



Town of Cromwell Zoning Board of Appeals

REGULAR PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY MARCH 13, 2018
ROOM 224/225 CROMWELL
TOWN HALL, 41 WEST STREET

RECEIVED FOR RECORD
Mar 06, 2018 11:45A
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT *Ja*

AGENDA

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Public Comments
6. New Business:
7. Public Hearings:
 - a. Application #18-02: 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 2 Sunset Drive. Bill DeFurio is the Applicant and Michael A Salonia Jr. is the Owner.
8. Approval of Minutes:
 - a. January 9, 2018
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 March 13, 2018 in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. Application #18-02: 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 2 Sunset Drive. Bill DeFurio is the Applicant and Michael A Salonia Jr. 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 27th day of February 2018

Memo

To: Zoning Board of Appeals
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: March 6, 2018
Re: Comments on the March 13, 2018 Meeting Agenda

7. Public Hearing:

- a. Application #18-02: 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 2 Sunset Drive. Bill DeFurio is the Applicant and Michael A Salonia Jr. is the Owner.

The 13,503 square foot lot is located in the R-15 Zone on the north side of Sunset Drive. The site contains an existing 1,056 square foot single family house, two sheds and a pool. Attached is the GIS map of the property showing the location of the house, sheds and the pool. The extension at the rear of the house has been removed and the applicant is proposing to construct the building addition in its place. The construction of the addition will push the house of over the 15% Building Coverage Ratio to about 16.97%. The hardship is that the lot is non-conforming.

#18-02

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: 2 SUNSET DR.	PIN #: 00307800
Zoning District: R-15	Volume/Page: 1337/209
Applicant: William DeFurio	Property Owner: Michael Scelonia
Home or Business Address: 06067 3261 Main St Rocky Hill	Home or Business Address: 2 Sunset Dr Cromwell Ct 06416
Phone #: 860 965-0633	Phone:
Email: Bill DeFurio A/Ck, Net 860	
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: William DeFurio	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 22.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 Building Coverage Ratio to allow a 14'x16' addition at 15.7%	

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.

