



Town of Cromwell Zoning Board of Appeals

***PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY MAY 14, 2024
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET CROMWELL***

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Public Hearing:**
 - a. Application #24-04: Request for Variance from Section 2.7.A.1 of the Zoning Regulations (No accessory building in a residential district shall be located in the front yard) to allow for the construction of a garage in the front yard at 43 Timber Hill Road in the R-25 Residence Zone District. Willa Eckersly is the Applicant and the Owner.
 - b. Application #24-05: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Rear Yard Setback) to allow for the construction of a deck in the rear of the house at 84 Field Road in the R-15 Residence Zone District. Carl Semino is the Applicant and the Owner.
7. **Board Members Comments:**
8. **Approval of Minutes:**
 - a. April 9, 2024
9. **Adjourn**

RECEIVED FOR RECORD
May 07, 2024 01:52P
JoAnn Doyle
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, May 14, 2024 in the Council Chambers at the Cromwell Town Hall at 41 West Street on the following items:

1. Application #24-04: Request for Variance from Section 2.7.A.1 of the Zoning Regulations (No accessory building in a residential district shall be located in the front yard) to allow for the construction of a garage in the front yard at 43 Timber Hill Road in the R-25 Residence Zone District. Willa Eckersly is the Applicant and the Owner.
2. Application #24-05: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Rear Yard Setback) to allow for the construction of a deck in the rear of the house at 84 Field Road in the R-15 Residence Zone District. Carl Semino 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.

John Keithan
Chairman

Dated in Cromwell, Connecticut this 29th day of April 2024.

Memo

To: Zoning Board of Appeals
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: May 7, 2024
Re: Comments on the May 14, 2024 Meeting Agenda

6. Public Hearing:

a. Application #24-04: Request for Variance from Section 2.7.A.1 of the Zoning Regulations (No accessory building in a residential district shall be located in the front yard) to allow for the construction of a garage in the front yard at 43 Timber Hill Road in the R-25 Residence Zone District. Willa Eckersly is the Applicant and the Owner.

The existing 1.95-acre lot is located in the R-15 Residential Zone District on the south side of Timber Hill Road. The site contains an existing 1,256 square foot single family house. The applicant is proposing to construct 30' x 36' garage in the front yard. The applicant has indicated that the garage cannot be located on the side of the house due to the existing well.

b. Application #24-05: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Rear Yard Setback) to allow for the construction of a deck in the rear of the house at 84 Field Road in the R-15 Residence Zone District. Carl Semino is the Applicant and the Owner.

The existing .36-acre lot is located in the R-25 Residential Zone District on the south side of Field Road. The site contains an existing 1,719 square foot single family house. The application calls for extending the existing deck 12 feet into the existing 51.5 feet rear yard. The applicant has indicated that the location of the existing septic system prevents him from constructing the deck anywhere else in the backyard.

24-04

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: 43 Timber Hill Rd.	PIN #:
Zoning District:	Volume/Page:
Applicant: Willa K. Eckersley	Property Owner: Willa K. Eckersley
Home or Business Address: 43 Timber Hill Road	Home or Business Address: 43 Timber Hill Road
Phone #: 860-635-5889 Email: hereweis@att.net	Phone: 860 635-5889
<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: Willa K. Eckersley	<i>I hereby consent to the Applicant acting as my agent for the purpose of this application.</i> Signature: Willa K. Eckersley
Type of Application (check one): <input checked="" 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 type="checkbox"/> Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)	
Description of Request: I would like to build a garage partially in my front yard. most of the 36' by 30' will be in my side yard. I was told that the structure should be in the rear. At this time all of the neighbor's properties drain into my back yard creating a stream when it rains.	

24-04

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).

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.

Willa K. Eckersley
applicant

4/17/2024
date

24-05

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: 84 Field Rd	PIN #:
Zoning District:	Volume/Page:
Applicant: Carl Semino	Property Owner: Carl Semino
Home or Business Address: 84 Field Rd	Home or Business Address: 84 Field Rd
Phone #: 860-966-4947	Phone: 860-966-4947
Email: Carl.Semino@comcast.net	
<p><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></p> <p>Signature: Carl Semino</p>	<p><i>I hereby consent to the Applicant acting as my agent for the purpose of this application.</i></p> <p>Signature:</p>
<p>Type of Application (check one):</p> <p><input type="checkbox"/> Variance from Section _____ of the Zoning Regulations.</p> <p><input type="checkbox"/> Appeal from ZEO Decision dated _____.</p> <p><input type="checkbox"/> Change of Non-Conforming Use Special Permit.</p> <p><input type="checkbox"/> Application for Motor Vehicle Location Approval (attach copy of your completed DMV Form K-7)</p>	
<p>Description of Request:</p> <p style="font-size: 1.5em;">Extending my Deck</p>	

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).

