

Town of Cromwell Zoning Board of Appeals

RECEIVED FOR RECORD
Aug 29, 2019 12:57P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT *Jc*

REGULAR PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY SEPTEMBER 10, 2019
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. **Public Hearings:**
 - a. Application #19-10: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Minimum Side Yard Setback) to allow for the construction of the garage 55 Field Road. Laura Beth Corey is the Applicant and the Owner.
 - b. Application #19-11: Request for a Special Permit under Section 7.1.A.2 of the Zoning Regulations (Change from one nonconforming use to another) to allow for an ice cream parlor at 562 Main Street. Timothy Farrell is the Applicant and Brent H. Robbins is the Owner.
7. **Approval of Minutes:**
 - a. August 13, 2019
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 September 10, 2019 in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #19-10: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Minimum Side Yard Setback) to allow for the construction of the garage 55 Field Road. Laura Beth Corey is the Applicant and the Owner.
2. Application #19-11: Request for a Special Permit under Section 7.1.A.2 of the Zoning Regulations (Change from one nonconforming use to another) to allow for an ice cream parlor at 562 Main Street. Timothy Farrell is the Applicant and Brent H. Robbins 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 August 2019

Memo

To: Zoning Board of Appeals
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: August 29, 2019
Re: Comments on the September 10, 2019 Meeting Agenda

6. Public Hearing:

a. Application #19-10: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Minimum Side Yard Setback) to allow for the construction of the garage 55 Field Road. Laura Beth Corey is the Applicant and the Owner.

The existing 20,037 square foot lot contains a 1,008 square foot single family house and is located in the R-25 Zone District on the east side of Field Road. The applicant has constructed a garage which is only 2.7 feet from the property line at its closest point and is requesting a variance. The required Side Yard Setback is (5) five feet. According to the applicant a hardship exists because the structure was erected and completed according to the permit #25963 issued on April 5, 2019 and now that construction is complete, moving the garage is unrealistic and unfair. Attached is a map of the property showing the location of the garage.

b. Application #19-11: Request for a Special Permit under Section 7.1.A.2 of the Zoning Regulations (Change from one nonconforming use to another) to allow for an ice cream parlor at 562 Main Street. Timothy Farrell is the Applicant and Brent H. Robbins is the Owner.

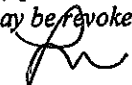

The existing 46,173 square foot lot contains the existing 1,154 square foot Vanity Room hair salon building. Also located on the site is an existing 1,704 square foot single family house and a 972 square foot garage. The site is located in the R-15 Zone District on the south side of Shadow Lane and the east side of Main Street. The applicant is proposing to convert the existing hair salon building into an ice cream parlor. The single family house will remain as a single family house. Attached is a map of the site showing the proposed ice cream parlor and parking.

19-10

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: 55 FIELD RD	PIN #: 00443800
Zoning District: R-25	Volume/Page: 1644-238
Applicant: LAURABETH COREY	Property Owner: SAME
Home or Business Address: 55 FIELD RD CROMWELL CT 06416	Home or Business Address: 55 FIELD RD CROMWELL CT 06416
Phone #: 860-982-1607 Email: LaurabethCorey@Gmail.com	Phone: 860-982-1607
<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>2.7A</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: A variance is requested to allow less than five feet of offset for garage erected under permit #25963 issued April 5, 2019. _____ _____ _____ _____	

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.

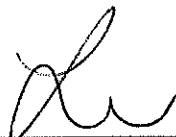
If Requesting DMV Location Approval, state the date of the original Public Hearing (if any).

