

MEMORANDUM OF STAFF COMMENTS

TO: Zoning Board of Appeals
FROM: Adam Levitus, ZEO
DATE: May 20, 2021
RE: ZBA #2021-12 Restaurant Beer and Wine Liquor Permit
APPLICANT: Alen Cecunjanin, Cornerstone Restaurant and Wine Bar
ADDRESS: 797 Farmington Ave
Map 9-1 Block 28 Lot 31B
ZONE: CCD-2

Proposal and Background

Alen Cecunjanin (business and property owner) is requesting an Alcohol Uses Location approval for an on-premises beer and wine liquor permit at Cornerstone Restaurant and Wine Bar per Berlin Zoning Regulation XI.B. The property is zoned CCD-2.

According to assessor's records, the property at 797 Farmington Avenue was constructed in approximately 1935 and is the location of the former Even Stephens Restaurant. Mr. Cecunjanin recently purchased the property and staff understanding is that multiple renovations have been completed / are planned for both the interior and exterior of the building (in coordination with Health District and Building code requirements).

Staff Comments

No uses requiring a 500 ft separation as specified in §XI.B.1.c were identified. The applicant is requesting an on-premises beer and wine liquor permit in conjunction with the restaurant use (the CCD-2 zone permits sit-down restaurants and the applicant has already obtained zoning approval to open the Cornerstone Restaurant at 797 Farmington). Therefore, per §XI.B.2 the 1500 ft separation provisions of §XI.B.1.a do not apply for this application. The submitted State On-Premises Liquor Permit application for a Restaurant Beer-Wine Permit shows no live entertainment is proposed.

Zoning Requirements

§XI.B. Sale of alcoholic beverages.

The Town of Berlin Plan of Conservation and Development, Section II, Strategic Outline for Implementation, Strategy I: Coordinate the Regulatory Structure to Support the Plan, 3) states: Any variance granted by the Zoning Board of Appeals should be consistent with the standards imposed by Connecticut General Statutes in which a hardship exists owing to conditions affecting a specific parcel of land, and the variance which is granted should be consistent with the goals and policies of this plan and the intent of the zoning regulations.



Town of Berlin

ZBA # 2021 - 12

Planning and Zoning Department

240 Kensington Road
Berlin, Connecticut 06037
www.town.berlin.ct.us

ZONING BOARD OF APPEALS APPLICATION

- ☐ Special Permit ☐ Variance ☐ Appeal of ZEO
☐ Motor Vehicle Location ☒ Alcohol Uses Location ☐ Other / Determination

Property Owner(s): ALEX CECUNIANIN

Project Address*: 797 FARMINGTON AVENUE

Map: 9-1 Block: 28 Lot: 31B Zone(s): CCD-2 Lot Area: .08

Please select all relevant items below:

- ☒ Supplemental Information Is Required For:
ZBA Special Permit / Sale of Alcoholic Beverages Location / Motor Vehicle Uses Location
☐ Inland Wetlands and Water Course Commission review needed
☐ Planning and Zoning Commission review needed
☐ Property is within 500 feet of a Municipal Boundary of _____
☐ Previous Zoning Board of Appeals actions on this property:
Date(s) & Purpose(s): _____

Applicant Information

Name: ALEX CECUNIANIN Firm Name: CONVENIENCE RESTAURANT
Street Address: 797 FARM. AVE. City: BERLIN ST: CT Zip: 06037
Email: CONVENIENCE RESTAURANT CT@gmail.com Phone: 860-505-7432
Signature: [Signature] Date: 4-13-21

Property Owner(s) Information (If Not the Applicant)

Name: _____ Principal: _____
Street Address: SAME City: _____ ST: _____ Zip: _____
Email: _____ Phone: _____

*Letter of Authorization Required

ZBA action is requested pursuant to Berlin Zoning Regulations Section(s): XI. B

*Any town official and/or employee who the town deems necessary may enter the property to verify information submitted with this application.

APR 15 2021

Planning & Zoning Department
Berlin, Connecticut

Brief description of the proposal: SEE ATTACHED

VARIANCE APPLICATIONS: For relief of: _____ requirement.

