



Town of Cromwell Zoning Board of Appeals

REGULAR PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY FEBRUARY 9, 2021
ROOM 224/225 CROMWELL
TOWN HALL, 41 WEST STREET

AGENDA

RECEIVED FOR RECORD
Feb 03, 2021 11:49A
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Public Hearings:**
 - a. Application #21-03: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Rear Yard Setback) to allow for the construction of addition in the rear house and side of the house at 10 Marsal Lane. Paul Dworak is the Applicant and Waldemar F. Dworak and Jessica Dworak are the Owners.
 - b. Application #21-04: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of addition on the side of the house at 463 Main Street. Padre Pio Foundation of America Inc. is the Applicant and the Owner.
 - c. Application #21-05: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of an enclosed access from the side of the house to the garage at 11 Timber Hill. David Rubino is the Applicant and George H. Kupfer Jr. is the Owner.
 - d. Application #21-06: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the construction of 8' x 10' enclosure at the front of the house at 95 South Street. Janine Colagiovanni is the Applicant and the Owner.
7. **Approval of Minutes:**
 - a. January 12, 2021
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 February 9, 2021 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following item:

1. Application #21-03: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Rear Yard Setback) to allow for the construction of addition in the rear house and side of the house at 10 Marsal Lane. Paul Dworak is the Applicant and Waldemar F. Dworak and Jessica Dworak are the Owners.
2. Application #21-04: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of addition on the side of the house at 463 Main Street. Padre Pio Foundation of America Inc. is the Applicant and the Owner.
3. Application #21-05: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of an enclosed access from the side of the house to the garage at 11 Timber Hill. David Rubino is the Applicant and George H. Kupfer Jr. is the Owner.
4. Application #21-06: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the construction of 8' x 10' enclosure at the front of the house at 95 South Street. Janine Colagiovanni is the Applicant and 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 January 2021.

TOWN OF CROMWELL
ZONING BOARD OF APPEALS

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

Address: 10 Marsal Lane Cromwell CT 06416	PIN #: 00148300
Zoning District: R-25	Volume/Page: 309-318
Applicant: Paul Dworak	Property Owner: Waldemar F. Dworak Jessica Dworak
Home or Business Address: 3 Patricia Lane Cromwell CT, 06416	Home or Business Address: 10 Marsal Lane Cromwell CT, 06416
Phone #: 516 581 8817 Email: pdworak6@gmail.com	Phone: 860-324-0282
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: Paul Dworak	I hereby consent to the Applicant acting as my agent for the purpose of this application. Waldemar Dworak Signature: Jessica Dworak
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 for variance for Rear Yard and side ^{Yard} set backs to allow for construction of an 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).

The variance is required due to the hardship of the unique shape of the property and the location of the home on the property.

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.

