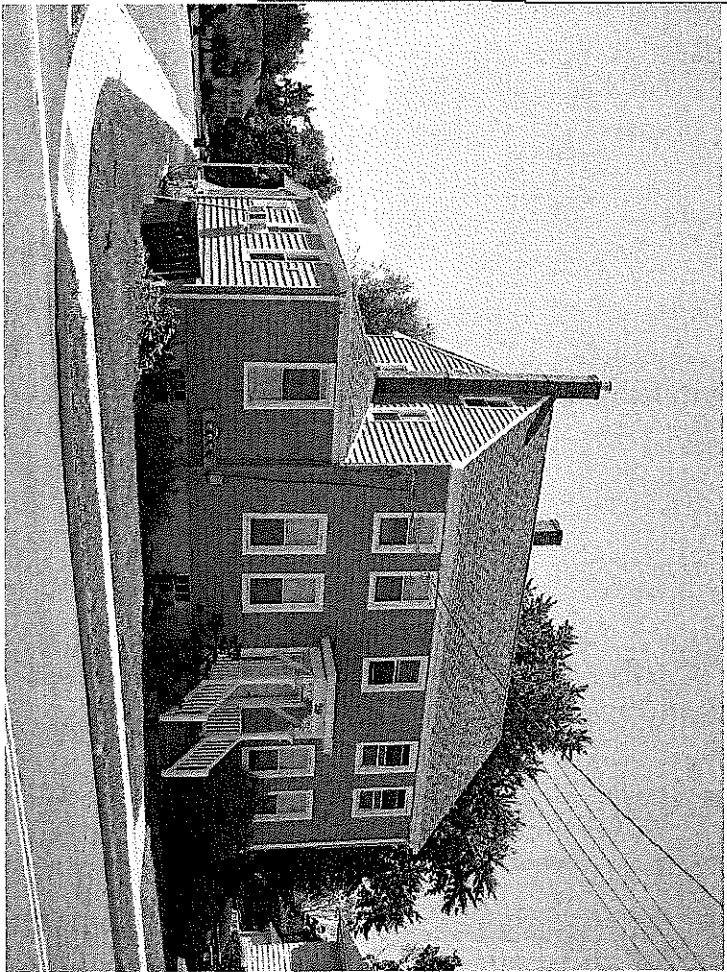
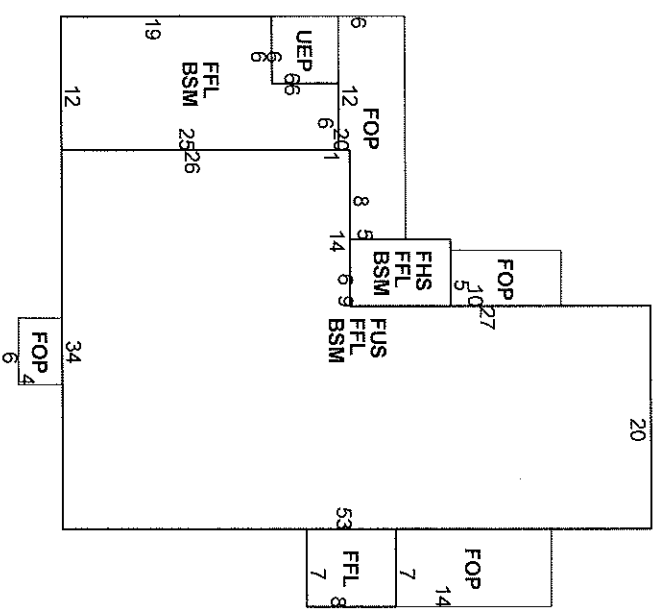
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Sub Descrip	U/B Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Lbr Value
GARI	Garage	CB	CndBk/Frame	L	576	25.00				90	12,960