A hardship exists because the structure was erected and completed according to the permit #25963 issued on April 5, 2019 and now that construction is complete, moving the garage is unrealistic and unfeasible. The plan submitted with the permit application was done in good faith with the assistance of the building, sanitation and zoning departments and the necessary signoffs were acquired prior to commencing work. The plan utilized boundaries presented from the GIS system as no plot plan or survey was on file with the town due to the age of the subdivision. No survey was required by the town and the permit was granted based on information available at the time. The GIS boundaries represented that the property had 40' side yard off of the rear of the foundation resulting in what was to be a 9-10' offset from the property line. The garage was erected within the required offset as known at the time of construction. Subsequently the abutting neighbor to the north (53 Field Rd) had his lot surveyed, and also had my property surveyed without my knowledge or permission. The survey he presented suggests that my property actually has only 35' of side yard resulting in my garage being 1.3 feet (27.6 inches) too close to the property line in the rear and 1.1 feet (13.2 inches) too close in front to be within regular zoning compliance. Unfortunately the GIS was apparently misstated and if the survey is accurate, only 35' of side yard exists from corner of foundation with a slight taper to the back yard with a shorter property line in the back vs the front of the property. The garage does not impede upon the neighbor's property and causes no harm or inconvenience to any neighboring properties. Additionally, there are no windows on the abutting neighbor's side and the garage provides the neighbor with increased privacy and it is aesthetically pleasing and in no way harms the neighborhood.

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

8/6/19

date



TOWN OF CROMWELL
 Printed By: Karen
 08/12/2019 10:58:17AM

Parcel ID: 00443800 Location: 55 FIELD ROAD
 Map-Lot 58-30

Current Value Information
 Use Code Land Value PA 490 Value Building Value Mkt Adj Cost
 101 114,800 0 100,000 170,100
 TOTAL 114,800 0 100,000 243,000 170,100

Previous Value Information
 Tax Yr Land Value Bidg Value Outbuildings Total Value Total Assessment
 2019 114,800 100,000 0 214,800 150,360
 2018 114,800 92,500 0 207,300 145,110
 2017 114,800 74,400 0 189,200 132,440
 2016 131,250 74,190 160 205,600 143,920
 2015 131,250 74,190 160 205,600 143,920
 2014 131,250 74,190 160 205,600 143,920

Property Factors
 Census 5703
 Flood:
 Topo: Level
 Street: Paved
 Dev. Map
 Dev. Map

Zoning Data
 Desc. %
 R-25 100.00

Utilities
 Public Water
 Septic
 BAA

Property Owner(s)
 MCNELLY ENTERPRISES LLC

General Notes
 IA

Current Owner
 COREY LAURABETH

55 FIELD ROAD
 CT 06416

Map-Lot 58-30

Last Revaluation - October 1, 2017

Sales Information

Grantee	Vol-Page	Type	SaleDate	SalePrice	Sale Verif	GeneralNotes
COREY LAURABETH	1644-238	W	04/08/2019	228,000	Arms Length	REMODELED
MCNELLY ENTERPRISES LLC	1618-131	SW	04/16/2018	150,000	Fed. State or Local Sale	
FEDERAL HOME LOAN MORT	1610-84	Q	12/14/2017	0	Fed. State or Local Sale	CORPORATE SPECIAL QUIT CLAIM I
NATIONSTAR MORTGAGE LL	1608-116	F	11/17/2017	0	Fed. State or Local Sale	6
DAJUST WILLIAM J JR	1227-281		09/11/2007	215,000	No Consideration	
EISENBAUM HEATHER S	588-45		08/12/1995	0		

Building Permit Information

Date	Permit #	Description	Amount	% Comp	Visit Date	CO Date	GeneralNotes
04/05/2019	25963	Garage	25,000	100	07-Aug-2019		26' X 38' X 12' GARAGE
04/12/2018	25331	Alterations	16,000	100	31-Aug-2018	13-Jul-2018	REMOVE KITCHEN WALL & REPLACE W BEAM. REPLACE
01/03/2018	25214	Oil Tank	2,250	100		09-Feb-2018	Oil Tank
12/13/2017	25190	Roofing	4,350	100			re-roof

Activity Information

Date	Results	Visited By
06/07/2019	Permit - Measure Exterior	Karen Valciulis
08/31/2018	Permit - Left Card-Door	Assessor Office
09/30/2017	No Change - Field Review	Dave Stanard
12/12/2012	No Change - Field Review	John Hocking
08/22/2012	No Change - Field Review	
12/30/2006	Measure/Int Refusal-No info given	
12/05/2006	Measured	
07/14/1997	Measure & Inspected	

Land Data

Use	Description	Units	Type	Neigh	Notes
101	Single Family	20,038	SF	R5	
Total Area: 0.46					
Total Appraised: 114,800					
PA 490 Use Asmt: 0					
Assessed Value: 80,360					

Special Land Calc Appraised Value PA 490 Neigh Asmt Order Notes
 GF3 114,800 0 4400

