



Town of Cromwell Zoning Board of Appeals

REGULAR PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY OCTOBER 9, 2018
ROOM 224/225 CROMWELL
TOWN HALL, 41 WEST STREET

AGENDA

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 #18-15: Request for a Variance from Section 7.1.A.3 (1) Non-Conforming Uses and Structures of the Zoning Regulations to allow for the construction of shed that increases the existing non-conforming residential use in the Local Business Zone District at 4 Fairview Heights. Joseph Incontro is the Applicant and Aldo and Connie Incontro are the Owners.

8. Approval of Minutes:

a. September 11, 2018

9. Adjourn

RECEIVED FOR RECORD
Oct 02, 2018 02:18P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT

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 October 9, 2018 in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. Application #18-15: Request for a Variance from Section 7.1.A.3 (1) Non-Conforming Uses and Structures of the Zoning Regulations to allow for the construction of shed that increases the existing non-conforming residential use in the LB Zone District at 4 Fairview Heights. Joseph Incontro is the Applicant and Aldo and Connie Incontro are the Owners.

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

Joseph Morin
Chairman

Dated in Cromwell, Connecticut this 25th day of September 2018

Memo

To: Zoning Board of Appeals
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: October 1, 2018
Re: Comments on the October 9, 2018 Meeting Agenda

7. Public Hearing:

a. Application #18-15: Request for a Variance from Section 7.1.A.3 (1) Non-Conforming Uses and Structures of the Zoning Regulations to allow for the construction of shed that increases the existing non-conforming residential use in the LB Zone District at 4 Fairview Heights. Joseph Incontro is the Applicant and Aldo and Connie Incontro are the Owners.

The existing 10,018 square foot lot is located in the Local Business Zone District on the north side of Fairview Heights. The site contains an existing 1,542 square foot, single family house and a free standing garage. Attached is a map of the property showing the location of the house, the existing garage and the proposed 12 x 16 shed. The new shed will increase the existing non-conforming residential use in the LB Zone District at 4 Fairview Heights.

18-15

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: 4 Fairview Hts	PIN #: 00017500
Zoning District: R-15	Volume/Page: 1593-333
Applicant: Joseph Incontro	Property Owner: SAME
Home or Business Address: SAME	Home or Business Address: SAME
Phone #: 860-794-9486	Phone:
Email: j.incontro	
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: Joseph Incontro	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 Building Coverage 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:

Propose SHED 12 X 16, Existing Building

Coverage Ratio is 20%. With proposed shed you're 21%

Justification for Request:

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

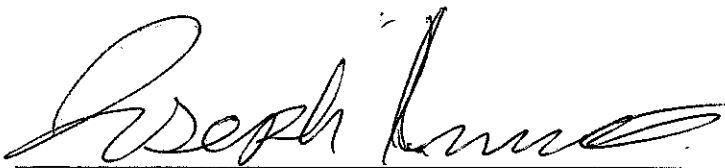
If Appealing a decision of the ZEO, explain why you feel the ZEO is wrong.

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 was Built in 1955 without different
Zoning Requirements which currently presents
a hard ship.

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

9-14-18

date

IUVIN OF CRUWELL

Parcel ID: 00017500

Location: 4 FAIRVIEW HEIGHTS

Map/Lot 45-59

Last Revaluation - October 1, 2017



Patriot Properties Inc.

Current Owner
INCONTRO ALDO
INCONTRO CONNIE
0 101 TWO STONE DRIVE
WETHERSFIELD CT 06109

Use Code	Land Value	PA 490 Value	Building Value	Outbuildings	Total Value	Total Assessed
101	95,200	0	110,600	15,600	221,400	154,980
TOTAL	95,200	0	110,600	15,600	221,400	154,980

Property Factors
Census 5702

Previous Owner(s)
SECRETARY OF HOUSING & URBAN DEVELOPMENT

General Notes
32 FT REAR DORMER

Tax Yr	Land Value	Bldg Value	Outbuildings	Total Value	Total Assessment
2016	95,200	110,600	15,600	221,400	154,980
2017	95,200	110,600	15,600	221,400	154,980
2016	100,960	122,980	12,000	235,950	165,160
2015	100,960	122,980	12,000	235,950	165,160
2014	100,960	122,980	12,000	235,950	165,160
2013	100,960	122,980	12,000	235,950	165,160

Zoning Data
Desc. %
LB 100.00

Sales Information

Grantee	Vol-Page	Type	SaleDate	SalePrice	Sale Verif	GeneralNotes
INCONTRO ALDO	1593-333	SW	06/02/2017	171,000		Sale of Foreclosure
SECRETARY OF HOUSING & SECRETARY OF HOUSING &	1590-28	W	05/02/2017	0		Sale of Foreclosure
SECRETARY OF HOUSING &	1587-243	W	04/13/2017	0		Sale of Foreclosure
	1572-293	F	10/27/2016	0		
TRODE WALTER	1427-317		09/14/2012	209,000		No Consideration
AUGERI EDWARD T	1242-090		01/22/2008	0		Family Members
AUGERI EDWARD T	1213-227		06/15/2007	0		No Consideration
AUGERI EDWARD T	DC		07/10/2006	0		No Consideration