VISIT/ CHANGE HISTORY

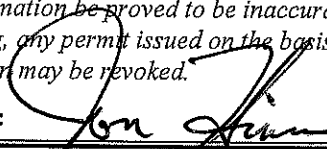
Date	ID	MM	Permit- Drive By	Purpose/Result	Code	Description	Living Area	Gross Area
08/03/2016		MM	Permit- Drive By		BSM	Basement	0	1,742
05/20/2014		SB	Change - RE Listing		FPL	First Floor	1,798	1,798
08/15/2012		AJ	Change - Field Review		FHS	Finished Half Story	35	1,798
10/03/2006		DK	Measured		FOP	Framed Open Porch	0	54
10/03/2006		DK	Callback		FUS	Finished Upper Story	1,424	284
					UEP	Utility Enclosed Porch	0	1,424
							0	36

BUILDING SUB-AREA SUMMARY SECTION



**TOWN OF CROMWELL
ZONING BOARD OF APPEALS**

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

Address: Willowbrook Road (20w)	PIN #: N/A
Zoning District: Highway Business	Volume/Page: N/A
Applicant: Town of Cromwell	Property Owner: Town of Cromwell
Home or Business Address: 41 West St Cromwell, CT 06031	Home or Business Address: same
Phone #: 860-632-3492	Phone:
Email:	
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 <u>4.2.R.13</u> 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: <u>see attached memo dated 1/23/2017</u>	

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).

see attached memo dated 1/23/17

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

1/23/17

date

**Engineering Department
Town of Cromwell
Cromwell, CT**

Memorandum

To: Zoning Board of Appeals

CC: Stuart Popper, Town Planner

From: Jon Harriman, P.E. 

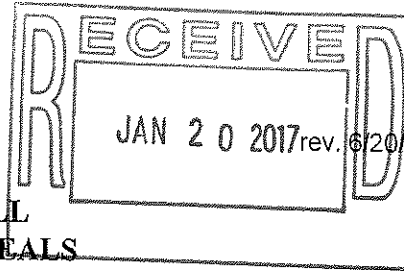
Date: 1/23/2017

Re: Variance – Flood Plain Filling – Willowbrook Road ROW

The Town has an STPURBN grant to reconstruct a portion of Willowbrook Road (widening, adding a turning lane onto Berlin Road, adding sidewalks and adjustment of horizontal and vertical alignments). Willowbrook Road in the vicinity of Willowbrook Plaza is identified as a Special Flood Hazard Area (within the 100-year flood plain) and is subject to section 4.2 of the Cromwell Zoning Regulations.

There are existing drainage issues on Willowbrook Road near the intersection of Route 372, Berlin Road. This portion of the roadway is within the backwater of the Mattabesset and Connecticut Rivers. The 10-year frequency flood elevation at this location is approximately 17.8'. The existing roadway low point near the intersection is at elevation 17.0' +/- . The proposed low point of the reconstructed roadway will be at elevation 19.23'. The low point of Route 372 in the vicinity is approximately 21.2. The increase in roadway elevation should alleviate the localized roadway drainage issues on the lower portion of Willowbrook Road while improving public safety at this location.

The cut and fill activity proposed for the reconstruction involves the placement of 1,150 cubic yards of net fill in the flood plain. Specifically this activity does not meet the requirements of section 4.2.R.13 which requires compensation of filling activities. Section 4.2.DD.3., Floodplain Variance Procedures, allows for the granting of a variance for "new construction, substantial improvements and other development necessary for the conduct of a "functionally dependent use" provided that there is good and sufficient cause for providing relief; and the floodplain variance does not cause a rise in the 100-year flood elevation within a regulatory floodway." Our consulting engineer has run this hydraulic calculation and we hereby certify that there would be an immeasurable effect on the 100-year regulatory floodway from this fill activity.



