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**TOWN OF CROMWELL
ZONING BOARD OF APPEALS
PUBLIC HEARING AND MEETING
6:30 PM TUESDAY OCTOBER 10, 2017
ROOM 224/225 CROMWELL TOWN HALL 41 WEST STREET
MINUTES AND RECORD OF VOTES**

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TOWN CLERK

Present: Chairman Joseph Morin, Mark Zampino, Daniel Delisle, John Whitney

Absent: John Keithan, Brian Fisk (alternate), Steven Wygonowski (alternate)

Also Present: Director of Planning and Development Stuart Popper

1. Call To Order

The meeting was called to order by Chairman Morin at 6:36 p.m. Chairman Morin explained to the applicants present that four positive votes were needed for approval of an application. Since there were only four commissioners present, it was up to the applicants whether they wished to be heard tonight or wanted to wait until a later meeting when more commissioners might be present.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

NONE

4. Approval of Agenda

Application #17-12: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Minimum Lot Size) to allow for the creation of a new lot at 54 West Street). Brian A DePerry is the Applicant and Owner.

Mr. Popper stated that the attorney for Mr. DePerry had contacted him to say that Mr. DePerry would not be able to attend tonight's meeting, so the application should be removed from tonight's agenda. Mr. Popper said that if the application was to be heard at a future date, the sign would need to be posted again and the neighbors renoticed.

Mark Zampino made a motion to amend the agenda to remove Application #17-12, Seconded by John Whitney. *All in favor; motion passed.*

5. Public Comments

NONE

6. New Business:

Mr. Popper said that the commissioners had asked for more information to be included in their packets, which is why he included a comments memo and the portion of the relevant zoning regulations. The Commission was very happy and Mark Zampino said the additional information was very helpful.

7. Public Hearing:

- b. Application #17-13: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of deck at 186 Evergreen Road. Dino F. Bonelli is the Applicant and Dino F. and Laura Bonelli are the Owners.

Chairman Morin read the public hearing notice. Dino Bonelli, 186 Evergreen Road, appeared and stated that he planned to remove an existing enclosed deck and replace it with another deck. The proposed deck would extend further into the side yard. Mr. Popper referenced his comments memo by saying that the current deck was non-conforming and Mr. Bonelli was asking to further encroach into the side yard. He said that the hardship was the fact that the existing house was non-conforming as to the required side yard setback.

Mr. Popper said that Mr. Bonelli had submitted evidence of mailing the required notice and posting a sign. There were no questions from the Commission. Mark Zampino made a motion to approve Application #17-13: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of deck at 186 Evergreen Road; Seconded by Daniel Delisle. *All in favor; motion passed.*

Chairman Morin advised the applicant to wait the required fifteen days from legal notice before beginning construction.

- c. Application #17-14: Request for Variances from Section 2.2.B Bulk Requirements of the Zoning Regulations (Rear and Side Yard Setbacks) to allow for the construction of in ground pool at 6 Evensen Place. Linda M. Samuelson is Applicant and the Owner.

Chairman Morin read the public hearing notice. The applicant was not present. Mark Zampino made a motion to open the public hearing; Seconded by John Whitney. *All in favor; motion passed.* Daniel Delisle made a motion to table Application #17-14; Seconded by Mark Zampino. *All in favor; motion passed.* Mr. Popper stated that he would call to the applicant to follow-up.

- d. Application #17-15: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of a shed adjacent to the existing garage at 3 Patricia Lane. Paul Dworak is the Applicant and Paul and Antonella Dworak are the Owners.

Daniel Delisle read the public hearing notice. Mark Zampino made a motion to open the public hearing; seconded by John Whitney. *All in favor; motion passed.* Paul Dworak, 3 Patricia Lane, stated that he wanted to build a shed off of the side of his existing garage, which was attached to his house. It would extend six feet into the side yard setback, which was already non-conforming at 13 feet. Mr. Dworak submitted a drawing to the Commission. He stated the he spoke with the abutting neighbor on Windwood, had notified all of the neighbors, and posted the required sign. He said that the abutting neighbor said it was ok.

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

Mark Zampino made a motion to approve Application #17-15: Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Side Yard Setback) to allow for the construction of a shed adjacent to the existing garage at 3 Patricia Lane; Seconded by Dan Delisle. *All in favor; motion passed.* Chairman Morin advised the applicant to wait until the legal notice had been published before doing any work.

8. Approval of Minutes:

- a. July 11, 2017: A motion to approve the minutes was made by Mark Zampino; Seconded by Daniel Delisle. *All in favor; motion passed.*

- 9. Adjourn:** Motion to adjourn at 6:52 p.m. by Mark Zampino; Seconded by Daniel Delisle. *All were in favor; the motion passed.*

Respectfully Submitted,



Julie C. Petrella
Recording Clerk