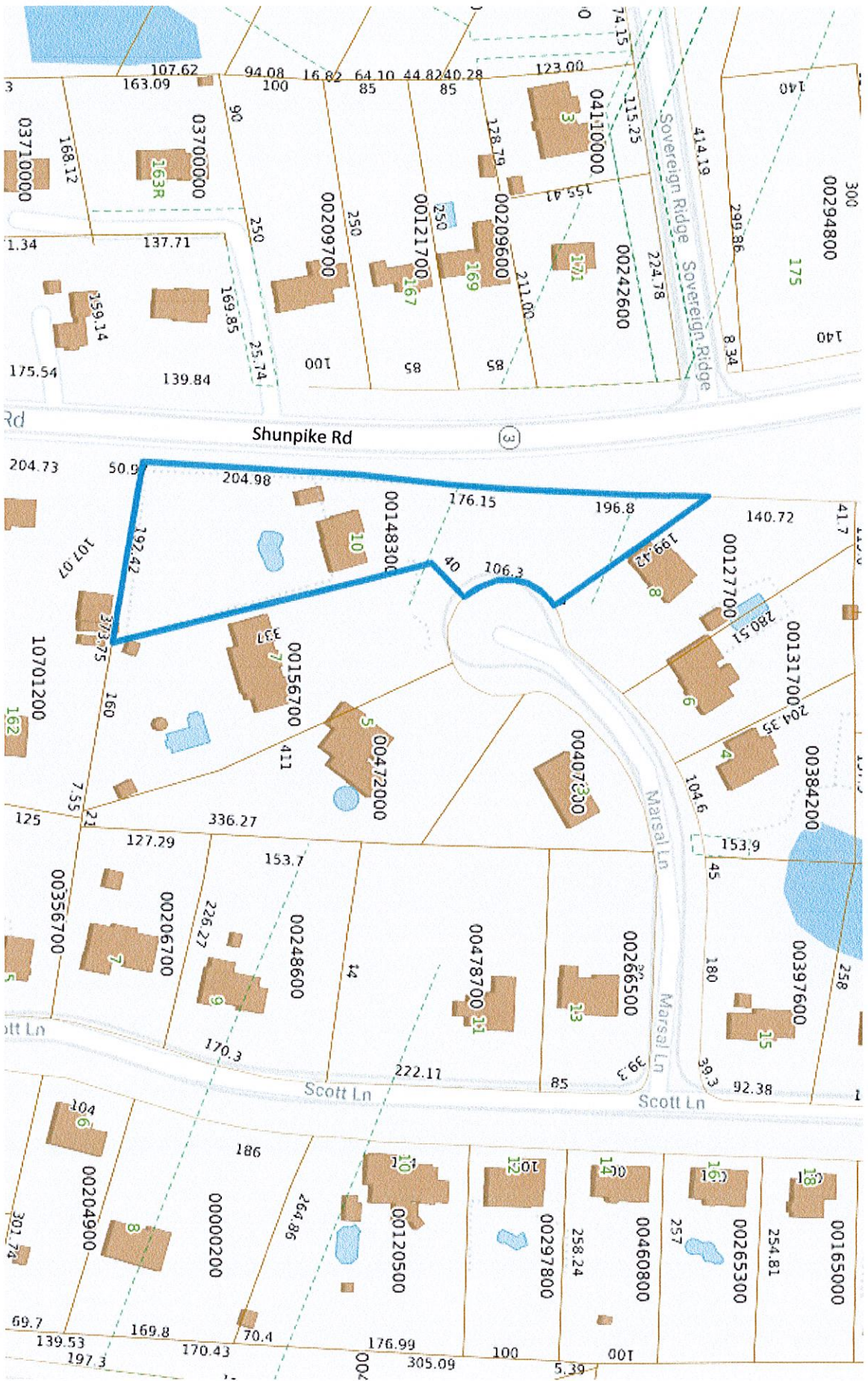


applicant

1/16/2021

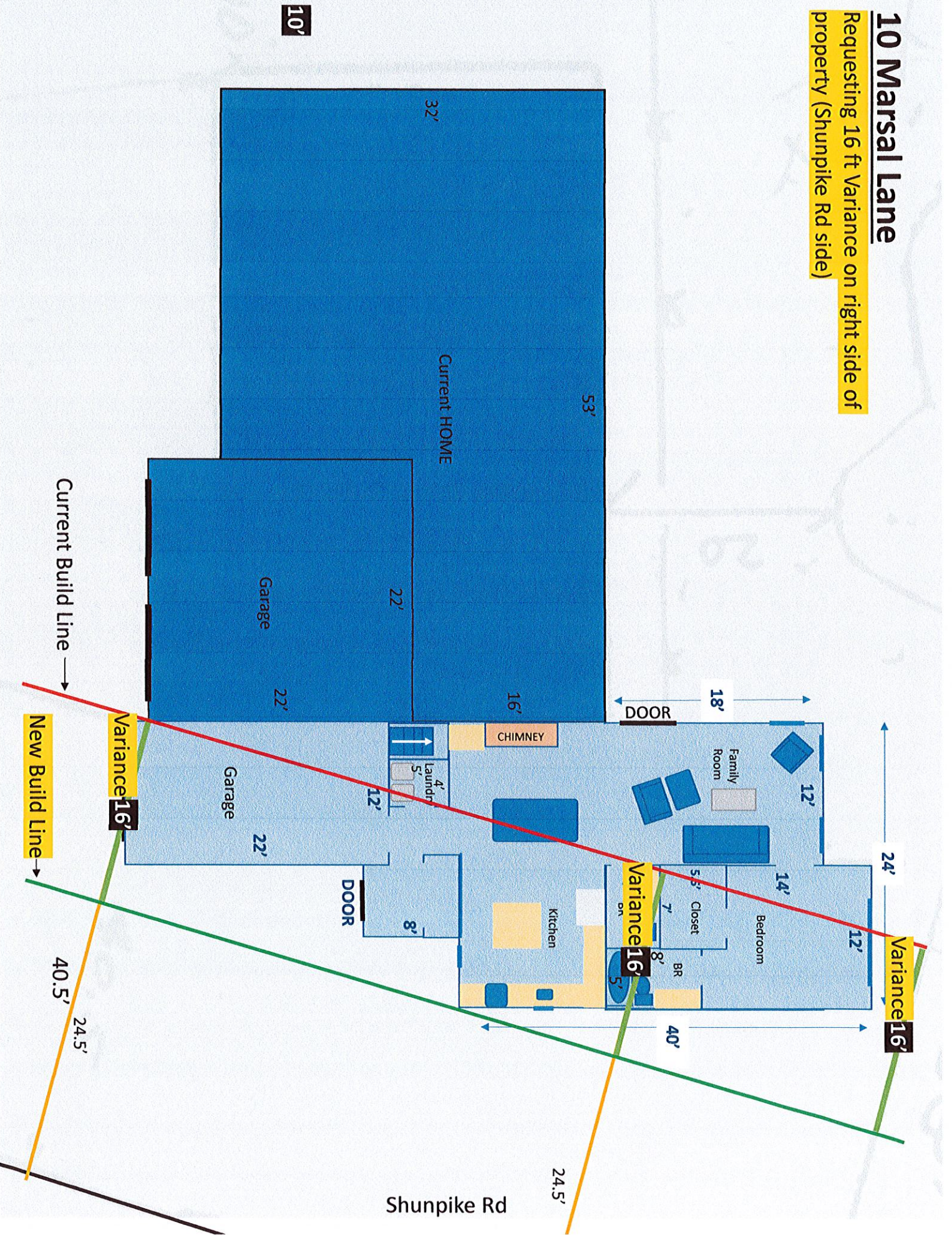
date

GIS Map – 10 Marsal Lane, Cromwell CT



10 Marsal Lane

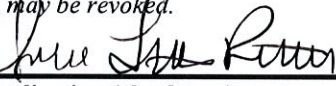
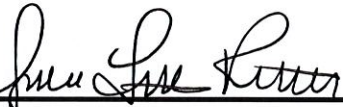
Requesting 16 ft Variance on right side of property (Shunpike Rd side)



Shunpike Rd

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS**

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

Address: 463 Main Street Cromwell, CT 06416	PIN #: 00452900
Zoning District: R-25	Volume/Page: 662-176
Applicant: Padre Pio Foundation of America - Julie Ritter	Property Owner: Padre Pio Foundation of America Inc
Home or Business Address: 463 Main Street Cromwell, CT 06416	Home or Business Address: 463 Main Street Cromwell, CT 06416
Phone #: (860) 614-5853 Email: Julie@PadrePio.com	Phone: (860) 614-5853
<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 checked="" type="checkbox"/> Variance from Section <u>2.2B</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: Request to add a two-story addition to the side yard of the south side of the existing building, 2,705 sq.ft., which will come within 16.2 feet from the side property line with the requirement of 20 feet, and 47.8 feet of side yard aggregate with the requirement of of 50 feet. The variance required will result in 3.8 ft reduction on the side yard and 2.2 ft reduction in side yard aggregate.	

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).

Variance is required because of the inappropriate location of the existing building.