17-02

TOWN OF CROMWELL
ZONING BOARD OF APPEALS

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

Address: 201 Main Street	PIN #: 00015800 / 00015810
Zoning District: IND	Volume/Page: 412 / 142
Applicant: Timothy Anderegg	Property Owner: S & S Partners, Inc.
Home or Business Address: 22 Harlan Place East Hampton, CT 06424	Home or Business Address: P.O. Box 734 Old Lyme, CT 06371
Phone #: 860 478-0494 Email: timplace22@yahoo.com	Phone: 860 625-5974
<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> Signature:	<i>I hereby consent to the Applicant acting as my agent for the purpose of this application.</i> Signature:
Type of Application (check one): <input type="checkbox"/> Variance from Section _____ of the Zoning Regulations. <input type="checkbox"/> Appeal from ZEO Decision dated _____ <input type="checkbox"/> Change of Non-Conforming Use Special Permit. <input checked="" type="checkbox"/> Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)	
Description of Request: This is a request for Motor Vehicle location approval at 201 Main Street in Cromwell. This would be a new truck and equipment repair service business to operate as Bridgeview Truck & Auto, LLC, which LLC is in the process of being established.	

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).

Please see attached letter of justification with exhibits.

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

January 20, 2017

date

Salvatore J. Petrella, attorney for owner/applicant

Law Office of Salvatore J. Petrella, LLC
Attorneys At Law

Salvatore J. Petrella

Julie C. Petrella

630 Main Street
Cromwell, CT 06416

Tel. (860) 632-8300
Fax (860) 632-7945

January 20, 2017

Zoning Board of Appeals
c/o Stuart Popper, Town Planner
Town of Cromwell
41 West Street
Cromwell, CT 06416

Dear Zoning Board of Appeals Members:

RE: Application to Zoning Board of Appeals for Location Approval for Department of Motor Vehicle Licensed Facility, Industrial Property at 201 Main Street in Cromwell, CT 06416, S & S Partners, Inc., Owner, Timothy Anderegg, Applicant.

I am Attorney Salvatore J. Petrella and I represent the owner of the property, S&S Partners, Inc. and Timothy Anderegg, the applicant for the Department of Motor Vehicles Repairer's License to be located on the industrial land at 201 Main Street in Cromwell. Arthur E. Sibley, Sr., is the principal of S&S Partners, Inc.

The property at 201 Main Street, Cromwell, is located at the extreme southern section of Route 99 where it junctions with Connecticut State Route 9. It abuts the Mattabassett District Water Pollution Control Facility as well as railroad property owned by the State of Connecticut Department of Transportation. The parcel is approximately 3.24 acre in size with about one acre being commercially developed. There is a large industrial building on the property, which has been owned or leased to a number of companies over the years, including Arrigoni Construction, Suzio Concrete and Recycle Rescue, LLC. The parcel also houses Daniel's Propane Gas facility and a cellular communication tower.

For more than a half century, the industrial building has been used as a repair shop for trucks and equipment associated with the businesses at the site for the servicing of their business vehicles. The current owner acquired the property in 1989, after having been a tenant occupying the premises for a period of time. He continued to use the property to service and maintain his fleet of truck vehicles at this site.

In July 1995, the property owner applied for, and received, a Special Permit from the Zoning Board of Appeals for a Change of Non-Conforming Use. The permit allowed for the **repair and service of trucks belonging to customers, in contrast with the existing non-conforming use (repair and service of trucks belonging to the property owner)**. *Emphasis added.*

The language of this permit denotes that truck service and repair was being conducted on the property prior to the issuance of the Special Permit and would continue to be conducted on the property subsequent to the issuance of the Special Permit.

From 2000 to 2004, a portion of the building was occupied by First Line Emergency Service, Inc., a Department of Motor Vehicles licensed repair facility. First Line performed major mechanical repairs to fire trucks and ambulances. Bill Sullo, the owner of First Line Emergency Services, Inc., held Department of Motor Vehicles Repairers License R4767 at 201B Main Street in Cromwell.

Since 2004, there have been other lessees who have used portions of the building to conduct repairs to diesel engines. Paul St. Amand operated Commercial Diesel Services out of the premises at 201 Main Street, repairing diesel engines in large boats and other water craft until sometime in 2008 or 2009. Cory Wagner then operated a boat and jet-ski engine repair facility at the premises. A DMV license was not required for those types of repairs.