There is a hardship where septic is

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.

Cal. Semino
applicant

4/17/24
date



Town of Cromwell Zoning Board of Appeals

***PUBLIC HEARING AND MEETING
6:30 P.M. TUESDAY APRIL 9, 2024
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET CROMWELL***

Minutes and Record of Votes

Present: Chairman John Keithan, Dan Delisle, Matt Brown, Karen Sullivan, Mark Zampino, Alternate Steven Wygonowski

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

1. Call to Order

The meeting was called to order at 6:30pm by Chairman Keithan

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates - none

4. Approval of Agenda

A motion was made by Matt Brown and seconded by Dan Delisle to approve the agenda. All were in favor; the motion passed.

6. Public Hearing:

- a. Application #24-01: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of an addition on the northwest side of the house at 21 Nordland Avenue in the R-15 Zone District. Michael N. Hadvab is the Applicant and Michael N. and Mary Beth Hadvab are the Owners.

Mr. Popper read the legal notice dated March 27, 2024.

A motion was made by Matt Brown and seconded by Dan Delisle to open the public hearing for application #24-01. All were in favor; the motion passed.

Mr. Popper read his memo and comments to the Board dated April 9, 2024. He said this home was built prior to the Zoning Regulations and he said the side yard setback will be reduced by 4 inches from 15 feet to 14 feet and 8 inches.

Michael Hadvab, 21 Nordland Avenue said he is looking for a variance and he confirms what Mr. Popper read in his comments. He said all of his neighbors are ok with the addition, especially the one who it would affect the most. Mr. Popper confirmed that the sign has been posted and he has received the certified mailing receipts from the applicant. He said the hardship is the existing location of the house and it has a minimal impact of 4 inches.

Mr. Brown asked if this would impact the large tree and Mr. Hadvab said no, that tree is staying.

Chairman Keithan asked if there were any members of the public who wanted to speak regarding application #24-01 and no one came forward.

A motion was made by Mark Zampino and seconded by Matt Brown to close the public hearing for application #24-01. All were in favor; the motion passed.

A motion was made by Mark Zampino and seconded by Dan Delisle to approve application #24-01. All were in favor; the motion passed.

Chairman Keithan told the applicant there is a two-week appeal period so you should wait before you begin the work. He said you can take the sign down. Mr. Popper said he would send Mr. Hadvab a letter that he should file on the land records. Mr. Hadvab thanked the Board and said that there are good people working in the Town and the people he worked with were helpful.

- b. Application #24-02: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard and Side Yard Setback) to allow for the construction of an addition to the garage on the east side of the house at 6 Ridge Road in the R-25 Zone District. Scott Donofrio is the Applicant and the Owner.

A motion was made by Dan Delisle and seconded by Matt Brown to open the public hearing for application #24-02. All were in favor; the motion passed.

Mr. Popper read his comments from his memo dated April 9, 2024. He said this is already a non-conforming use with the existing setback and that is the hardship. Mr. Popper said the garage would reduce the east side yard setback from 27 feet to 13.6 feet and it will reduce the required front yard setback from 40 feet to 34.6 a 5.4 feet difference.

Scott D'Onofrio, 6 Ridge Road read a letter of support from the abutter at 8 Ridge Road and from Bill Coons at 9 Ridge Road. He said his wife is a doctor who is on call at nights and a 2-car garage would prevent the need to move cars around at night. Mr. D'Onofrio said the driveway faces the north so it gets icy. Mr. Delisle asked him to confirm if the garage would be moving forward or back and Mr. D'Onofrio said 2 feet forward.

Chairman Keithan asked for many members of the public who wanted to speak and no one came forward.

A motion was made by Mark Zampino and seconded by Matt Brown to close the public hearing for application #24-02. All were in favor; the motion passed.