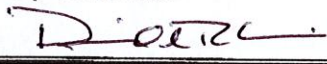

1. I will send written notice of this application to the owners of property within 100' of the site not less than 14 days before the public hearing. I will submit the "certificate of mailing" not less than 10 days before the hearing.
2. I will post a sign on the property not less than 14 days before 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


 date

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 TIMBER HILL	PIN #: 00243200
Zoning District: R-15	Volume/Page: 41-7
Applicant: DAVID RUBINO	Property Owner: GEORGE KUPFER
Home or Business Address: 127 TRYON ST MIDDLETOWN CT 06457	Home or Business Address: 11 TIMBER HILL CROMWELL CT
Phone #: 860-368-8925	Phone: 860-797-6673
Email: drubino952@gmail.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):

Variance from Section 2.2.B of the Zoning Regulations.

Appeal from ZEO Decision dated _____.

Change of Non-Conforming Use Special Permit.

Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)

Description of Request:

REQUEST VARIANCE TO ALLOW INTERIOR ACCESS
TO GARAGE FROM SIDE PORCH

21-05

rev. 6/20/2011

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).

THE HOMEOWNER IS DISABLED AND THIS
REQUEST IS TO ALLOW ACCOMMODATION FOR
HIS PHYSICAL LIMITATIONS.

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.

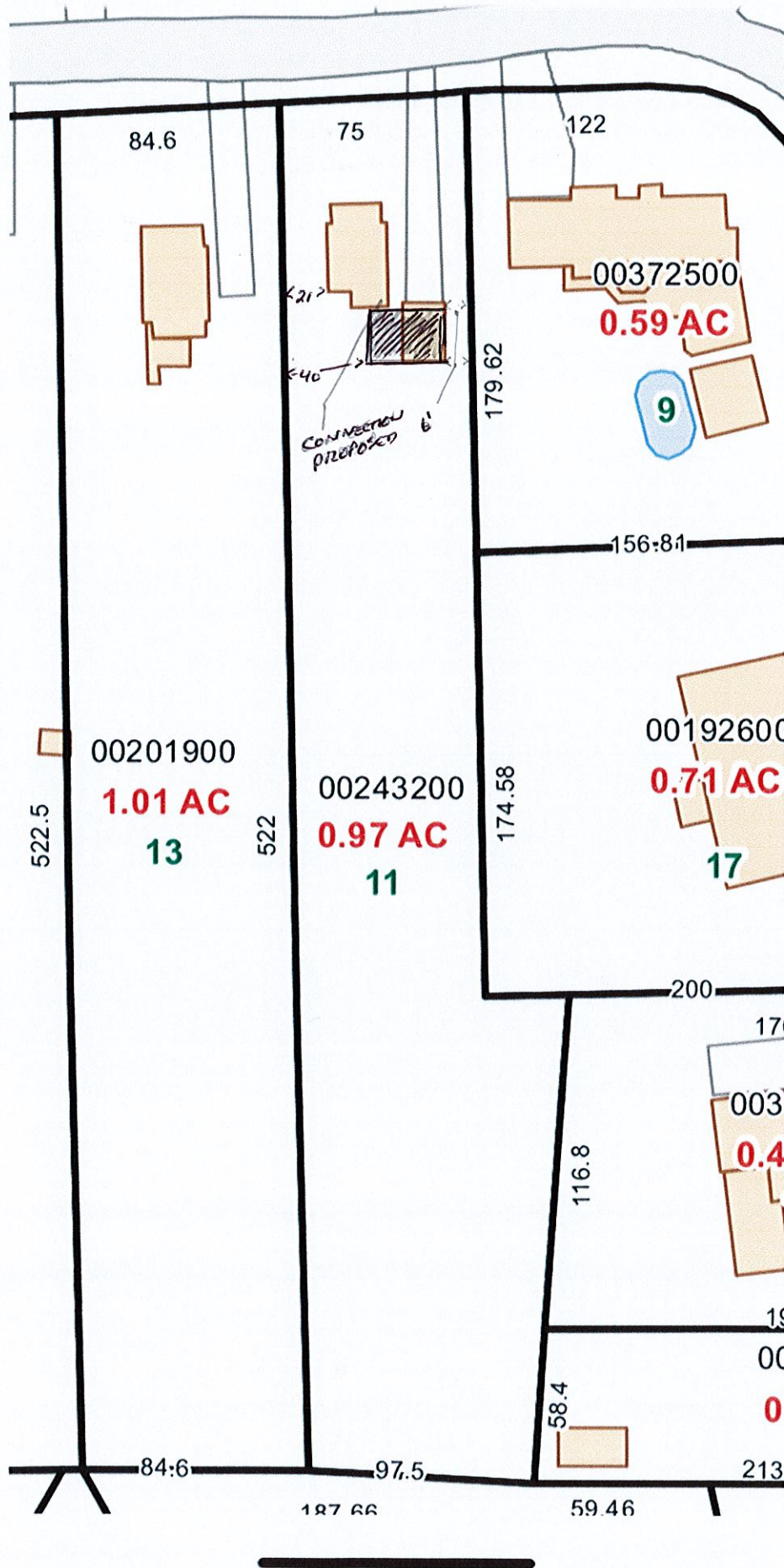
3. If my request is dimensional in nature, I have submitted a site plan prepared by a surveyor in accordance with Sec. 10.4.B.2 of the Cromwell Zoning Regulations.



