



## **Town of Cromwell Planning and Zoning Commission**

***REGULAR MEETING  
7:00 P.M. TUESDAY MARCH 5, 2024  
TOWN COUNCIL CHAMBERS  
CROMWELL TOWN HALL  
41 WEST STREET***

### ***Minutes and Record of Votes***

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Ann Grasso, Nick Demetriades, Douglas Kalinowski, Andrew Holt, Vincenzo Marfella, Robert Donohue, Jonathan Comtois, Brian Dufresne

**Absent:** Paul Cordone, Ken Rozich

**Also present:** Zoning Compliance Officer Bruce Driska, Director of Planning and Development Stuart Popper

#### **1. Call to Order**

The meeting was called to order at 7:00pm by Chairman Kelly.

#### **2. Roll Call**

The presence of the above members was noted.

#### **3. Seating of Alternates**

A motion was made by Michael Cannata and seconded by Doug Kalinowski to seat Andrew Holt, Robert Donohue and Jonathan Comtois as alternates. All were in favor; the motion passed.

#### **4. Approval of Agenda**

A motion was made by Michael Cannata and seconded by Nick Demetriades to approve the agenda. All were in favor; the motion passed.

#### **5. Public Comments:**

#### **6. Development Compliance Officer Report:**

RECEIVED FOR RECORD  
Mar 12, 2024 11:58A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

Mr. Driska said his report in the package. Mr. Popper said that application #24-04 will be coming but not yet submitted since we don't have the complete application.

**7. Director of Planning and Development Report:**

Mr. Popper said that the Texas Roadhouse Restaurant is scheduled to open on March 18, 2024 and Bakery Chen is under construction at 50 Berlin Road. He said the Oliver Cromwell Tavern has opened at 150 Sebethe Drive and the Hartford HealthCare Urgent Care at 28 Shunpike Road has opened as well. Mr. Popper said the medical office building next to 80 Shunpike Road will begin construction in the spring. He said the middle school construction is ongoing and the Auto Zone is under construction. Mr. Popper said the developers of 100 Berlin Road said they will begin demolition in 2024 at a recent Chamber meeting.

**8. New Business: Accept and Schedule New Applications:**

**9. New Business:**

- a. Application #24-01: Request to modify the Site Plan (remove sidewalks) at West Street Commons on Mystique Lane. West Street Commons is the Applicant and the Owner.

Mr. Popper told the public that he wanted to share some information about the application that is being heard at the Inland Wetlands and Watercourses Agency meeting tomorrow night since many of the public here this evening are abutters to that application. He said they will open the public hearing tomorrow night and continue it to the next meeting but there will not be a presentation by the applicant tomorrow. Mr. Popper said the applicant is looking at alternate ways to do the work that do not involve the wetlands.

Ms. Carol Graziano said she is the board president at West Street Commons Association. She said this is a 55+ community. Ms. Graziano said they have sidewalks within their private community. She said they are cracked, heaved and are a liability. She said we would like to request that the sidewalks in front of the units be removed and be replaced with grass. She said the plan would be to remove them on an as needed basis in the order of those most in disrepair. Ms. Graziano said they would retain the sidewalks on the right side of Mystique Lane as you turn onto the street. She said this is a private road with limited traffic. She said the sidewalks in front of the units are very close to resident's windows and the sidewalks aren't used by residents.

Mr. Cannata said the Chief of Police is recommending that we not approve this request because it is a safety issue. He said it is exceptionally rare that we go against staff recommendations. Mr. Cannata said your road is 5 feet narrower than the rest of the streets in town. He said sidewalks would allow safety vehicles to have a paved area to pull up and extend any apparatus or outriggers and still allow other emergency vehicles to move down the street. He said sidewalks were part of the site plan approval.

Ms. Graziano said the sidewalks are narrow and you can't park an outrigger on them now. Mr. Donohue said there is not enough room on either side now so I don't see an advantage of the sidewalks for that reason. Mr. Donohue said the sidewalks are heaved. Mr. Cannata said the Police Chief said no.

Ms. Graziano said many streets don't have sidewalks and Mr. Cannata said that doesn't mean we

should negate yours.

Mr. Dufresne said he has never seen a plan approved that the staff was not in favor of.