Mr. Brown said it is important for him to hear that the neighbors support the variance. Mr. Zampino said it seems to be in character with the rest of the neighborhood.

A motion was made by Matt Brown and seconded by Mark Zampino to approve application #24-02. All were in favor; the motion passed.

Chairman Keithan told the applicant there is a two-week appeal period so you should wait before you begin the work. He said you can take the sign down. Mr. Popper said he would send Mr. D'Onofrio a letter that he should file on the land records. Mr. D'Onofrio thanked the staff and the Board.

7. Board Members Comments:

Mr. Wygonowski asked Mr. Popper about the memo from Mr. Driska dated April 1, 2024 regarding application #24-01 that said the applicant shall not deposit stormwater into neighboring properties. Mr. Popper said that is a condition of approval.

8. Approval of Minutes:

a. December 12, 2023

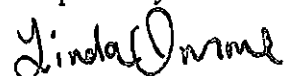
A motion was made by Matt Brown and seconded by Mark Zampino to approve the minutes of December 12, 2023. All were in favor; the motion passed.

Mr. Zampino wanted to clarify that on page 2, the last paragraph of the minutes should clarify that it was decided that it is ok for one Zoning Board of Appeals member to walk on a property if it is the subject of a variance application. Mr. Driska said yes, submission of an application is implied consent. He said any visits should be done during normal daylight/business hours. He said I wear my lanyard that shows I am town staff. Mr. Delisle said I use the letter that shows I am on the Zoning Board of Appeals.

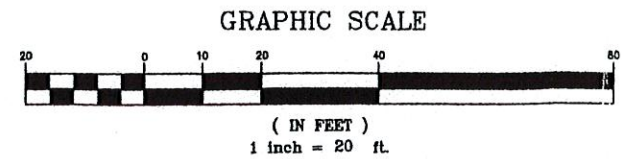
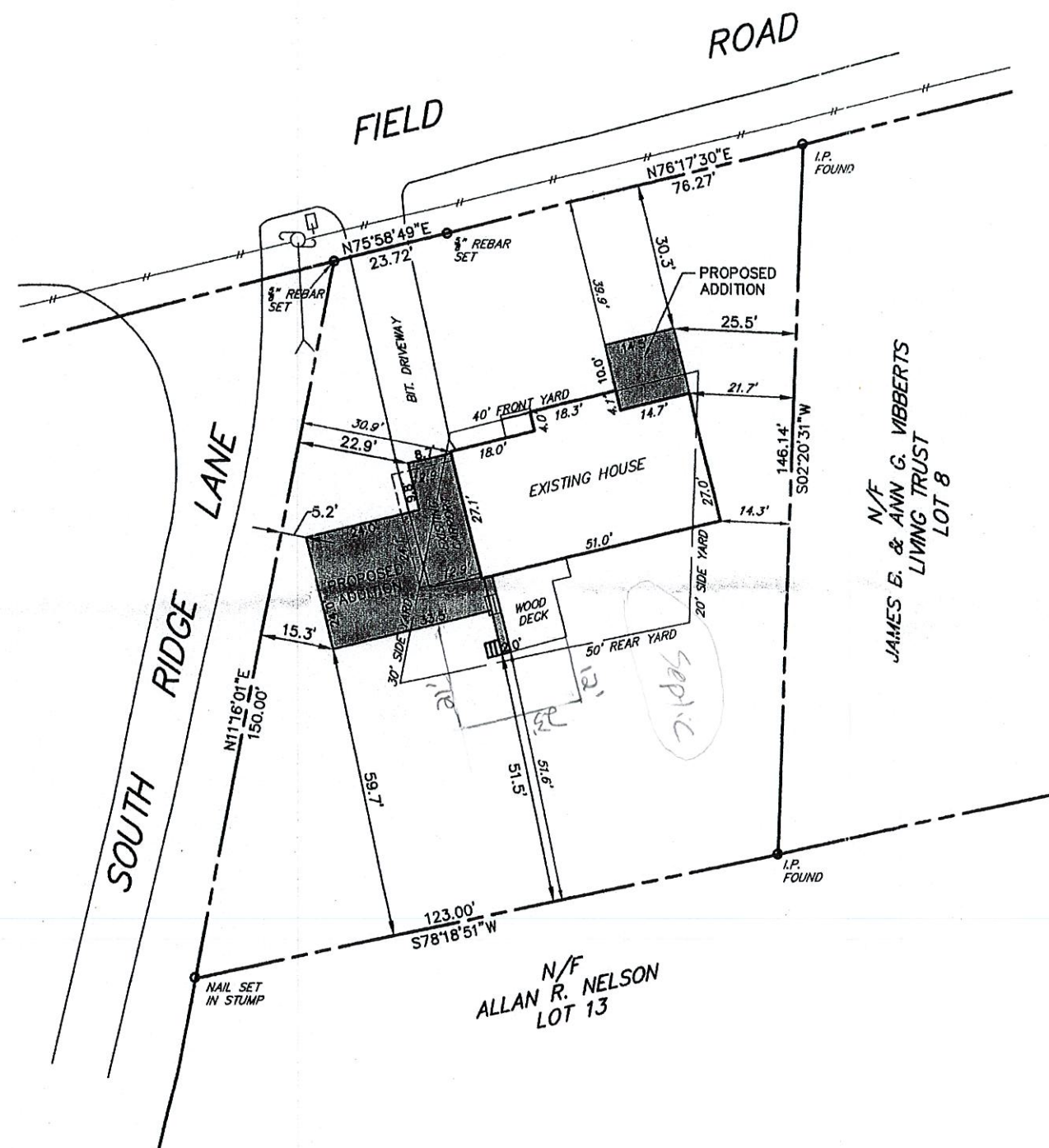
9. Adjourn