applicant

1-19-2021

date

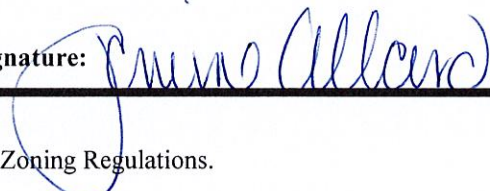


#21-06

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: 95 South St	PIN #: 00482200
Zoning District: R-15	Volume/Page: 1148/291
Applicant: Janine Colagiovanni Allard	Property Owner: Janine Colagiovanni Allard
Home or Business Address: 95 South St	Home or Business Address: 95 South St
Phone #: 203 752 6189	Phone: 203 752 6189
Email: janinec530@yahoo.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: Seeking a variance for relief from the R-15 35ft front yard setback to 32ft for a proposed 8ft x 10ft enclosure on front steps.	

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.

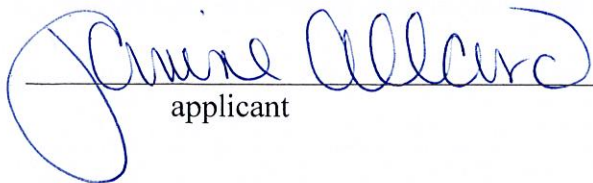
If Requesting DMV Location Approval, state the date of the original Public Hearing (if any).

The house was built at the front setback leaving no area for the proposed enclosure.

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

1/20/21
date

SOUTH STREET

N67°27'16"E 101.02'

35' FRONT YARD

31.7'

32.0'

33.0'

35.0'

36.7'

CONCRETE WALK

42.3'

24.3'

EXISTING HOUSE

24.3'

