

TOWN OF CROMWELL  
ECONOMIC DEVELOPMENT COMMISSION



*Regular Meeting*  
**7:00 P.M. Thursday June 17, 2010**  
**Room 224 Cromwell Town Hall**

**AGENDA**

RECEIVED FOR FILING  
*6-14 2010 at 6:38p M.*  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

*Jean Anagnostis, Assl.*  
TOWN CLERK

1. **Call to Order**
2. **Roll Call/Seating of Alternates**
3. **Approval of Agenda**
4. **Public Comments**
5. **New Business:**
  - a. ED Coordinator's Report
  - b. Façade Program
6. **Stimulating Economic Development:**
  - a. Marketing
7. **Old Business:**
  - a. Northern Tier Industrial Development
  - b. Main Street Revitalization Project
  - c. Planning & Zoning Issues:
    - i. New Zoning Regulations
  - d. Zoning Enforcement
  - e. Stocking Triangle
8. **Communications** (see attached P&Z Report; Zoning Enforcement Report; P&Z Minutes)
9. **Chairman's Comments/Commissioners' Comments**
10. **Approval of Minutes**
11. **Good & Welfare**
12. **Adjourn**

**2010 PERMITS**

<u>Permit#</u>	<u>Name of Applicant</u>	<u>Site Location</u>	<u>Type of Activity</u>	<u>Decision Date</u>	<u>Status</u>
10-01	Norm & Ken Nadeau Special Conditions: NONE	Northbrook Estates Sub	File a Restrictive Covenant in lieu of a letter-of-credit and/or cash performance bond	Approved 1/05/2010	No Activity
10-02	Joe Dudash Special Conditions: NONE	540 Main Street	Indoor Airsoft Facility	Approved 1/19/2010	Open for business
10-03	Reed Builders, LLC Special Conditions: NONE	North Road	"Mountain View" revise lots 7 & 8	Approved 1/05/2010	
10-04	Brothers Property LLC Special Conditions: The Site Development Plan shall be reviewed and approved by the Town Engineer.	County Line Road	3 lot commercial resubdivision	Approved 1/19/2010	
10-05	ORL Construction Corp. Special Conditions: NONE	14 Hillside Road	GKN-Manufacturing	Approved by staff 1/4/10	Work in progress
10-06	Ken Caruso Special Conditions: NONE	26 Court Street	2 family conversion	Approved by staff 1/4/10	
10-07	Peggi Camosci Special Conditions: NONE	322 Main Street	Tea Room & Gift Shop	Approved by staff 1/19/10	Open for Business

**2010 Permits**

<u>Permit#</u>	<u>Name of Applicant</u>	<u>Site Location</u>	<u>Type of Activity</u>	<u>Decision Date</u>	<u>Status</u>
10-08	First Selectman Special Conditions: NONE	Harpers Meadow Road	Road acceptance - Harpers Meadows	Approved 1/19/2010	Accepted on May 13, 2010
10-09	Debra Tardif Special Conditions: NONE	319 Main Street	The Mouse Hole, LLC Gifts & Antiques	Approved by staff 1/12/10	Open for Business
10-10	John Whitney Special Conditions: NONE	76 Nooks Hill Road	lot split	No action required	
10-11	First Selectman Special Conditions: NONE		8-24 Referral regarding proposed Senior Center	Approved 3/02/10	Rejected by voters
10-12	First Selectman Special Conditions: NONE		8-24 referral regarding proposed Library Expansion	Approved 3/02/10	Rejected by voters
10-13	Country Sq. Commons Special Conditions: NONE	40 Country Squire Road	Horizon Marketing	Approved by staff 2/4/10	Moved in
10-14	Greater Harford Community Foundation Special Conditions: Conditions same as last year	100 Golf Club Road	Travelers Championship Golf Tournament	Approved 4/6/10	Pending June 21st starting date

**2010 PERMITS**

<u>Permit#</u>	<u>Name of Applicant</u>	<u>Site Location</u>	<u>Type of Activity</u>	<u>Decision Date</u>	<u>Status</u>
10-15	Pipa Patel Krauszer's Food Stores Special Conditions: (1) not to exceed 8 vehicles and if over capacity must be removed within 24 hrs. (2) A no entrance sign on the western entrance.	117 Berlin Road	U-Haul Rental	Approved 3/2/10	No Activity Sign removed
10-16	Planning & Zoning Commission Special Conditions: NONE	town wide	Staff proposed amendments to Subdivision regulations	Approved 4/6/2010	
10-17	First Selectman Special Conditions: NONE	town wide	Infrastructure; Iron Gate; Police	Approved 3/2/10	
10-18	First Line Electric LLC Special Conditions: NONE	135 Sebethe Drive	Electrical Contracting Offices & Warehouse	Approved by staff 2/24/10	
10-19	Salvatore Petrella Special Conditions: NONE	630 Main Street	Bookkeeping Office	Approved by staff 3/9/10	Moved in
10-20	Joshua Eddinger Special Conditions: Wetlands officer review for wetlands compliance	24 Shunpike Road	Temporary Retail Garden Store	Approved 4/6/2010	No chemicals on site Open for Business
10-21	Not used				