Requested requirement: _____

Reason/Description of Hardship (REQUIRED): _____

MOTOR VEHICLE USE LOCATION¹:

The first page of the State DMV application is required to be submitted with this application

<input type="checkbox"/> New Car Dealer	<u>Number of Service Bays</u>	<u>Parking Required</u>	<u>Parking Provided</u>
<input type="checkbox"/> Used Car Dealer	_____	_____	_____
<input type="checkbox"/> General Repairer	_____	_____	_____
<input type="checkbox"/> Limited Repairer	_____	_____	_____
<input type="checkbox"/> Gasoline Station	_____	_____	_____

SALE OF ALCOHOLIC BEVERAGES LOCATION¹

The first page of the State Liquor Permit application is required to be submitted with this application

Type of State Liquor Permit:

- ☒ On -Premises Permit: Type BEER + WINE
☐ Off-Premises: Type _____
☐ Other: Explain _____

To be completed by P&Z staff only:

Fee Paid \$ 380.00 (Refer to current Fee Schedule)

ZBA # 2021-12

Received by: ML

Scheduled on ZBA Agenda of:

5/25/21

ZONING BOARD OF APPEALS DECISION:

Plan Title & Date: _____

Town of Berlin
Received

APR 15 2021

Planning & Zoning Department
Berlin, Connecticut

April 13, 2021

Adam Levitus
Zoning Enforcement Officer
Town of Berlin
240 Kensington Road
Berlin, CT 06037

Dear Adam:

I am writing as I have purchased the building at 797 Farmington Avenue (formerly Even Stephens) and will be opening the Cornerstone Restaurant & Wine Bar. My intent is to have a liquor permit for this location. I do not believe a liquor permit was ever at that location, at least not at Even Stephens.

If you have any questions, please email me at cornerstonerestaurantct@yahoo.com or call me at 860-505-7432.