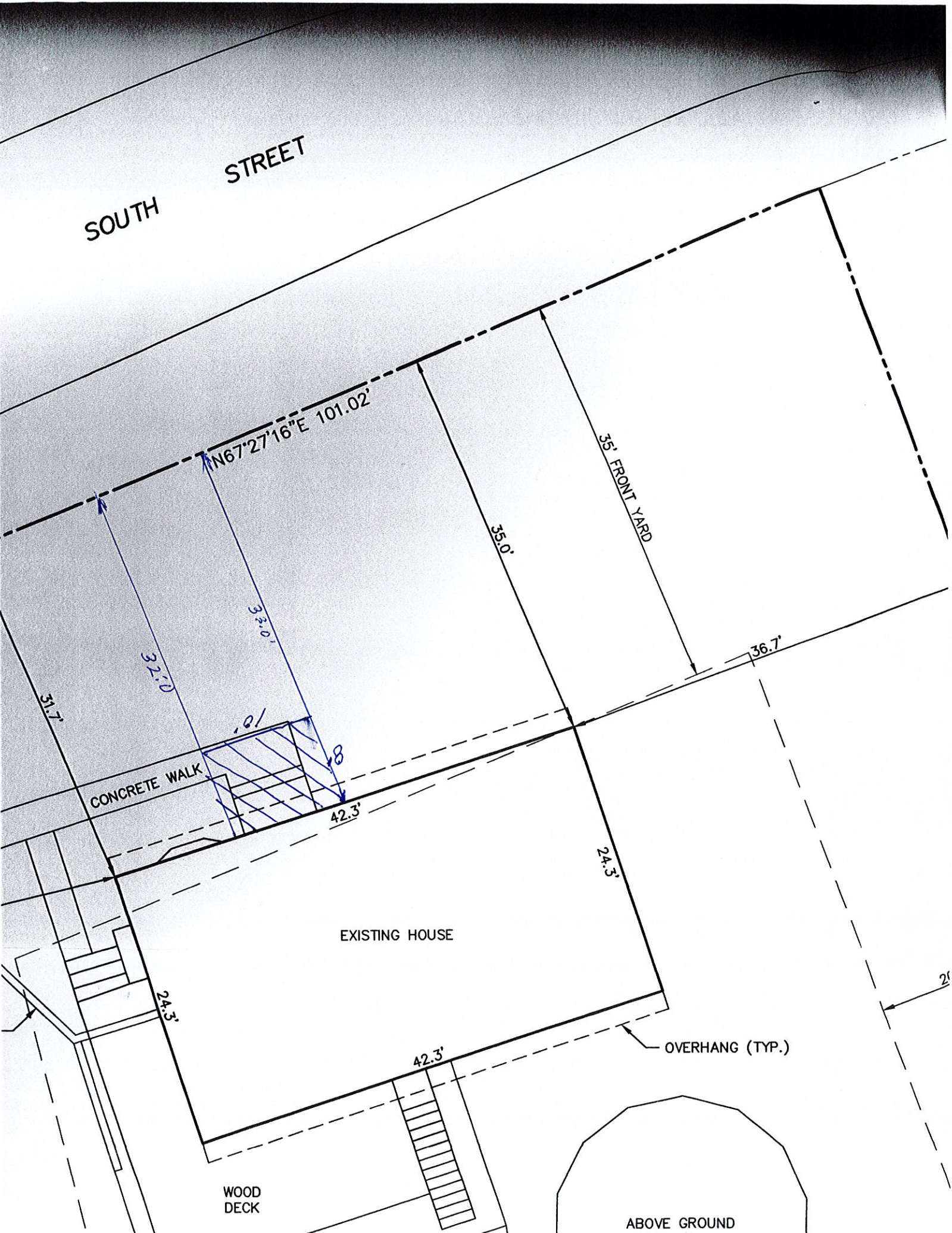
42.3'