**2010 PERMITS**

<u>Permit#</u>	<u>Name of Applicant</u>	<u>Site Location</u>	<u>Type of Activity</u>	<u>Decision Date</u>	<u>Status</u>
10-22	Qamar Naqvi Special Conditions: NONE	15 Wild Rose Court	Import handicrafts & gift items	pending	
10-23	Croi-Lyn Kovacs Special Conditions: (1) The ramp must be approved by the Building Inspector.	13 Sydney Lane	Home Daycare	Approved 4/20/2010	Workin on Handicap Ramp
10-24	Elizabeth Vincenzi Special Conditions: NONE	199 Shunpike Road	Elite Fitness Studio	Approved by staff 3/30/10	No Activity
10-25	Paul Morello, Jr. Special Conditions: (1) The Town Engineer shall review the drainage report submitted by the applicant, and deem it acceptable; (2) The plans shall be revised to address the Town Planner's comments dated 4/8/10;	200 Coles Road	Mrozowski 1 lot subdivision	Approved 4/16/2010	
10-26	Brian DiMartino Special Conditions: NONE	9 Ledge Road	1 lot subdivision	PH 6/1/2010	

2010 PERMITS

<u>Permit#</u>	<u>Name of Applicant</u>	<u>Site Location</u>	<u>Type of Activity</u>	<u>Decision Date</u>	<u>Status</u>
10-27	Cromwell Little League Special Conditions: Approval by Board of Education	9 Captain James Mann Memorial Drive	Baiting cages and Press Box	Approved 5/04/2010	No Activity
10-28	LRC Group/Pat Gorman Special Conditions: NONE	14 Hillside Road	Proposed parking expansion	Approved 5/18/ 2010	Work in progress
10-29	Byrt John, Director Covenant Village Special Conditions: NONE	Missionary Road	Farmer's Market	Educational events are allowed in Institutional Development Zone No action needed	
10-30	Mark Langton Special Conditions: NONE	Fire Depts. 82 Court St. and 1 West Street	Mother's Day Flower Sale	Approved 5/04/2010	Over

# Memo

To: Joseph Mazurek, Director of Developmental Services  
From: Fred Curtin, ~~Wetland Enforcement Officer~~  
Date: 5/26/2010  
Rē: May 2010 Activity Report

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97 Nooks Hill Road: The property owner has installed four 4 x 4 cement posts. I've dropped off the Conservation pins for the posts.

136 Berlin Road; Cromwell Commons: The five signs have been installed. I'm waiting on the planting and the fine payment.

78R Timber Hill Road: A Notice was sent to the property owner to prepare a Replanting Plan, prepared by his arborist and to have all plantings completed by June 4, 2010.

31 River Road: Remove from agenda.

5-11-2010 at 1:35 P.M.

TOWN CLERK'S OFFICE

CROMWELL, CONN.



**Cromwell Zoning Regulations  
Subcommittee**

*Jean Allquist Asst.*  
TOWN CLERK

**Special Meeting**

Monday, May 10, 2010

7:00 – 9:30 PM

Room 222, Town Hall – West Street

**MINUTES**

**Present:** Chairman Alice Kelly, Vincent Faienza, Thomas O'Neill, Peter Keithan and Joseph Garafalo

**Absent:** Nicholas Demetriades

**Also Present:** Jason Vincent, AICP of Planimetrics, Town Planner Craig Minor, Michael Cannata, and Douglas Sienna.

**1. Call Meeting to Order:**

The meeting was called to order by Chairman Alice Kelly at 7:05 pm. The presence of the above persons was noted.

**2. Approval of the Agenda:**

The agenda was approved by consent.

**3. Approval of Minutes:**

Motion was made by Peter Keithan, seconded by Joseph Garafalo, to approve the minutes of the April 21, 2010. All were in Favor. *Motion Passed.*

**4. New Zoning Map:**

Mr. Vincent presented his response to several items that came up at the last committee meeting.

a. "Northern Tier": Mr. Vincent presented three options for re-zoning this area: do nothing; rezone only the west side of Shunpike "Business Park" all the way to the current IP zone; rezone only the west side of Shunpike "Business Park" one lot deep. The consensus was to support Option #3.

b. Liberty Bank on Willowbrook Road: change to "Highway Business".

c. 151 West Street: Mr. Vincent displayed a map showing this parcel as "Mixed Use" zone, as discussed at the last meeting.