The owner currently has a lessee who now wants to open up a licensed facility for diesel truck and equipment repair. The lessee, Timothy Anderegg, who plans to operate as Bridgeview Truck and Auto, LLC, needs a Department of Motor Vehicles Repairers License in order to repair diesel trucks and automobiles. No license is needed to operate an **equipment** repair facility at this location.

Zoning approval is a prerequisite to DMV licensing, which is the reason this application is being submitted. Cromwell has adopted a zoning regulation, Section 6.4.D 5, that restricts **new** motor vehicle repair facilities from opening up within 2,600 feet of an existing repair facility. There is an existing repair facility within 2,600 feet of 201 Main Street, namely Cromwell Automotive at 263 Main Street in Cromwell.

The Purpose of this particular regulation, set forth at Section 6.4.A specifies the intent to provide for public garages “within certain zoning districts in the Town of Cromwell while minimizing environmental and aesthetic effects of through (sic) careful design, siting and screening.” This is an existing facility in an industrial area designed and intended for vehicle repair work.

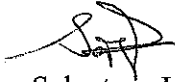
The prohibition in this regulation does not apply to the instant application as this is **not** a new motor vehicle repair facility. The property has been used as a repair facility for over fifty plus years, long before the adoption of this regulation. The intent to continue to use the property for such purposes was never abandoned by the present owner. All of his actions in using and leasing the property clearly indicate an attempt to continue this type of use.

The Zoning Board of Appeals should grant DMV location approval for a repair facility based upon all of the factors in this application, including its historic use, the previous Special Permit issued in 1995 for S&S Partners, Inc., and the previous DMV location approval in 2000 for First Line Emergency Services Inc. Alternatively, the use of this property as a repair facility should be grandfathered in, as that use existed and continued both prior to the adoption of the zoning regulations and prior to the adoption of the spacing regulation. Moreover, this is the most appropriate use of this property based upon the design, construction, historic and current use of the property.

On behalf of the applicant and owner, I am asking that the Zoning Board of Appeals approve this application for location approval for Department of Motor Vehicles Repairers License. Additional supporting material such as photographs and testimony will be presented at the public hearing on this matter.

A Notice of Public Hearing sign will be posted on the premises more than fourteen days prior to the scheduled hearing date on this matter and all abutters will be notified by certified mail of the pending application and hearing date. Thank you.

Sincerely,



Salvatore J. Petrella
Attorney for the Owner and Applicant

COPY

APPLICATION FOR AUTOMOBILE DEALER'S OR REPAIRER'S LICENSE

K-7 REV. 7-2016

STATE OF CONNECTICUT DEPARTMENT OF MOTOR VEHICLES DEALERS AND REPAIRERS SECTION

Table with 3 columns: DMV USE ONLY, LICENSE NUMBER, EXAMINER INITIALS

INSTRUCTIONS:

- 1. SECTION 1 must be completed by APPLICANT
2. SECTION 2 must be completed and signed by local authorities of the city or town in which the location is proposed.
3. Submit application and supporting documents to: DEPARTMENT OF MOTOR VEHICLES, DEALERS AND REPAIRERS SECTION, 80 STATE STREET, WETHERSFIELD, CT 06161-2011.

SECTION 1: BUSINESS INFORMATION

TYPE OF LICENSE: NEW CAR DEALER, USED CAR DEALER, GENERAL REPAIRER, LIMITED REPAIRER

NAME UNDER WHICH BUSINESS OF APPLICANT IS TO BE CONDUCTED

E-MAIL ADDRESS

Bridgeview Truck + Auto
201 main St Cromwell CT 06416

timplace22@yahoo.com

MAILING ADDRESS, IF DIFFERENT FROM ABOVE

22 Harlan Place E Hampton CT 06424

TYPE OF OWNERSHIP: INDIVIDUAL, PARTNERSHIP, CORPORATION, LLC
IF INCORPORATED OR LLC, UNDER LAWS OF WHICH STATE: CONNECTICUT

THE BUSINESS HOLDS A FACTORY FRANCHISE TO SELL THE FOLLOWING MAKE(S) OF VEHICLE(S) AT THE ABOVE LOCATION

If applicant firm is owned by individual or partnership, enter data below for all owners. If owned by a corporation enter data for principal officers or major stockholders. If LLC, enter members and managers.