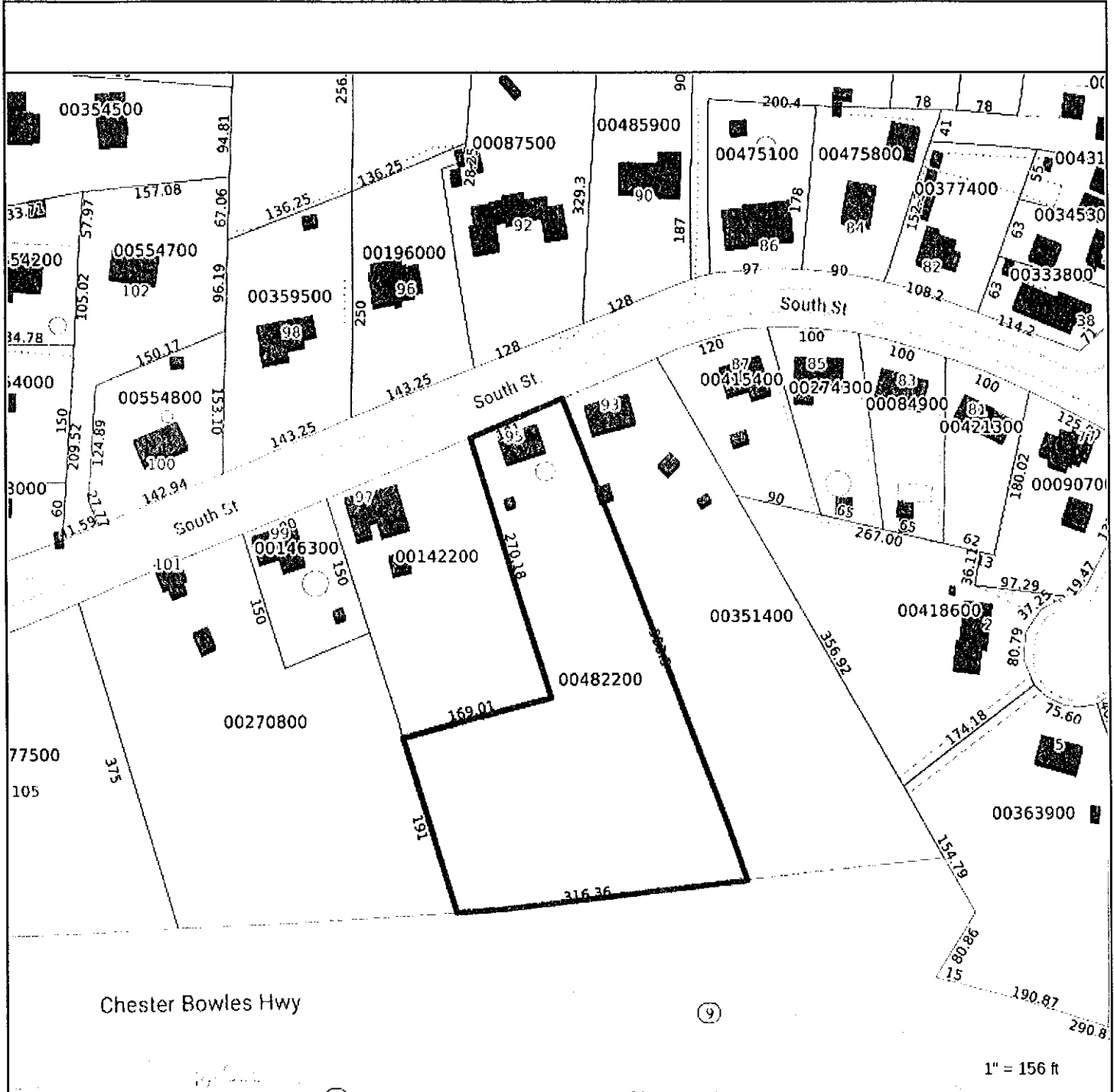
OVERHANG (TYP.)

WOOD DECK


ABOVE GROUND POOL

20'





Property Information	
Property ID	00482200
Location	95 SOUTH STRE
Owner	
Owner Address	
Map Block Lot	



**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 7/1/2020
Data updated 11/18/2018

1" = 156 ft

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
SPECIAL PUBLIC HEARING AND MEETING
6:30 PM TUESDAY, JANUARY 12, 2021
ROOM 224/225
CROMWELL TOWN HALL, 41 WEST STREET**

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

Absent: Vice Chairman Daniel Delisle

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 6:32 p.m.

2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

John Whitney made a motion to seat alternate Steve Wygonowski; seconded by Mark Zampino. *All in favor; motion carried.*

4. Approval of Agenda:

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

5. Public Comments:

None

6. Public Hearings:

John Keithan read Application #21-01 for the public hearing.

Application #21-01: Request for a Special Permit under Section 7.1.A.2 to allow for a change from one non-conforming use (Oil Company office and truck yard) to another non-conforming use (Morrissey Construction, LLC office and yard) at 626 Main Street. Morrissey Investments, LLC is the Applicant and Carolyn C. Manchester is the Owner.