Building Permit Information

Date	Permit #	Description	Amount	% Comp	Visit Date	CO Date	GeneralNotes
09/06/2017	24981	Air Condition	8,175	0		10/05/2017	A/C
07/07/2017	24821	Electric	1,800	100			Chg from 100 to 200 Amp
08/13/2012	20999	Roofing	4,500	100	10/10/2012	08/23/2012	

Activity Information

Date	Results	Visited By
09/30/2017	No Change - Field Review	Dave Stannard
09/30/2017	No Change - Field Review	John Hocking
01/27/2017	Callback 2	Dave Stannard
11/08/2016	Measured	Dave Stannard
10/16/2012	Letter Sent no response	
10/10/2012	Permit - Drive By	AO
10/10/2012	Permit - Miscellaneous	
08/07/2012	Change - Field Review	
12/09/2006	Callback	
10/23/2006	Measured	

Land Data

Use	Description	Units	Type	Neigh
101	Single Family	10,019	SF	R5
Total Area: 0.23				
PA 490 Use Asmt: 0				
Total Appraised: 95,200				
Assessed Value: 66,640				

Special	Appraised Value	PA 490 Asmt	Neigh
Land Calc	95,200	0	3750

Notes

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

ParcelID: 000113000

Location: 4 FAIRVIEW HEIGHTS

Planned by: CHICAGO WINDWARD WOODS

Bldg Seq 1 Of 1

Condo Information

Unsketched Subareas:
FBB (490)

Exterior Information
 Building Type: Cape Cod
 Story Ht: 1 1/2 Fin
 Living Units: 1
 Foundation:
 Prim, Ext. Wall: Vinyl Siding

Name:
 Style:
 Location:
 Tot Units:

14
 10
 10

Sec. Ext. Wall: Gable
 Roof Type: Arch. Shingl
 Roof Cover:
 Avg. Wall Ht: GREY
 Color:

Year Blt: 1955
 Grade: C
 Remodeled Yr:
 Rem. Kitchen Yr:
 Rem. Bath Yr:

14
 2

Interior Information

Depreciation

Prime Wall: Plastered
 Sec. Wall:
 Floor Type: Hardwood 50%
 Sec. Floor: Linoleum 50 %
 Heat Fuel: Oil
 Heat Type: Hot Water
 Sec. Ht Type:
 % A/C: 100
 % Sprinkled: 0
 Bsm. Gar: 0
 Kitchens: 1 Add. Kit: 0
 Fireplaces: 1 Gas: 0
 Int. Condition: Average

Phys Cond Average
 Funic 0.00
 Econ 0.00
 Spec 0.00
 OV
 Total %/Dep: 40.00

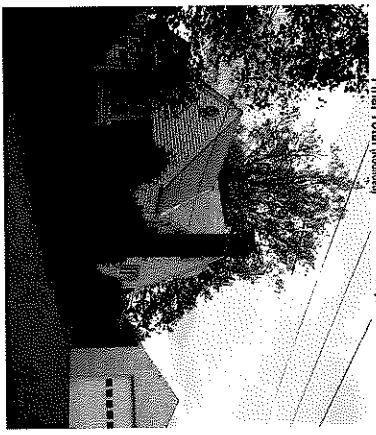
24
 24
 FHS
 FFL
 BSM
 (864)

Calculation
 Basic \$SQ: 70,50
 Replacement Cost: 184,336
 Depreciation: 73,734
 Depreciated Value: 110,602
 Final Total (Rounded): 110,800

14
 22
 6

Room Count
 Total Rooms: 6
 Bedrooms: 3

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



Code	Description	Qty	Size	Cond.	Year	Unit Price	Dep%	UndepValue	Appraised Value	Assessment
GAR1	Garage Frame	1	800	AV	1955	25.00	35	24,000	15,600	10,920
Total Sp. Features:				Total Yard Items		15,600	Total Appraised:	15,600	Total Assessed Value	10,920

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

Code	Desc.	Sub Area Detail	Living	Gross Area
FFL	First Floor		980	980
FHS	Finished Hal		562	562
UEP	Utility Eric Porc		140	140
FOP	Framed Open		0	48
FBB	Fin Bsm. Bl Avg		0	490
BSM	Basement		0	980
Total			1,542	3,200

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



Property Information

Property ID 00017500
 Location 4 FAIRVIEW HEIGHTS
 Owner INCONTRO ALDO



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 7/1/2018
 Properties updated 09/13/2018