Thank you,

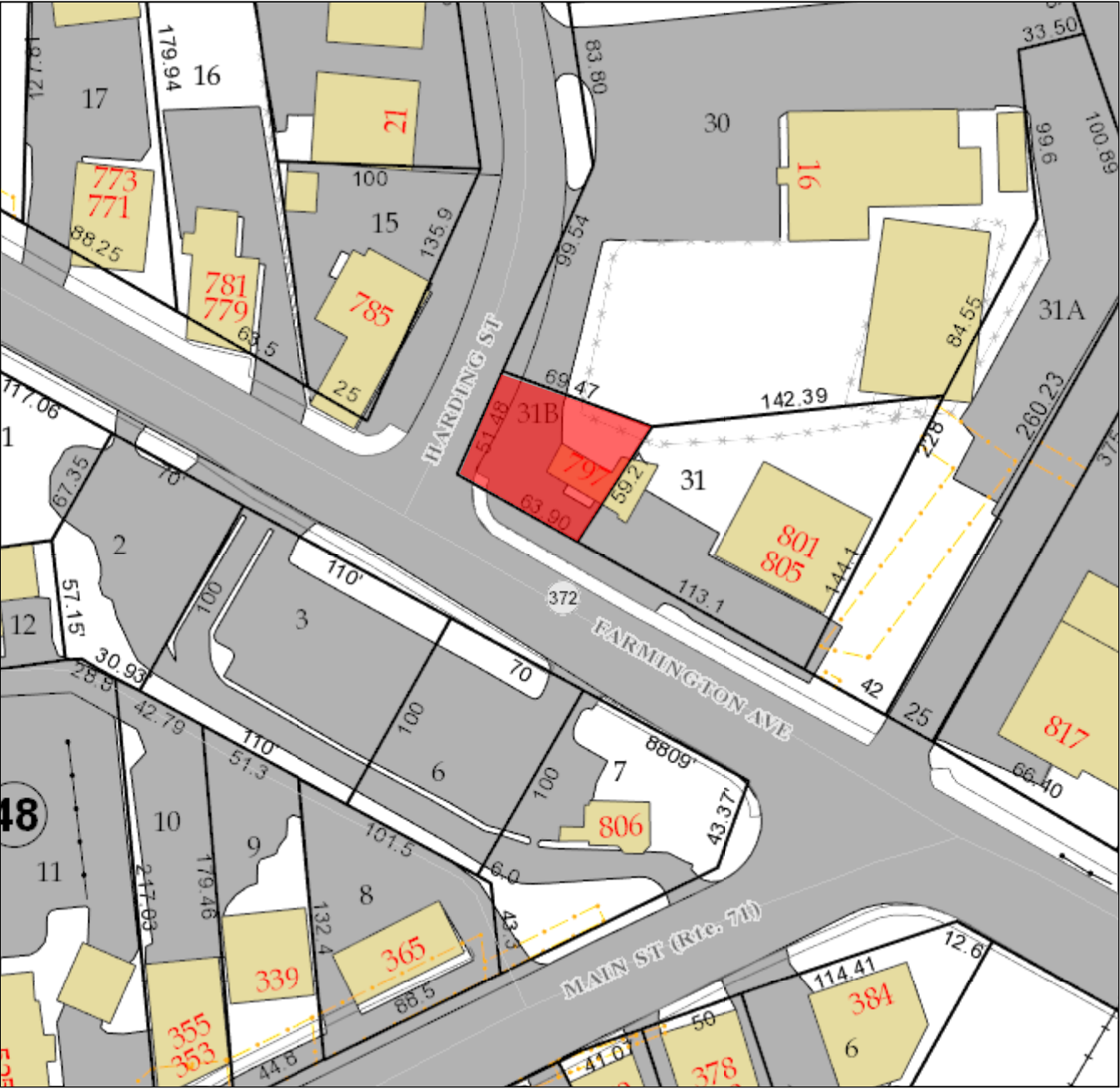


Alen Cecujanin
Owner
Cornerstone Restaurant & Wine Bar

Town of Berlin
Geographic Information System (GIS)



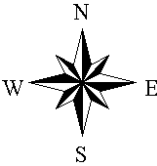
Date Printed: 5/20/2021



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Berlin and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 75 feet





FOR RENT
CONTACT 812-812-8128

BLACK ROCK STREET

Google

Black Rock Services



797

Farmington Ave

Harding St

372

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
Liquor Control Division

Telephone: (860) 713-6210

Email: dcp.liquorcontrol@ct.govWebsite: <https://portal.ct.gov/DCP/Agency-Administration/Division-Home-Pages/Liquor-Control-Division>

For Official Use Only

1

APPLICATION FOR ON-PREMISES LIQUOR PERMIT

Please print clearly or type the information entered on this application. **An application and permit fee is required. Please see fee chart for required fee.** Checks and/or money orders should be made to "Treasurer, State of Connecticut" and must accompany this application. The application fee is non-refundable. Return your completed application, documentation and appropriate fee to: **Department of Consumer Protection, 450 Columbus Blvd., Suite 801, Hartford, CT 06103**

Section A: BUSINESS INFORMATION

ADDRESS AT WHICH BUSINESS WILL BE CONDUCTED

1. Type of Liquor Permit Applying for: <i>Beer & Wine</i>		2. Are you requesting a Provisional Permit? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
3. Trade Name (DBA Name) <i>CORNERSTONE RESTAURANT & WINE BAR</i>			
4. Business Address <i>797 FARMINGTON AVE.</i>		City <i>BERLIN</i>	State <i>CT</i>
Zip Code <i>06037</i>			
5. Business Telephone Number <i>860-505-7432</i>	6. Business Fax Number	7. Business Email Address <i>CORNERSTONERESTAURANTCT@YAHOO.COM</i>	
8. Is there currently a liquor permit at the proposed premises? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If yes, current permit number	9. Patio? (If yes, complete attached patio request form) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
10. Type of Live Entertainment: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If yes, please check (✓) all that apply below)			
<input type="checkbox"/> Acoustics - (Not Amplified)	<input type="checkbox"/> Disc Jockeys	<input type="checkbox"/> Live Bands	<input type="checkbox"/> Comedians
<input type="checkbox"/> Exotic Dancers	<input type="checkbox"/> Karaoke	<input type="checkbox"/> Plays/Shows	<input type="checkbox"/> Sporting Event(s)
<input type="checkbox"/> Concerts		<input type="checkbox"/> Magicians	

Section B: APPROVAL/CERTIFICATION OF LOCAL OFFICIALS

11. Zoning Authority Approval: I certify that I am familiar with the zoning ordinances and bylaws of the city/town identified in item #4 of this application and they do not prohibit the sale of alcoholic beverages under the type of liquor permit/establishment identified in this application and/or entertainment listed in #10.	
Signature of Zoning Official X _____	Print Name _____
Title of Official _____	Date ____ / ____ / ____
12. Fire Marshal's Approval: I certify that the premises identified in items #3 & #4 of this application is physically constructed in a manner that is safe for the type of business that will be operated there.	
Signature of Fire Marshal X _____	Print Name _____
Title of Official _____	Date ____ / ____ / ____
13. Certification of Town Clerk: The town in which the business identified in item # 4 of this application is to be operated, has no ordinance restricting the hours of sale of alcoholic liquors beyond those set forth in State law except as indicated in the box below. (If none, please enter "NONE")	
Additional Restrictions: _____	
Signature of Town Clerk X _____	Date ____ / ____ / ____