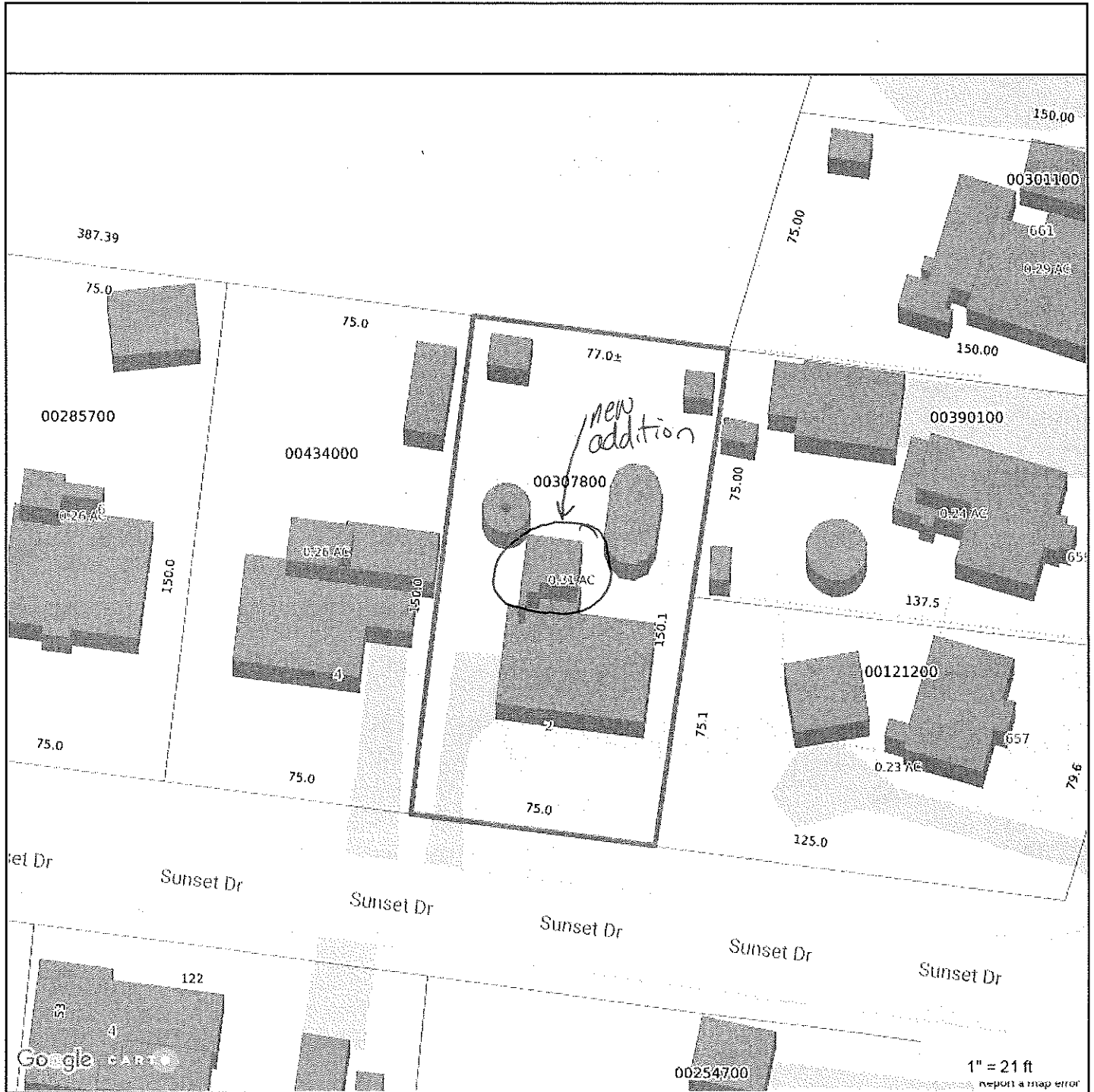
If Requesting DMV Location Approval, state the date of the original Public Hearing (if any).

At the time the lot was created, zoning did not address the area and bulk requirements as imposed in today's Zoning Code.

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.

William DeFuria
applicant

2/27/18
date



Property Information
 Property ID 00307800
 Location 2 SUNSET DRIVE
 Owner SALONIA MICHAEL A JR



**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.

Parcels updated 1/1/2018
 Properties updated daily

CONSTRUCTION DETAIL

Element	Description	Attributes	Code	Description	Percentage
Style	Ranch	Total Rooms	101	Single Family	100
Grade	C	Bedrooms	COST/MARKET VALUATION		
Exterior Wall 1	Aluminum Siding	Full Baths			
Exterior Wall 2	Aluminum Siding	Half Baths			
Roof Structure	Gable	Jet Tub			
Roof Cover	Asphalt Shingl	Full Baths below			
Interior Wall 1	Plywood Panel	Half Baths below			
Interior Wall 2	Plywood Panel	Total # Baths			
Interior Flr 1	Carpet	Fireplace			
Interior Flr 2	Carpet	Fireplace Dtd.			
Heat Fuel	Oil	Gas Fireplace			
Heat Type	Hot Water	Fin Brnt %			
AC Type	Central	Fin Brnt Qual			
		Brnt Garages			

MIXED USE

Code	Description	Percentage
101	Single Family	100

BUILDING PERMIT INFO

Issue Date	Type	% Comp.	Date of CO	Comments
09/08/2015	PL	99		
08/11/2015	OT	99	05/01/2015	Irrigation System Install 316T Chimney
01/13/2015	SL	99	02/01/2016	28 Solar Panels Replace Boiler & HW Heater
03/11/2014	PL	99		
12/29/2010	EL	101		20amp upgrade
05/23/2006	AP	100		Instl ap-oval 15'x30' w/sift lck gft
06/30/2004	SH	100		8' X 10' pre-fab shed & take down carport