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

Condo Information

Name:
Style:
Location:
Tot Units:

General Information

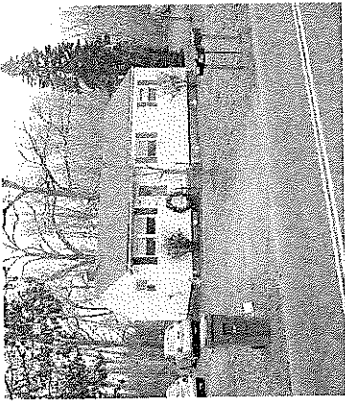
Year Blt: 1955
Grads: C
Remodeled Yr:
Rem. Kitchen Yr:
Rem. Bath Yr:

Depreciation

Phys Cond	Good-VG	%
Prime Wall:	20.00	
Sec. Wall:	0.00	
Floor Type:	0.00	
Sec. Floor:	0.00	
Heat Fuel:		
Heat Type:		
Sec. Ht Type:		
% A/C:		
% Sprinkled:		
Bsmt. Gar:		
Kitchens:		
Fireplaces:		
Int. Condition:		

Calculation

Total %Dep: 20.00
Basic \$SQ: 64.00
Replacement Cost: 124,966
Depreciation: 24,993
Depreciated Value: 99,973
Final Total (Revised): 100,000



Room Count

Total Rooms: 5
Bedrooms: 3

Bath Features

Full Baths: 1
Addl. Full Baths: 0
Half Baths: 0
Addl. Half Baths: 0
Full Bths Below: 0
Half Bths Below: 0
Other Fixtures: 0
Total Baths: 1

Code	Desc.	Living	Gross Area
FFL	First Floor	1,008	1,008
BSM	Basement	0	1,008
Total		1,008	2,016

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

Code	Description	Qty	Size	Cond.	Year	Unit Price	Dep%	UndepValue	Appraised Value	Assessment	
SH1M	Sheet Metal	1	100	FR	2007	0.00	10	0	0	0	
GAR1	Garage Frame	1	988	AV		30.00	5	29,640	28,200	19,740	
Total Yard Items:									28,200	Total Appraised:	19,740
Total Assessed Value:									28,200	Total Assessed Value:	19,740

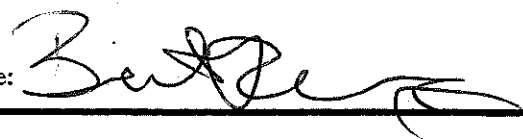
Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

19-11

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: 562 Mam Street	PIN #: 00303100
Zoning District: R-15	Volume/Page: 1591-119
Applicant: Timothy Farrell	Property Owner: Brent Robbins
Home or Business Address: 13 Grace Lane Cromwell CT 06416	Home or Business Address: 99 Field Road Cromwell CT 06416
Phone #: 860 490 0193	Phone: 860 301 5424
Email: edgewoodpark@csglobal.net	
<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: 
<u>Type of Application (check one):</u> <input type="checkbox"/> Variance from Section _____ of the Zoning Regulations. <input type="checkbox"/> Appeal from ZEO Decision dated _____ <input checked="" type="checkbox"/> Change of Non-Conforming Use Special Permit. 7.1.A.2 <input type="checkbox"/> Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)	
<u>Description of Request:</u> Request for special permit to change from non conforming Personal Services use to Food/Hospitality Use	

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).

Looking for special request to change 564 Main St. to a neighborhood Ice Cream Shop. The impact will change from year round hair dresser to seasonal homemade ice cream shop. Hours March thru November 11:00 AM til 9:30 / winter hours weekends including Friday 3pm til 8:00 AM weather permitting.

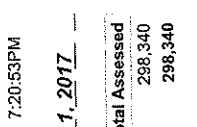
1. I will send written notice of this application to the owners of property within 100' of the site not less than 14 days before the public hearing. I will submit the "certificate of mailing" not less than 10 days before the hearing.

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.

Julie Lull
applicant

7/29/19
date



Patriot Properties Inc.