Town of Berlin, CT

Property Listing Report

Map Block Lot

9-1-28-31B

Building # 1

PID

7500

Account

1017040

Property Information

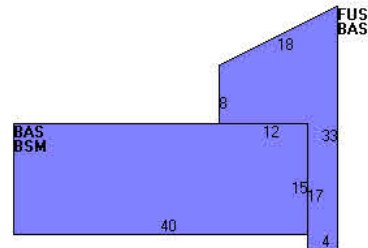
Property Location	797 FARMINGTON AVE
Owner	CECUNJANIN ALEN
Co-Owner	
Mailing Address	45 RIVER RD CRONWELL CT 06416
Land Use	3260 Restaurant/Cib
Land Class	C
Zoning Code	CCD-2
Census Tract	4001

District	1
Acreage	0.08
Utilities	All Public
Book / Page	785/506

Photo



Sketch



Primary Construction Details

Year Built	1935
Building Desc.	Restaurant/Cib
Building Style	Restaurant
Stories	2
Occupancy	1.00
Exterior Walls	AluminumSiding
Exterior Walls 2	
Roof Style	Flat
Roof Cover	T&G/Rubber
Interior Walls	Drywall/Plaste
Interior Walls 2	
Interior Floors 1	Vinyl/Asphalt
Interior Floors 2	

Heating Fuel	Gas/Oil
Heating Type	Forced Air-Duc
AC Type	Central
Bedrooms	0
Full Bathrooms	0
Half Bathrooms	0
Extra Fixtures	0
Total Rooms	
Bath Style	
Kitchen Style	
Fin BSMT Area	
Fin BSMT Quality	
Fin BSMT Area 2	
Fin BSMT Qual 2	

BSMT Garages	0
Fireplaces	0
Whirlpool Tub	0
Building Use	Comm/Ind
Building Condition	A
Industrial / Commercial Details (*Residential Not Applicable)	
Heat / AC	HEAT/AC PKGS
Frame Type	WOOD FRAME
Baths / Plumbing	AVERAGE
Ceiling / Wall	CEIL & WALLS
Rooms / Prtns	AVERAGE
Wall Height	9
First Floor Use	3260

Report Created On

5/20/2021

Town of Berlin, CT

Property Listing Report

Map Block Lot

9-1-28-31B

Building # 1

PID

7500

Account

1017040

Valuation Summary (Assessed value = 70% of Appraised Value)

Item	Appraised	Assessed
Buildings	108900	76200
Extras	0	0
Improvements		
Outbuildings	4900	3400
Land	79200	55400
Total	193000	135000

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
Upper Story, Finished	260	260
Basement	600	0
First Floor	860	860
Total Area	1720	1120