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

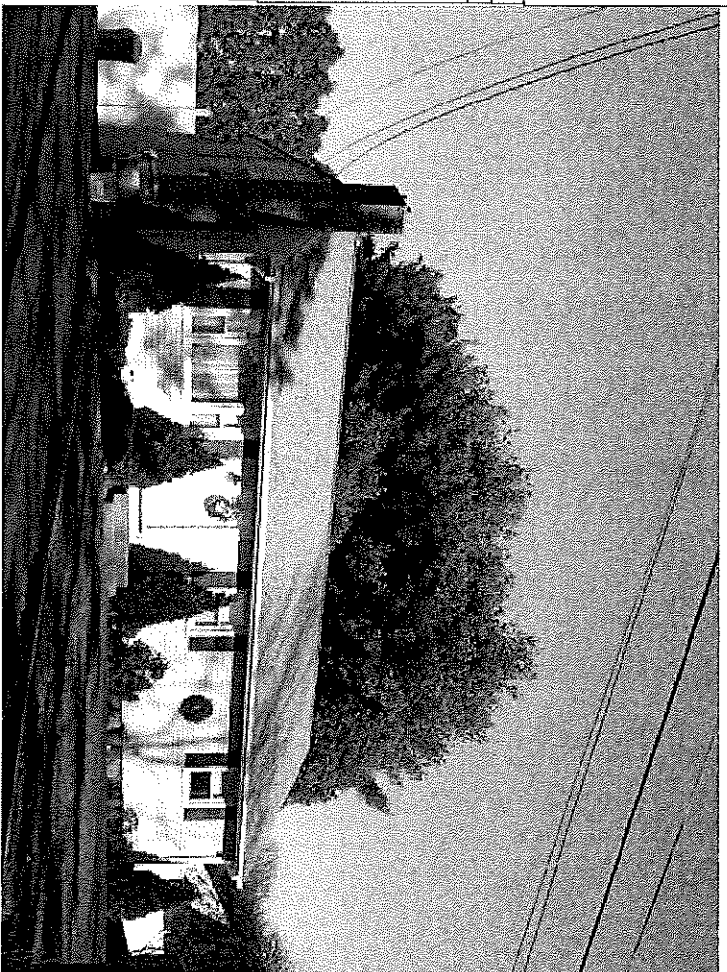
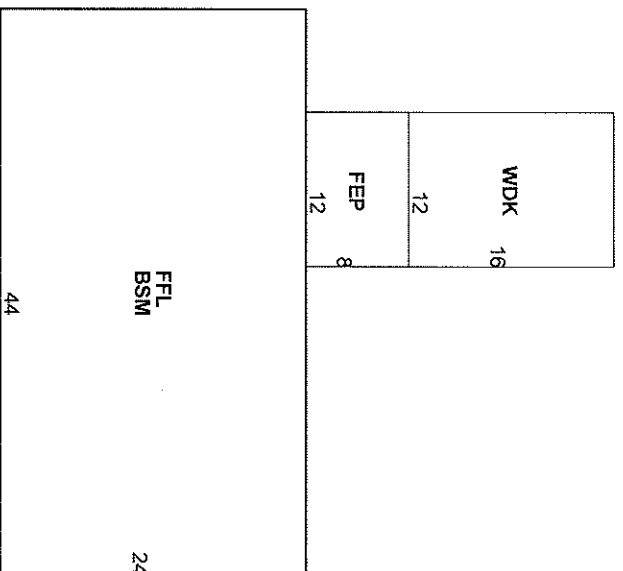
Code	Description	Sub	Sub Descrip	L/B Units	Unit Price	Yr	Gde	Dpr Rt	Chd	%Chd	Apr Value
SHD1	Shed	FR	Frame	L	20.00	2007		0		60	1,540
SHD1	Shed	FR	Frame	L	48	2007		0		60	580
SPL2	Pool AG Rud	L		L	1	2007		0		60	0
SOL	Solar Panels	L		L	1	1985		1		100	0