Table with 5 columns: TITLE, NAME, HOME ADDRESS, DATE OF BIRTH, SEX. Row 1: Owner/manager, Timothy M. Anderegg, 22 Harlan Place E Hampton CT 06424, 4/19/64, M

Place a check mark in the box below, stating that you have no intention to apply for, nor have applied for a Manufacturer's license. Failure to check the box, will result in a Dealer's or Repairer's license NOT being issued.

[X] I have not applied and do not intend to apply for a Manufacturer's license.

CERTIFICATION (To be signed by Owner, Partner, Managing Member, or Authorized Officer in presence of Notary)

Pursuant to CGS 53a-157b, I declare that the statements made by me in this application or in any documents attached hereto are true and complete to the best of my knowledge and belief. SIGNED (Owner, partner, major stockholder or authorized officer) [Signature], TITLE: Owner/Member, SIGNED (Notary Public, Justice of Peace, or Commissioner of Superior Court) [Signature]

SECTION 2: CERTIFICATE OF LOCAL APPROVAL FOR PROPOSED LOCATION

Pursuant to CGS 14-54, local approval is hereby granted for the above named firm or individual to conduct a business of the type checked below at the location specified in this application.

Signatures of Building Official and Fire Marshal indicate compliance with applicable laws and regulations.

Are there any restrictions placed on the licensee's use of the property? [] NO [] YES (If "YES", a copy of the restrictions MUST be attached to this application.)

Table for signatures and approvals. Includes fields for Signature of Authorized Official, Signature of Building Official, Signature of Local Fire Marshal, and Proposed Location Adjoins (State Highway, Local Road).

2695



Received Aug. 31, 1995 at 2:55 P.M.
Recorded in Cromwell, Conn.
By Dorinda Proko, Asst.
Town Clerk

95-10

CERTIFIED MAIL
Z784 389 184

Town of Cromwell

NATHANIEL WHITE BUILDING
41 WEST STREET
CROMWELL, CONNECTICUT 06416-0189

VOL. 586-346

TOWN OF CROMWELL ZONING BOARD OF APPEALS SPECIAL PERMIT (Change of Non-Conforming Use)

Property Address: 201 Main Street Zone: F
Map/Block/Lot: 51 / 47 / 36 Volume/Page: 412 / 142
Name of Owner: S&S Partners, Inc.
Owner's Address: c/o Levy & Droney
Address: P. O. Box 887, Farmington, CT 06034
Date of Hearing: July 18, 1995
Date of Decision: July 18, 1995
Date of Publication: July 21, 1995

Non-Conforming Use Approved: Repair and service of trucks belonging to customers, in contrast with the existing non-conforming use (repair and service of trucks belonging to the property owner).

Conditions: None.

Peter Doolittle
Peter Doolittle
Chairman, Zoning Board of Appeals

July 16, 1995
date

*** THIS DOCUMENT MUST BE SUBMITTED TO THE TOWN CLERK ***
AND RECORDED IN THE CROMWELL TOWN LAND RECORDS

Selectman's Office 632-3410 / Finance 632-3414 / Public Works 632-3420 / Town Planner 632-3422 / Building Department 632-3428
Sewer Department 632-3430 / Town Clerk 632-3440 / Assessor 632-3442 / Tax Collector 632-3445 / Zoning Officer 632-3422
Health Department 632-3426 / Dog Warden 632-3466 / Registrars 632-3418 / Youth 632-3448 / Elderly 632-3447 / Welfare 632-3449
Engineering 632-3420 / Library 632-3460 / Recreation 632-3467 / Emergency Management 632-3422

VOL. 3-1995

Received for Record August 31, 1995 at 2:55 P.M. Attest Bernard Neville
Town Clerk.
#2695

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS**

RECEIVED FOR FILING
8/17 1995 at 10:15 M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.
Bernard Neault
TOWN CLERK

**MINUTES OF
PUBLIC HEARING & SPECIAL MEETING
July 18, 1995**

Present: Peter Doolittle
Madelyn O'Brien
Joseph Morin
Greg Godston (alternate)
Maurice Villano
Joseph Tierney (arrived at 7:42)

Absent: Jay Hickey (alternate)

1. CALL TO ORDER:

Mr. Doolittle, Chairman, called the meeting to order at 7:32 p.m.