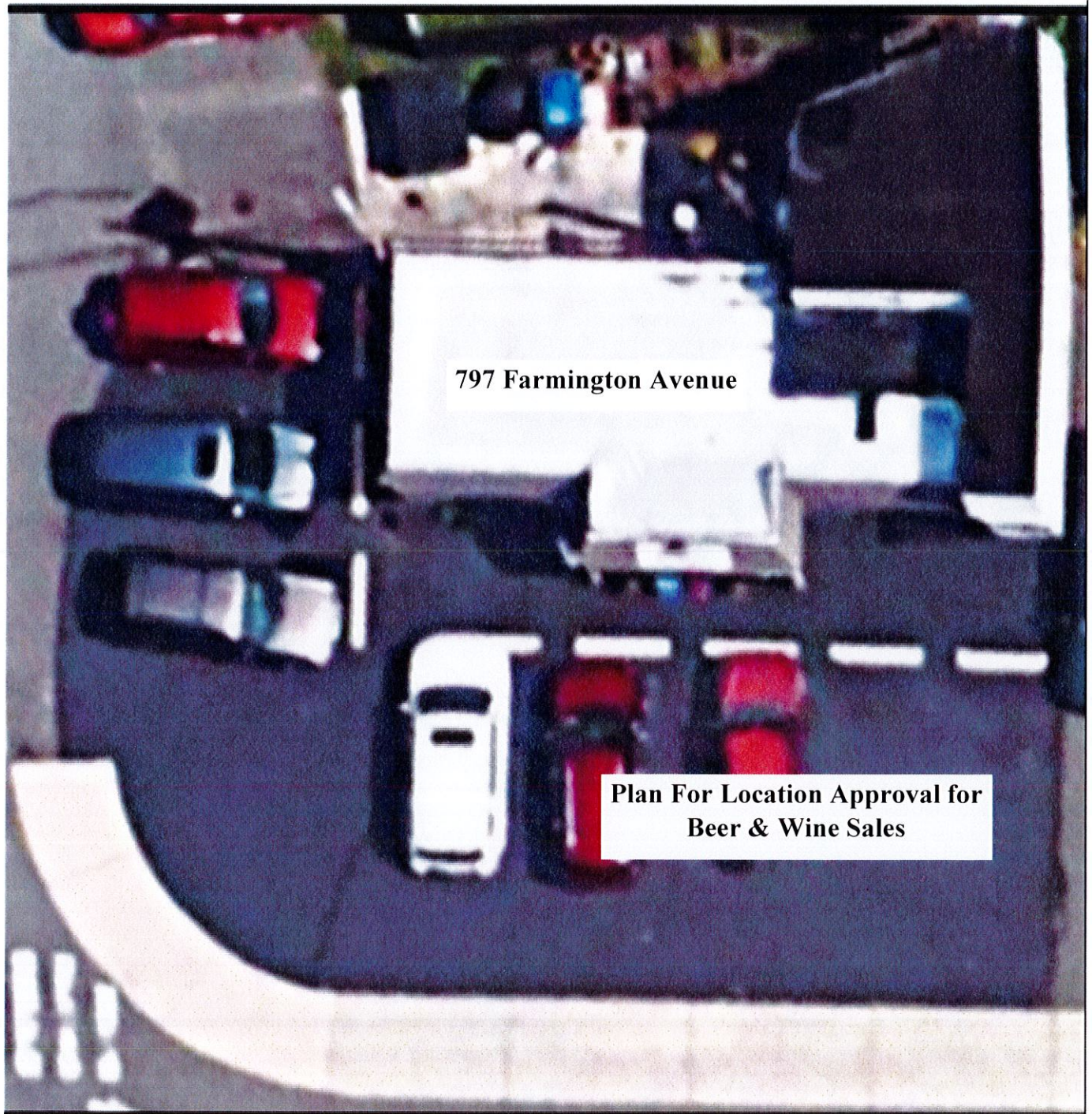
Outbuilding and Extra Features

[illegible]

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
CECUNJANIN ALEN	785/506	2021-03-16	165000
CW RESTAURANTS LLC	0575/0595	2006-10-02	180000
JAGIELLO STEPHEN J - EST OF	0575/0593	2006-10-02	0
JAGIELLO, STEPHEN J	0448/0226	2001-05-03	0
WEBSTER BANK	0428/0740	1999-12-08	0
POULIN JOSEPH E EST	0368/0977	1995-02-23	107000