House 7168 SF
 Garage 800 SF
 1968 SF 20%
 Proposed Shed - 192 SF
 12x16 2160 SF - 21%
 Land - 10,019 SF -

RECEIVED FOR RECORD
Sep 17, 2018 01:52P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
REGULAR PUBLIC HEARING AND MEETING
6:30 PM TUESDAY, SEPTEMBER 11, 2018
ROOM 224/225 CROMWELL TOWN HALL 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Vice Chairman Daniel Delisle, John Whitney, Mark Zampino, Brian Fisk (alternate)

Absent: Chairman Joseph Morin, John Keithan, Steven Wygonowski (alternate)

Also Present: Director of Planning and Development Stuart Popper, Zoning Enforcement Officer Bruce Driska

1. Call To Order

The meeting was called to order by Vice Chairman Delisle at 6:33 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

John Whitney made a motion to seat Brian Fisk; Seconded by Mark Zampino. *All in favor; motion passed.*

4. Approval of Agenda

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

5. Public Comments

NONE

6. New Business:

Mr. Popper read a notice from Town Engineer Jon Harriman regarding a Public Information Meeting being held to discuss the replacement of Bridge #05939 (North Road extension over Coles Brook) on September 19, 2018 at 7 p.m. in Room 224 of the Town Hall.

Mark Zampino thanked Mr. Popper for the letter he provided to the Agency members regarding their authority to inspect properties being considered by the Zoning Board of Appeals.

7. Public Hearing:

- a. Application #18-14: Request for Variances from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front, Side and Rear Yard Setbacks and Building Coverage Ratio) to allow for the construction of building additions that encroach into the front, side, and rear yard setback and the building coverage ratio at 84 Field Road. Carl and Marie Semino are the Applicants and Carl Semino is the Owner.

Vice Chairman Delisle informed the applicants that there were only four members present and they would need four affirmative votes; otherwise they could present their application at a future meeting when more members might be present. The applicants said they wished to be heard tonight.

Vice Chairman Delisle read the legal notice.

Brian Fisk made a motion to open the public hearing; Seconded by Mark Zampino. *All in favor; motion passed.*

Mr. Popper referred the Agency members to his Comments Memo dated September 5, 2018, as well as to the current conditions map, the proposed layout, and the aerial photograph included in the packets. He said that the current aggregate side yard setbacks were non-conforming at 48 feet, when 50 feet was required. Mr. Popper said that South Ridge Lane, which borders the subject property to the west, was the existing driveway to the home at 76 Field Road and would become the privately owned 12-foot wide gated emergency accessway to the future Carrier development. As a result, no neighbors would be affected by the variance to the westerly side yard, if it was granted. He reviewed the map with the proposed additions.

Marie Semino, 84 Field Road, said that they wished to remove their one car carport and replace it with an addition consisting of a mudroom and two-car garage. They also planned an addition to the master bedroom, making their ranch style home into an L-shape. The resulting lot coverage would be at 18.5%.

Mr. Popper asked about the placement of the septic system. Ms. Semino said it was in the back of the property, which is why they could not expand into the backyard. She said that the garage doors would face the street and they planned to widen the driveway.

Brian Fisk asked about the possibility of South Ridge Lane becoming a town road and if that would impact the applicant's property. Mr. Popper said that it would never become a town road because it was not wide enough. He said that all of the roads in the Carrier development would remain private. The accessway was just to provide a second means of ingress and egress into the development, since it was a cul de sac. Mr. Popper said that the lot was non-conforming at 15,681 square feet when 25,000 square feet was required in the R-25 zone. He said that the hardship was the fact that the lot was non-conforming.

The hearing was opened to public comment.

Alan Nelson, 4 Centerwood Drive, spoke in support of the application, saying that the applicants were good neighbors who took care of their property. He had no objection.

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 approve Application #18-14; Request for Variances from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front, Side and Rear Yard Setbacks and Building Coverage Ratio); Seconded by Mark Zampino. *All were in favor; motion passed.*

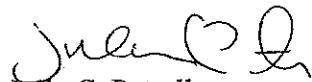
Mr. Popper advised the applicant to wait fourteen days from the date of publication of the legal notice. He said that they would receive a notice in the mail with the form to be filed and then they could obtain their building permit.

8. Approval of Minutes:

- a. August 14, 2018: A motion to approve the minutes was made by Brian Fisk; Seconded by John Whitney.. In favor: Vice Chairman Delisle, John Whitney, Brian Fisk. Abstained: Mark Zampino. *Motion passed.*

- 9. Adjourn:** Motion to adjourn at 6:50 p.m. by Brian Fisk; Seconded by Mark Zampino. *All in favor; motion passed.*

Respectfully Submitted,



Julie C. Petrella
Recording Clerk