VISIT/ CHANGE HISTORY

Date	ID	Purpose/Result	Code	Description	Living Area	Gross Area
08/14/2012	AJ	No Change - Field Review	BSM	Basement	0	1,056
03/02/2011	DZ	Sale Verification Ltr Recd	FEP	Enclosed Porch	0	96
08/13/2010	DZ	Sale Verification Ltr Recd	FFL	First Floor	1,056	1,056
08/06/2010	DZ	Sale Verification Ltr Sent	WDK	Wood Deck	0	192
03/03/2010	SO	Change - RE Listing				

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area
BSM	Basement	0	1,056
FEP	Enclosed Porch	0	96
FFL	First Floor	1,056	1,056
WDK	Wood Deck	0	192



CURRENT OWNER		TOPO	UTILITIES	STRT/ROAD	LOCATION
SALONIA MICHAEL A JR		1 Level	2 Public Water	1 Public	
2 SUNSET DRIVE			3 Public Sewer		
CROMWELL, CT 06416					
Additional Owners:					
SUPPLEMENTAL DATA					
Census Tr.	5702	DV Map #	F-90		
Prior Zoning	A-15	DV Lot #	3		
Color	YELLOW	Callback			
100 Yr Flood		I&E Penalty			
GIS ID:	00307800	ASSOC PID#	48/15/33/1		
	BAA				

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q	V/L	SALE PRICE	V.C.
SALONIA MICHAEL A JR		1337/ 209	06/15/2010	Q	I	230,000	00
FRIEND DAVID & DONNA MARIE		1025/ 88	06/08/2004			180,000	

NOTES

U/A
 FENCE LOCKED, DECK, SHED
 + POOL ESTIMATED

Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Of CO	Comments
23620	09/08/2015	PL	Plumbing	3,600	09/08/2015	99		
23572	08/11/2015	OT	Other	1,000	08/11/2015	99		
23129	01/13/2015	SL	Solar Panels	16,779	01/13/2015	99		
22344	03/11/2014	PL	Plumbing	8,450	03/11/2014	99	05/01/2015	Irrigation System Install 316T Chimney
19592	12/29/2010	EL	Electric	1,000	12/29/2010	101	02/01/2016	Replace Boiler & HW Heater
16075	05/23/2006	AP	Adv Gr Pool	5,000	12/16/2006	100		200amp upgrade Instl ap -oval 15'x30' w/sflick gr
14548	06/30/2004	SH	Shed	0	12/16/2006	100		8' X 10' pre-fab shed & take down carport

LAND LINE VALUATION SECTION

B Use Code	Use Description	Zone	D Frontage	Depth	Units	L Factor	S.A.	Acre Disc	C Factor	ST Idx	Adj	Notes-Adj	Special Pricing	Land V
1	Single Family	R-15			11,403 SF	1.0000	5	1.0000	1.00	4200	1.00			10

CURRENT ASSESSMENT		PREVIOUS ASSESSMENTS (HISTORY)	
Description	Code	Yr.	Code
RES LAND	1-1	2015	1-1
DWELLING	1-3	2015	1-3
RES OUTBL	1-4	2015	1-4
Total:		192,130	134,500

APPRaised VALUE SUMMARY 10-01-2012

This signature acknowledges a visit by a Data Collector or Assessor

Appraised Bldg. Value (Card) 86
 Appraised XF (B) Value (Bldg) 2
 Appraised OB (L) Value (Bldg) 101
 Appraised Land Value (Bldg) 192
 Special Land Value
 Total Appraised Parcel Value
 Valuation Method:
 Adjustment:
Net Total Appraised Parcel Value 192,130



RECEIVED FOR FILING
1/12 2018 at 3:23 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
REGULAR PUBLIC HEARING AND MEETING
6:30 PM TUESDAY JANUARY 9, 2018
ROOM 224/225 CROMWELL TOWN HALL 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Gloria Brundage
TOWN CLERK *Asst*

Present: Chairman Joseph Morin, John Keithan, Mark Zampino, John Whitney, Brian Fisk (alternate), Steven Wygonowski (alternate)

Absent: Daniel Delisle

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 Chairman Morin at 6:31 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

John Keithan made a motion to seat Brian Fisk for Application #17-16 and Steven Wygonowski for Application #18-01, seconded by John Whitney. *All in favor; motion passed.*

4. Approval of Agenda

Mark Zampino made a motion to approve the agenda, Seconded by John Keithan. *All in favor; motion passed.*

5. Public Comments

NONE

6. New Business:

7. Public Hearing:

- a. Application #17-16: Appeal from ZEO Decision dated October 6, 2017 for 123 Evergreen Road. Lou Gagnon is the Applicant and Anthony Gagnon Et Al is the Owner.