2. ROLL CALL AND SEATING OF ALTERNATES:

The presence of the above members was noted. Mr. Tierney was not seated.

3. APPROVAL OF AGENDA:

Mr. Morin made a motion seconded by Mr. Villano to approve the Agenda as presented. The motion passed unanimously.

4. PUBLIC HEARING:

4a. Application #95-08: Appeal of ZEO Order dated 3/13/95 at 546 Main Street. Albert Lavigne, owner/Applicant.

This Application was not heard.

4b. Application #95-10: Application for Special Permit (Change of Non-conforming Use) at 201 Main Street; S&S Partners, Inc., owner/applicant.

Attorney Coleman Levy of Levy & Droney represented S&S Partners in its request for a non-conforming use special permit to be allowed to lease a portion of its garage at 201 Main Street to a vehicle repair business. The activity is essentially the same as it has always been since 1930. The only difference is, the activity will now be

performed by a tenant on customer's vehicles, rather than by the property owner on his own vehicles.

Attorney Levy informed the Board that all abutting property owners were notified by a certified letter. They were also spoken to and there have been no objections.

Mr. Villano asked Attorney Coleman exactly what is done at this business. Attorney Coleman said engine repair, brakes, clutches and the rebuilding of trailers.

Ms. O'Brien asked if this special permit would go to the owner for space that is presently not being occupied.

Attorney Levy said that the special permit is for the north side of the building. The south side of the building already has been approved.

Mr. Minor said that he recommends approval. This approach enables a reasonable use of the property without endangering the environment, and retains zoning control.

Ms. O'Brien asked Mr. Minor if the business would be able to expand.

Mr. Minor said they can't expand a non-conforming use, and the zoning regulations limit what is allowed in the flood plain zone.

Mr. Morin made a motion seconded by Mr. Villano to close the public hearing on Application #95-10: Application for Special Permit (Change of Non-conforming Use) at 201 Main Street; S&S Partners, Inc., owner/applicant. The motion passed unanimously.

4c. Application #95-11: Application for Side Yard Variance at 7 Wildwood Road; Joseph Branciforte, owner/applicant.

Mr. Branciforte of 7 Wildwood Road said that he would like to build a new garage and attached breezeway. The present garage is in bad shape and a breezeway will help to cut down the wear and tear on the kitchen floor. He has already replaced the floor twice.

Mr. Tierney asked why the new proposed garage has bigger dimensions than the present one.

Mr. Branciforte said the present garage is too small for his vehicle and his wife has difficulty getting the van in to the garage.

A letter was read from Joan Geary, an abutting property owner, who has no objections to this application.

Mr. Villano made a motion seconded by Mr. Tierney to close the public hearing on Application #95-11: Application for Side Yard Variance at 7 Wildwood Road; Joseph Branciforte, owner/applicant. The motion passed unanimously.

4d. Application #95:12: Application for Front Yard Variance at 32 Evergreen Road; Mario and Debbie Tardiff, owner/applicant.

Mr. Tardiff and his wife would like to put a 16' x 18' addition on the side of their house. The addition will be 7' back from the original house. They sent certified letters to all abutting neighbors.

Ms. O'Brien made a motion seconded by Mr. Villano to close the public hearing on Application #95:12: Application for Front Yard Variance at 32 Evergreen Road; Mario and Debbie Tardiff, owner/applicant. The motion passed unanimously.

5. NEW BUSINESS:

Mr. Morin made a motion seconded by Mr. Villano to approve Application #95-10: Application for Special Permit (Change of Non-conforming Use) at 201 Main Street; S&S Partners, Inc., owner/applicant. The motion passed unanimously.