Property Factors

Census 5703

Flood: Level
Topo: Paved
Street: 298,340
Dev. Map XX-09; ZZ-258,980
Dev. Map 258,980

Zoning Data

Desc. %
R-15 100.00

Utilities
2 Public Water
3 Public Sewer

BAA

Map-Lot 46-36

Last Revaluation - October 1, 2017

Current Value Information

Use Code	PA 490 Value	Building Value	Mkt Adj Cost	Outbuildings	Total Value	Total Assessed
113	214,100	178,500	0	33,600	426,200	298,340
TOTAL	214,100	178,500	0	33,600	426,200	298,340

Previous Value Information

Tax Yr	Land Value	Bldg Value	Outbuildings	Total Value	Total Assessment
2018	214,100	178,500	33,600	426,200	298,340
2017	214,100	178,500	33,600	426,200	298,340
2016	127,510	220,430	22,020	369,960	258,980
2015	127,510	220,430	22,020	369,960	258,980
2014	127,510	220,430	22,020	369,960	258,980
2013	127,510	220,430	22,020	369,960	258,980

Sales Information

Grantee	Vol-Page	Type	SaleDate	SalePrice	Sale Verif	GeneralNotes
ROBBINS BRENT H	1591-119	W	05/12/2017	415,000		
MARINO MICHAEL J	1334-211	W	05/21/2010	0		
PETRELLA SALVATORE	1334-208	W	05/21/2010	7,500		
MARINO MICHAEL J	262-25		04/16/1985	0		

Building Permit Information

Date	Permit #	Description	Amount	% Comp	Visit Date	CO Date	GeneralNotes
06/21/2006	16154	Repl Windows	2,000	100	11/20/2006		repl 3 w/ tmprd glass

Land Data

Use	Description	Units	Type	Neigh	Special	Appraised Value	Asmt. Order	Notes
113	Res/Comm	46,174	SF	CF		214,100	0 4000	

Activity Information

Date	Results	Visited By
09/04/2017	Change - Value Change Company	John Valente
07/28/2017	Callback	Dave Stannard
07/12/2017	Measured	Dave Stannard
05/19/2017	Change - Field Review	Dave Stannard
06/23/2010	Map Filed Acreage Cng	SHAWNA
01/11/2007	Interior Inspect	
12/16/2006	Callback	
11/30/2006	Measure & Inspected	
11/30/2006	Measured	
11/20/2006	Permit- Miscellaneous	AO

Land Adjustments

Land Calc	Value	Special	Appraised Value	PA 490	Neigh
	214,100		214,100	0	4000

Total Area: 1.06
Total Appraised: 214,100
Assessed Value: 149,870

PA 490 Use Asmt: 0

06416

562 MAIN STREET

Parcel ID: 00303100

Current Owner: ROBBINS BRENT H, ROBBINS KIMBERLY A, 56 MAIN STREET, CROMWELL, CT 06416

Previous Owner(s): MARINO MICHAEL J, MARINO DEBORAH L

Hair Salon

The Vanity Room

General Notes

ig

06416

562 MAIN STREET

Parcel ID: 00303100

Current Owner: ROBBINS BRENT H, ROBBINS KIMBERLY A, 56 MAIN STREET, CROMWELL, CT 06416

Previous Owner(s): MARINO MICHAEL J, MARINO DEBORAH L

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

Condo Information

Name:
Style:
Location:
Tot Units:

General Information

Year Blt: 1944
Grade: B-
Rem. Kitchen Yr:
Rem. Bath Yr:

Depreciation %

Phys Cond Average 40.00
Func 40.00
Econ 0.00
Spec 0.00
OV 0.00
Total %Dep: 64.00

Calculation

Basic \$SQ 64.00
Replacement Cost 214,827
Depreciation 137,489
Depreciated Value 77,338
Final Total (rounded) 77,300

Interior Information

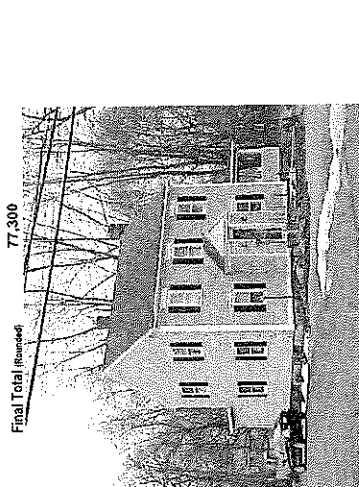
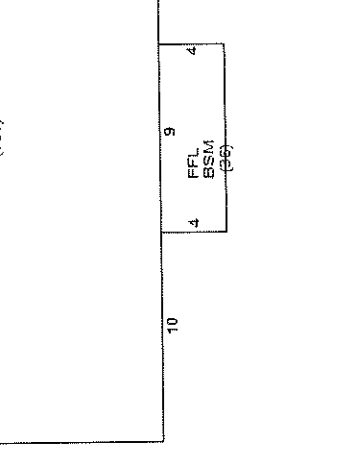
Prime Wall: Plastered
Sec. Wall: Hardwood
Floor Type: Oil
Sec. Floor: Forced Air