Brian Fisk made a motion to take the application off the table; Seconded by John Keithan. *All in favor; motion passed.* Mr. Driska summarized for the Board his memo dated December 4, 2017. He then said that his comment/recommendation, listed as Item

#2 on a memo dated December 12, 2017, should be deleted. Mr. Popper stated that Mr. Hangland had submitted a chronology of events, a portion of the previous zoning regulations and photographs at the December 12, 2017 meeting, which were included in the Board's packet.

Louis Gagnon, 123 Evergreen Road, began by stating that he was running a business and had no other neighbors complaining about his actions. He said that it was a smaller container of 20 X 8 feet. He said that he had containers on and off his property for the past forty years. He feels that the neighbor's complaint is a waste of town resources. Mr. Gagnon said that he installed a fence around his property. He said that he wants to keep the container and requested that he be granted a variance.

Brian Fisk asked about the nonconforming outbuilding apartment and Mr. Gagnon said that he still had it. John Keithan asked Mr. Gagnon if he had previously said that he would take care of container and Mr. Gagnon said that he wasn't sure if he had said that and instead was asking for an extension. Mr. Gagnon said that he feels that he is being bullied. Brian Fisk asked if the container was being used as part of the business. Mr. Gagnon said yes. He said that it is being used as a shed. John Whitney asked if he had a zoning permit for a shed and Mr. Gagnon said no. Mr. Popper said that sheds less than 200 square feet still require a zoning permit.

There were no public comments.

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

Brian Fisk made a motion to uphold the Zoning Enforcement Officer's order; Seconded by Mark Zampino. Brian Fisk stated that he believed that two years was long enough. Mr. Popper said that commercial trailers are allowed in residential areas via a special permit from Planning and Zoning; not a variance from this Board. Chairman Morin asked about needing a variance to operate a business and Mr. Popper said that home based businesses are allowed via Special Permit as well.

All in favor; motion passed. Steven Wygonowski did not vote. Chairman Morin informed Mr. Gagnon that his options for recourse were to remove the container, leave it as is and be fined, and/or apply to Planning and Zoning for a Special Permit.

- b. Application #18-01: Request for Variances from Section 2.2 Bulk Requirements of the Zoning Regulations (Rear and Side Yard Setbacks and Building Coverage ratio) to allow for the construction of in ground pool at 6 Evensen Place. Linda M. Samuelson is Applicant and the Owner.

John Keithan read the legal notice. Linda Samuelson, 6 Evensen Place, presented the application. She submitted proof of the mailing and said that she had not received any response from the neighbors. Mr. Popper said that the right side yard and rear yard would be reduced to 5 feet. The building coverage would be increased from 15% to

about 17 or 18%. The lot had been created prior to existing zoning regulations and was non-conforming.

Mertie Terry, 589 Main Street, spoke in favor of the application. She said that the lot was created in 1939 and was very small and she did not want the town to penalize someone who bought a small lot in good faith but now couldn't fully utilize it because the zoning regulations had since changed.

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; Seconded by Steven Wygonowski. *All in favor; motion passed.* Brian Fisk did not vote.

8. Approval of Minutes:

a. December 12, 2017: John Keithan made a motion to approve the minutes; Seconded by Chairman Morin. *All in favor; motion passed.* Mark Zampino, John Whitney, Brian Fisk and Steven Wygonowski all abstained.

Chairman Morin asked Mr. Popper to include the approval of the minutes from the October and November meetings on the February meeting agenda.

9. Adjourn: Motion to adjourn at 7:07 p.m. by John Keithan.

Respectfully Submitted,



Julie C. Petrella
Recording Clerk