Cornerstone Restaurant & Wine Bar



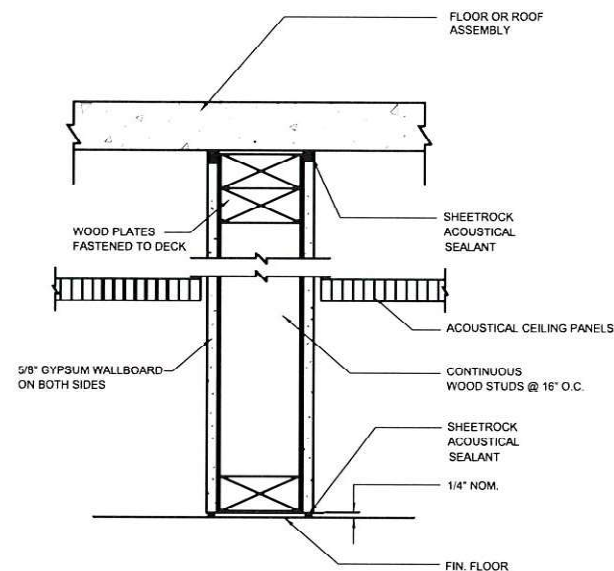
797 Farmington Avenue

Plan For Location Approval for
Beer & Wine Sales

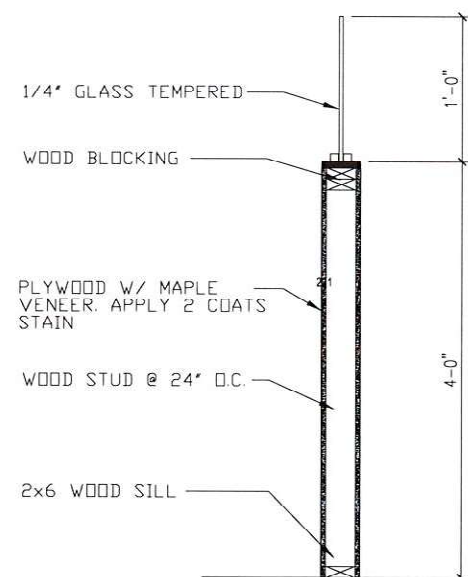
Town of Berlin
Receiver

APR 15 2021

Planning & Zoning D.
Berlin, Connecticut

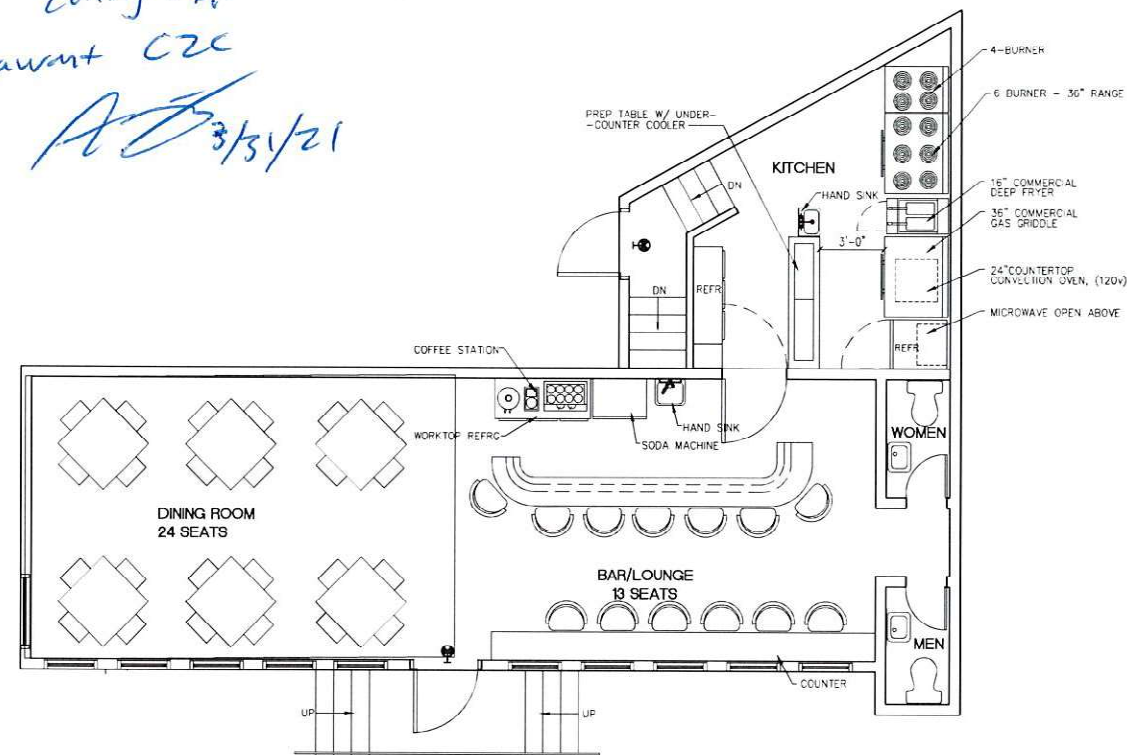


NON-RATED PARTITION
SCALE: 1/4"=1" DATE:

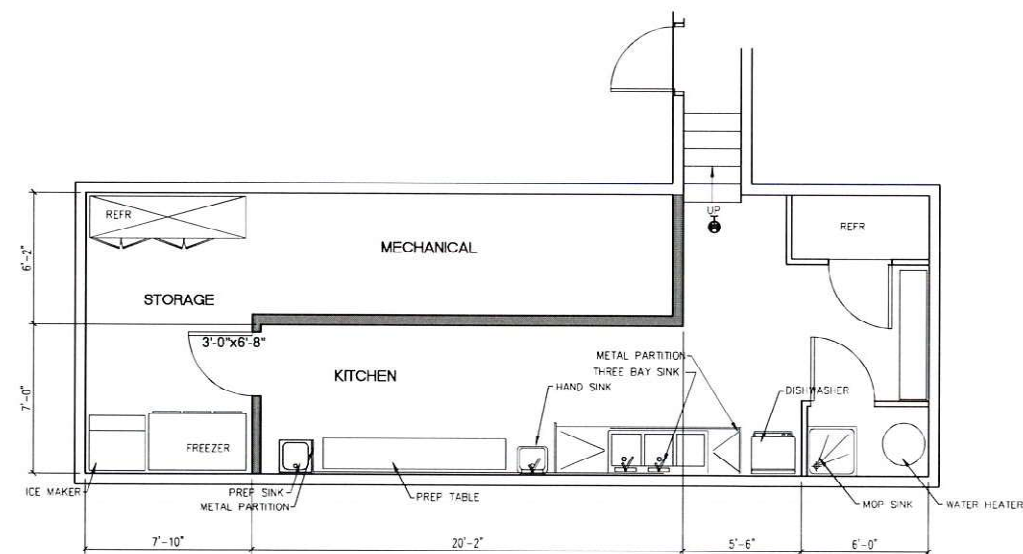


LOW WALL SECTION
1"=1'-0"

Plans used as basis for
3/31/21 zoning approval
of Restaurant CZE
A 3/31/21



GROUND LEVEL
1/4"=1'-0"



BASEMENT LEVEL
1/4"=1'-0"



NEW CONSTRUCTION
EXISTING CONSTRUCTION

POLYMORPHOUS
ARCHITECTS

CORNERSTONE RESTAURANT
797 FARMINGTON AVE
BERLIN CONNECTICUT



REVISIONS
No. Date

Designed
Drawn
Checked
Approved
Scale
Project No.
Data
CAD File

13A008
01/18/21

TITLE
FLOOR PLAN AND
WALL TYPES

Sheet No.

A1.1

Re: 797 Farmington - Cornerstone (former Even Stephens) - Zoning Board of Appeals Application - Liquor

Patricia Buckberrough <patricia5937@sbcglobal.net>

Fri 5/21/2021 8:21 AM

To: Adam Levitus <alevitus@town.berlin.ct.us>

Hello Adam,

Thank you very much for replying back to our conversation. As stated I can not make the meeting planned for this.

I will make this short that I am **NOT in favor of the application TO ZONING BOARD OF APPEALS APPLICATION "FOR ALCOHOL USES LOCATION "** AT

restaurant beer/wine liquor permit application for the Cornerstone restaurant at 797 Farmington Ave (former Even Stephens).

There are a number of restaurants and clubs on Farmington Ave. in Berlin already. The Italian Club in back of the applicant.

There is a Bar by the railroad station corner On the Traxx. There is the Farmington Ave Pizza newly renovated and a new brewery Cole Road across from Dairy Queen. Then further up the road around the corner Portofino's with a full bar. We do not need another place to serve alcohol. The person Alen Cecuntanih said this will be a high end upper scale eating restaurant to serve beer and wine only.

I can't see that happening considering it is an old diner and we have plenty of restaurants and places serving alcohol already.

Patricia Buckberrough

On Thursday, May 20, 2021, 11:03:47 AM EDT, Adam Levitus <alevitus@town.berlin.ct.us> wrote:

Nice speaking with you just now Patricia,

Per our call, you can reply to this email with any comments or concerns you have regarding the restaurant beer/wine liquor permit application for the Cornerstone restaurant at 797 Farmington Ave (former Even Stephens).

What I will do is take your reply and distribute it to the Board and include it for consideration at the public hearing. You are also welcome to attend the public hearing on Tuesday 5/25/21 @ 7pm. However, I understand that you may not be able to attend and therefore want to put your thoughts in writing for the Board's consideration. My understanding is that you intend to reply tonight or tomorrow morning, which should be fine for sending it to the Board in advance of the meeting.

For your reference, I've attached the posted agenda for the 5/25 meeting that includes this application.

Thank you,

Adam Levitus, P.E.
Zoning Enforcement Officer
Town of Berlin – Planning and Zoning
240 Kensington Rd

5/21/2021

Mail - Adam Levitus - Outlook

Berlin, CT 06037

alevitus@town.berlin.ct.us

860-828-7008