Mr. Villano made a motion seconded by Mr. Tierney to approve Application #95-11: Application for Side Yard Variance at 7 Wildwood Road; Joseph Branciforte, owner/applicant.

Mr. Morin said if the neighbors have no objections, then he doesn't either.

Mr. Villano said that other property owners in the area have been granted side yard variances.

The motion passed unanimously.

Ms. O'Brien made a motion seconded by Mr. Villano to approve Application #95:12: Application for Front Yard Variance at 32 Evergreen Road; Mario and Debbie Tardiff, owner/applicant.

Mr. Villano said the house is too close to the street.

The motion passed unanimously

6. APPROVAL OF MINUTES:

Mr. Tierney made a motion seconded by Mr. Villano to approve the Minutes of June 15, 1995. The motion passed unanimously.

Mr. Minor was asked to explain why the Lavigne Appeal was deleted from the Agenda. He explained that Mr. Lavigne received Zoning Enforcement Officer Fred Curtin's order on March 14, 1995. He had 30 days to appeal and it has been 60. The Board doesn't have any jurisdiction after 30 days. Mr. Lavigne has to comply with Mr. Curtin's order or he'll be taken to court.

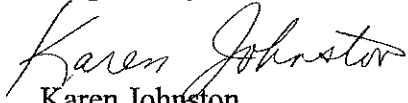
Mr. Morin said he would like 'Commissioners' Comments' added to further agendas.

Mr. Doolittle will ask First Selectman Ryk Nelson if Fred Curtin, Zoning Enforcement Officer, can be present at future meetings.

7. **ADJOURN:**

Mr. Tierney made a motion seconded by Mr. Villano to adjourn. The meeting adjourned at 8:17 p.m. The motion passed unanimously.

Respectfully submitted,



Karen Johnston
Clerk

Julym15

COPY

MOTOR VEHICLE DEALERS OR REPAIRERS LICENSE and/or General Distinguishing Number Registration LICENSE

TYPE OF LICENSE GENERAL REPAIRER		SUPP. LIC. NO. R1242	PRIM. LIC. NO. R4767	OFF. INSP. STA.	NO. DUPLS.	J.T. CODE 33	EFFECTIVE DATE N/A
EXPIRES LAST DAY OF 05/31/2004	SETE ISS. 2	FEES PAID \$0.00	SAFTETY PLATE	LICENSE	REGISTRATION \$302.00	TOTAL \$302.00	
NEW VEHICLES LICENSED TO SELL (if any)						STATE OF CONNECTICUT DEPARTMENT OF MOTOR VEHICLES 60 STATE ST. WETHERSFIELD, CONN. 06109-1896 K-74 Rev. 7-85	
STREET ADDRESS (if different from mailing address) 201B MAIN ST CROMWELL, CT 06416				DBA (third business name)			
DBA (second business name)				DBA (third business name)			
<p>YOU MUST ENCLOSE A LETTER OF EXPLANATION if any person, partner, or corporate officer has been convicted within the past five (5) years of violating any law PERTAINING TO THE BUSINESS of a motor vehicle dealer, repairer or junkyard.</p>							
<p>PRIMARY BUSINESS NAME AND ADDRESS</p> <p>TO: FIRST LINE EMERGENCY SERV INC 53 GROVE HILL DR MIDDLETOWN, CT 06457</p>							
NOT TRANSFERABLE. If business is sold, transferred or discontinued return this license and current number plates to Department of Motor Vehicles.				SIGNED (Owner or officer of firm)			

05/21/02 GAD 109 139 2597 0659 302.00

DR REG REN 280.00

DR PLT RPL 22.00

DO NOT DETACH THIS STUB UNTIL FORM IS VALIDATED

Void unless validated here by DMV.



**Town of Cromwell
Zoning Board of Appeals**

RECEIVED FOR FILING
2/7 2017 at 9:49 AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Glenn Pruden Asst.
TOWN CLERK

***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:

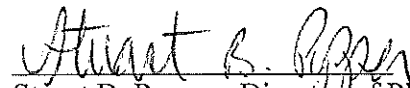
a. September 13, 2016

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