Mark Zampino made a motion to open public hearing for Application #21-01; seconded by John Whitney. *All in favor; motion carried.*

Attorney Joseph Bascetta, 1331 Silas Deane Highway, Wethersfield addressed the Commission. Attorney Bascetta said he is representing the applicant, Mr. Matthew Morrissey, 30 Daniel Way, Meriden, owner of Morrissey Construction, LLC.

Attorney Bascetta went on to explain to the Commission that his client, Mr. Morrissey is seeking to do business at 626 Main Street. He said Mr. Morrissey's company is a construction and roofing business and had been renting property in East Hartford for his business. Attorney Bascetta said Mr. Morrissey has been in business for about 20 years, specializing in home improvement projects such as roofing and siding. He explained that currently the only employees are Mr. Morrissey and his son and the hours of operation are Monday through Friday, 7:00 a.m. to 5:00 p.m. Attorney Bascetta said the company has four vehicles, two of which would be parked in the garage on-site and two which would be taken home each night by Mr. Morrissey and his son.

Attorney Bascetta said about 90% of Mr. Morrissey's business is residential roofing projects. He said that the materials for each project are delivered directly to the job site and refuse from each job is disposed of in a dumpster on the project site. Attorney Bascetta said occasionally some excess material would be stored at the property at 626 Main Street. He explained that a 15-foot dumpster would be placed in the rear of the property but would not be used to dispose of any hazardous waste material and would not be seen from the street.

Mr. Morrissey also addressed the Board and discussed the use of sub-contractors noting that they report directly to the job site and may occasionally visit 626 Main Street to pick up payment. Mr. Morrissey also reported that since the property is a two-bedroom house, in the future, he may live at this property. He said he will not rent the property and it will be used as an office. Mr. Morrissey said he may occasionally meet prospective clients there, but in most cases, he meets the clients in their homes.

Stuart Popper said he believes that this business will be less intrusive than the prior tenants, an oil company and would be less intrusive than many other businesses, such as landscaping or a retail establishment.

Attorney Bascetta and Mr. Morrissey concluded their presentation of the request for a Special Permit under Section 7.1.A.2 to allow for a change from one non-conforming use (Oil Company office and truck yard) to another non-conforming use (Morrissey Construction, LLC office and yard) at 626 Main Street.

Chairman Morin opened to the public and asked if there was anyone here that wished to address the Board regarding this application.

Mr. Joseph Tomasso, 624 Main Street, addressed the Commission. Mr. Tomasso said he is a neighbor to the property at 626 Main Street and is in support of Mr. Morrissey's application.

Stuart Popper said he had received an email from Mr. James Cassidy, owner of Hallisey, Pearson and Cassidy Engineering Associates located at 628 Main Street and a neighbor to the property at 626 Main Street. Mr. Cassidy is in support of Mr. Morrissey's application.

As there were no other members of the public wishing to address the Commission, a motion to close the public hearing was made by John Keithan and seconded by Mark Zampino. *All in favor, motion carried.*

John Keithan made a motion to approve Application #21-01: Request for a Special Permit under Section 7.1.A.2 to allow for a change from one non-conforming use (Oil Company office and truck yard) to another non-conforming use (Morrissey Construction, LLC office and yard) at 626 Main Street. Morrissey Investments, LLC is the Applicant and Carolyn C. Manchester is the Owner with the stipulation that the dumpster on the property not be used to dispose of hazardous waste. Seconded by Mark Zampino. *All in favor, motion carried.*

7. Approval of Minutes:

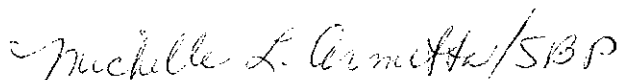
a. December 8, 2020

John Whitney made a motion to approve the minutes from December 8, 2020; seconded by Mark Zampino. *All in favor; motion carried. (Chairman Joseph Morin and John Keithan abstained.)*

8. Adjourn:

Mark Zampino made a motion to adjourn the meeting. *All in favor, motion carried.*
Meeting adjourned at 7:02 p.m.

Respectfully Submitted,

Handwritten signature of Michelle L. Armetta in cursive script.

Michelle L. Armetta
Recording Clerk