Room Count

Total Rooms: 6
Bedrooms: 3

Bath Features

Full Baths: 1
Addl. Full Baths: 0
Half Baths: 0
Addl. Half Baths: 0
Full Bths Below: 0
Half Bths Below: 0
Other Fixtures: 0
Total Baths: 10



Code	Description	Size	Unit Price	Dep%	UndepValue	Appraised Value	Assessment				
GA2F	Garage w/Lt	1	972	AV	1944	31.00	35	36,158	23,500	16,450	
Total Yard Items							23,500	Total Appraised:	23,500	Total Assessed Value	16,450

Code	Description	Qty	Size	Year	Unit Price	Dep%	UndepValue	Appraised Value	Assessment
FLL	First Floor							854	854
FUS	Finished Upp							750	750
FEP	Enclosed Por							0	54
FOP	Framed Open							0	205
BSM	Basement							0	954
Total							1,704	2,917	

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

Condo Information
 Name:
 Style:
 Location:
 Tot Units:

General Information
 Year Blt: 1948
 Grade: C
 Remodeled Yr:
 Rem. Kitchen Yr:
 Rem. Bath Yr:

Depreciation %
 Phys Cond: Good 30.60
 Func: 0.00
 Econ: 0.00
 Spec: 0.00
 CV: 0.00
Total %Dep: 30.60

Calculation
 Basic \$/SQ: 87.00
 Replacement Cost: 145,832
 Depreciation: 44,625
 Depreciated Value: 101,207
 Final Total (Rounded): 101,200

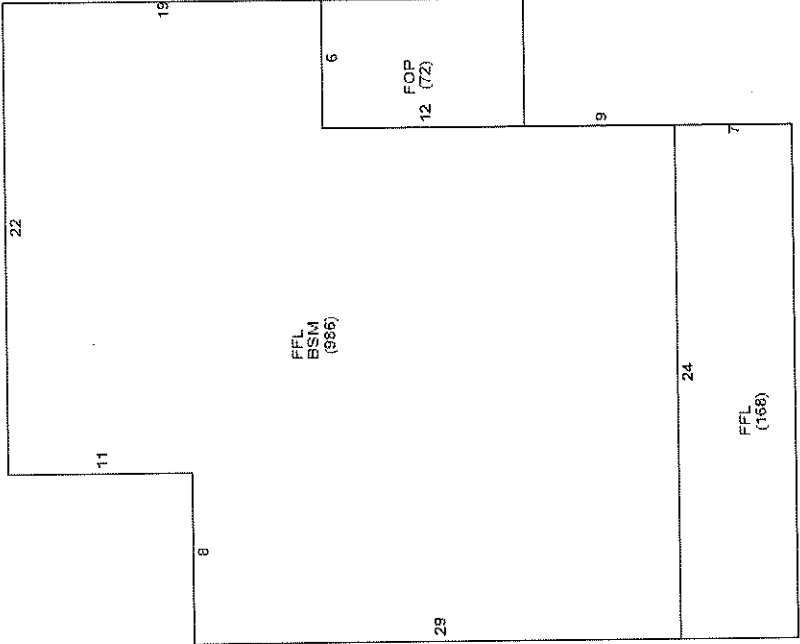


Exterior Information
 Building Type: Retail
 Story Ht: 1 Story
 Living Units: 0
 Foundation:
 Prim. Ext. Wall: Clapboard
 Sec. Ext. Wall:
 Roof Type: Gable
 Roof Cover: Asphalt Shn
 Avg. Wall Ht: 8.00
 Color:

Interior Information
 Drywall
 Sec. Wall:
 Floor Type: Ceram Clay T
 Sec. Floor:
 Heat Fuel: Oil
 Heat Type: Forced Air
 Sec. Ht Type:
 % A/C: 100
 % Sprinkled: 0
 Bsmt. Gar: 0
 Kitchens: 0 Add. Klt: 0
 Fireplaces: 0 Gas: 0
 Int. Condition: Average

Room Count
 Total Rooms:
 Bedrooms:

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

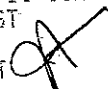


Extra Features / Yard Items (1st 10 Lines Displayed)										
Code	Description	Qty	Size	Cond.	Year	Unit Price	Dep%	UndepValue	Appraised Value	Assessment
PAV1	Paving Asph.	1	4,300	AV	1948	3.00	35	15,480	10,100	7,070
Total Yard Items									10,100	7,070
Total Sp. Features:									10,100	7,070

Sub Area Detail			
Code	Desc.	Living	Gross Area
FFL	First Floor	1,154	1,154
FOP	Framed Open	0	72
BSM	Basement	0	986
Total		1,154	2,212

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

**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
REGULAR PUBLIC HEARING AND MEETING
6:30 PM TUESDAY, AUGUST 13, 2019
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

RECEIVED FOR RECORD
Aug 19, 2019 10:50A
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT 

Present: Vice Chairman Daniel T. Delisle, Mark Zampino, John Whitney, and Steve Wygonowski (alternate)

Absent: Chairman Joseph Morin, John Keithan, and Brian Fisk (alternate)

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

1. **Call to Order:** The meeting was called to order by Vice Chairman Daniel T. Delisle at 6:31 p.m.
2. **Roll Call:** The presence of the above members was noted.
3. **Seating of Alternates:**
John Whitney made a motion to seat Steve Wygonowski and Brian Fisk; Seconded by Mark Zampino. *All in favor; motion passed.*
4. **Approval of Agenda:**
Mark Zampino made a motion to approve the agenda; Seconded by John Whitney. *All were in favor; motioned passed.*
5. **Public Comments:** None
6. **Public Hearing**

Vice Chairman Daniel Delisle read the Application #19-09 for the public hearing.

- a. Application # 19-09: Request Variance from Section 2.2B Bulk Requirements of the Zoning Regulations (Aggregated Side Yard Set Back and Side Yard Set Back) to allow for the construction of a connection between use and the garage and a

rear addition at 11 Black Haw Drive. Jeffrey C. Coleman is the Applicant and John W. Dorio and Jeffery C. Coleman are the Owners.

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

John Dorio, 10 Scott Lane requested a variance from the side yard set yard setbacks. (Aggregated and side) to allow for construction between the house and the garage and a rear addition. Due to the confirmation of the house, the only place to put the addition is next to the side yard. The connector between the house and the garage is for convenience.

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

Mr. Dorio presented to the board copies of letters of approval from the neighboring houses.

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

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

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

John Whitney made a motion to approve the Application #19-09: Request Variance from Section 2.2B Bulk Requirements of the Zoning Regulations (Aggregated Side Yard Set Back and Side Yard Set Back) to allow for the construction of a connection between the house and the garage and a rear addition at 11 Black Haw Drive. Jeffrey C. Coleman is the Applicant and John W. Dorio and Jeffery C. Coleman are the Owners; Seconded by Steve Wygonowski. *All in favor, motion passed.*

7. Approval of minutes :

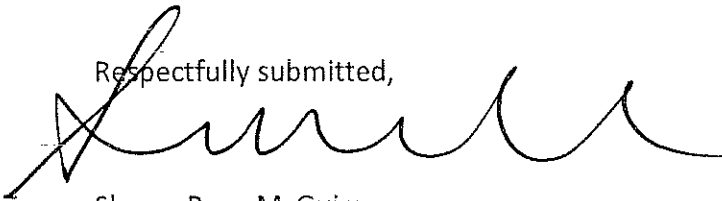
a. July 9, 2019:

Page 3, Section b., second paragraph, Joseph Morin should be changed to Mark Zampino.

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

8. Adjourn: John Whitney made a motion to adjourn the meeting. *All were in favor; motion passed.* Meeting adjourned at 6:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sherry-Rose McGuire', written in a cursive style.

Sherry-Rose McGuire
Commission Clerk