Mr. Holt asked why they wanted to get rid of the sidewalks and Ms. Graziano said they are too close to the units and just not useful since they are not being used. She said we are 26 homes of retirees on fixed incomes and we have to repair everything within the development. Ms. Graziano said the developer should not have been permitted to put in asphalt sidewalks and now we are paying for it. Mr. Cannata said I sympathize with you but you knew what you were buying. Ms. Graziano said it is the right thing to do and Chairman Kelly said it is a regulation and not about the right thing to do.

Mr. Demetriades said we are making a big push in town to put sidewalks in so it would be a dangerous precedent to allow them to be removed.

Ms. Grasso said I sympathize with you as I live in a community with asphalt sidewalks where the roads are safer. She said we are aware of these issues when we move into a new community.

Mr. Popper said he wanted to make sure Ms. Graziano clarified that the request is to remove all of the sidewalks not just the ones in the cul de sac and Ms. Graziano said yes, all of the sidewalks in front of the units.

Mr. Comtois said the regulations require sidewalks so it would be a bad precedent to allow them to fall into disrepair and be removed.

Mr. Kalinowski said he agreed with the rest of the Commissions. Mr. Marfella said he agreed with the Commissioners as well and it is a safety issue.

Mr. Donohue said the conditions of the sidewalks towards West Street are an existing liability and they need some maintenance.

Chairman Kelly said we can't allow you to remove them; it would go against our regulations.

A motion was made by Michael Cannata and seconded by Doug Kalinowski to deny application #24-01. All were in favor; the motion passed.

Ms. Graziano asked what the appeal process was and Mr. Popper said you can appeal within 2 weeks by going to court and taking legal action.

#### **10. Public Hearings:**

- a. The adoption of the 2024 Town Plan of Conservation and Development (POCD). The Town of Cromwell Planning and Zoning Commission is the Applicant.

Chairman Kelly read the public notice for the POCD public hearing dated February 7, 2024.

A motion was made by Michael Cannata and seconded by Robert Donohue to open the public hearing. All were in favor; the motion passed.

Mr. Popper read new comments from citizen James Rude, 25 Highridge Road, Cromwell and read his comments into the record. Mr. Rude was concerned about the impact of noise, light and traffic in town and noted that it should be addressed in the plan. Mr. Popper said much of the POCD is aspirational and are goals that we are striving to achieve. He said when we do many things in town, like applying for grants, we have to reference the POCD and the status of our POCD. He said we have had a waiver for a few years since more than 10 years has passed since the previous version was published.

Mr. Popper said in regards to some of the comments we have heard about the survey. He said Cromwell has about 10,000 registered voters and said the amount of people who vote is usually small. He said we had 320 surveys returned so that is on par with most voter turnouts. He said the POCD is also based on interviews with department heads and other information.

Mr. Popper said he will call Ms. Grasso to discuss her color coding concerns and we will correct some of them, especially the ones on page 9. He said this will be published online so it will be easy to update. Mr. Popper said we will not be printing cases of the POCD. Ms. Grasso asked if one can be put in the library and Mr. Popper said yes, we will put one in the reference section. Mr. Cannata suggested having one in the Town Planners office and the Town Clerk's office.

Mr. Popper said he will show the pictures at the next meeting along with a final draft and we will use that meeting as the adoption date. He said the plan was reviewed by the River COG and they said we were in compliance with the State and surrounding towns.

A motion was made by Michael Cannata and seconded by Doug Kalinowski to continue the public hearing until March 19, 2024. All were in favor; the motion passed.

#### **11. Approval of Minutes:**

##### **a. February 6, 2024**

A motion was made by Michael Cannata and seconded by Doug Kalinowski to approve the minutes of February 6, 2023. Ann Grasso refrained from voting and the rest of the Commissioners were in favor; the motion passed.

#### **12. Commissioner's Comments:**

Mr. Cannata said there was no mention of green space or any other amenities including anything recreational at the last meeting when the owner of the shopping center at 136 Berlin Road owner gave the presentation about adding apartments. Mr. Popper said that is just a concept and he wanted to get your feedback and input.

Mr. Demetriades and the commission members discussed the Sidewalk Plan for the Town. He asked if Mr. Popper to find the sidewalk plan and Mr. Popper said he has never seen it. Mr. Popper said he did ask for \$100,000 in the budget for a Complete Streets plan as this is a requirement for many grants they want to apply for. He said a sidewalk plan would be part of that plan.

#### **13. Adjourn:**

A motion was made by Michael Cannata and seconded by Brian Dufresne to adjourn at 8:00pm.

All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Imme". The signature is fluid and cursive, with a large initial "L" and a stylized "I".

Linda Imme  
Recording Clerk