A motion was made by Mark Zampino and seconded by Matt Brown to adjourn at 6:54pm. All were in favor; the motion passed.

Respectfully submitted,



Linda Imme
Recording Clerk



ZONING DATA TABLE:

ZONE: R-25			
	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA:	15,000 S.F.	15,518 S.F.	15,518 S.F.
MIN. FRONTAGE:	130'	99.99'	99.99'
MIN. FRONT YARD:	40'	39.9'	30.3'
MIN. SIDE YARD:	20'/30'AGGREGATE	14.3'	5.2'
MIN. REAR YARD:	50'	51.6'	51.5'
MAX. BUILDING COVERAGE:	15%	9.3% (1451 S.F.)	16.3% (2,535 S.F.)*
MAX. BUILDING HEIGHT:	35 LF	16.5 LF	16.5 LF

* VARIANCE GRANTED BY TOWN OF CROMWELL ZONING BOARD OF APPEALS 9-11-2018 "TO ALLOW FOR THE CONSTRUCTION OF BUILDING ADDITIONS THAT WILL ENCRoACH INTO THE FRONT, SIDE AND REAR YARDS SETBACK AND THE BUILDING COVERAGE RATIO".

REFERENCE MAPS:

- "CENTERWOOD DEVELOPMENT, PREPARED FOR FRED J. & MARGARET B. BOUCHARD, CROMWELL, CONN.", BY JOHN J. MOZZOCHI, SCALE 1"=40', DATE SEPT. 20, 1955, REVISED 12-10-55.
- "BOUNDARY SURVEY, DEPENDENT RESURVEY, PROPERTIES TO BE ACQUIRED BY WEBSTER ASSOCIATES, LLC, FIELD ROAD, CROMWELL, CONNECTICUT", DATE: 12-27-16, SCALE: 1"=100', SHEET 1 OF 2, BY BGI, THE BONGIOVANNI GROUP, INC.

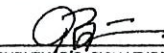
NOTES:

- THIS SURVEY HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20, AS REVISED.

TYPE OF SURVEY: ZONING LOCATION SURVEY

BOUNDARY DETERMINATION CATEGORY: RESURVEY

CLASS OF HORIZONTAL ACCURACY: A-2
 - THIS MAP IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE UNDERSIGNED LAND SURVEYOR.
- TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

 03-24-2021 14649
SURVEYOR'S SIGNATURE DATE LICENSE NUMBER

ZONING LOCATION SURVEY
PREPARED FOR
CARL & MARIE SEMINO
84 FIELD ROAD
CROMWELL, CONNECTICUT

Date: 03-24-21	Scale: 1"=20'
Drawn: DJD	Checked: AB
Revision	Date

 THE BONGIOVANNI GROUP, INC.
LAND SURVEYORS
170 Pine Road
Newington, Conn. 06111
TEL (860) 666-0134
FAX (860) 666-3830



N.T.S.