d. Current "F" zone at Nooks Hill Road: Mr. Vincent presented a map showing the current zone line (i.e. the SCEL), and a proposed zone line (i.e. the 100 Year Flood elevation contour, which is at approximately 33'). Michael Cannata asked why, if construction is allowed in the rest of the Town at elevations as low as 25', is this area being held to a higher standard? Mr. Vincent replied that in the new regulations the old 25' provision will be deleted, and just the FEMA regulations will apply. Mr. Cannata asked, then why not simply let that apply in this area too, rather than make a different zone? The Town Planner Craig Minor replied that it was his understanding that the "Dead Man's Swamp" area of town had a cultural significance to townspeople which was partially why this area is zoned so restrictively. Mr. Cannata suggested that, instead of the proposed "Riparian" zone, this area be re-zoned to whatever the adjacent zoning is. There was no disagreement.

e. Mixed Use Zone on Main Street: Mr. Vincent displayed maps showing the northern and southern boundaries of the proposed "Mixed Use" zone on Main Street.

f. Area around the "Cromwell Growers" property on Main Street: Mr. Vincent said that since P&Z has never established what, exactly, is the "vision" for this area of town, no changes should be made to the zoning map at this time. There was no disagreement.

g. "Industrial" zone area east of Prospect Hill Road: Mr. Vincent displayed a map showing a reduced area.

h. "Cromwell Concrete" property on Main Street: Mr. Vincent displayed a map showing the rezoning of the area that belongs to Cromwell Concrete. The parcels that are now in the A-15 zone would be Business Park, and one parcel on Main Street which is now IP would be residential.

i. 201 and 225 Main Street: Mr. Vincent displayed a map showing these parcels as "Industrial" zone, rather than "Riparian".

j. "Tank Farm" property on River Road: Mr. Vincent displayed a map showing these parcels as "Industrial" zone, rather than "Riparian".

k. South Street east of the railroad trestle: The committee discussed the best way to bring this area (currently zoned "Business") into harmony with the surrounding "Downtown Business" zoning, without making any of the new businesses there non-conforming. The consensus was to make this block "Downtown Cromwell" zone, and to amend the draft DC regulations to include allowing activity there now by Special Permit. This would include Stamm's and any other non-conforming business now there.

l. Route 9 exit ramp: Mr. Vincent displayed a map showing the small DOT parcel as "Downtown Cromwell" zone".

5. **Chapter 4 - "Industrial Zone":**

Mr. Vincent presented a chart showing all the uses that are allowed in the current "Business" and "Industrial" zones, and what he has proposed to be allowed in the new "Industrial" zone. The committee discussed the list and made some changes.

6. **Other Business:**

a. Vincent Faienza suggested making "warehouse and wholesale distribution" allowed by special permit in the "Business Park" zone, and to allow by special permit the retail sale of items manufactured or distributed at the site as an "accessory use". The committee agreed.

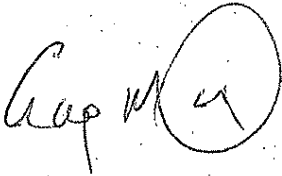
b. Joseph Garafalo asked Mr. Vincent if he had any additional information on the alcohol separation regulation. Mr. Vincent replied that he did, but he was not prepared to talk about it tonight. Mr. Garafalo said that the Chief of Police should be given the chance to comment on whatever change the committee makes to the alcohol separation regulations.

c. The committee agreed to hold one more meeting before presenting these recommendations to the full Planning and Zoning Commission. That meeting would be sometime in June.

6. **Adjourn**

Michael Cannata made a motion to adjourn, seconded by Vincent Faienza. The meeting adjourned at 8:40 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Craig Minor", with a large circle around the name.

Craig Minor, AICP  
Town Planner



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

*Carolene DiProta*  
TOWN CLERK

**PUBLIC HEARING AND REGULAR MEETING**  
**7:00 P.M. TUESDAY, MAY 18, 2010**  
**ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

**MINUTES AND RECORD OF VOTES**

Present: Nicholas Demetriades, Vincent Faienza, Joseph Garafalo, Peter Keithan,  
Michael Cannata, Alice Kelly, Thomas O'Neill, Tom Madden

Also Present: Town Planner Craig Minor,

Absent: Doug Sienna, Alternate Fred Hayward and Alternate Linda Duren, BOS Liaison  
Anthony Varricchio, Sr.

**1. Call to Order**

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

**2. Roll Call**

The presence of the above members was noted.

**3. Seating of Alternates**

There were none seated.

**4. Approval of Agenda**

**Motion** was made by Alice Kelly, **seconded** by Thomas Madden to approve the agenda.

**Motion** was made by Alice Kelly, **seconded** by Thomas Madden to add 7b1. Status of "Shot-Crete" at Cobblestone Plaza to the agenda. All were in Favor. *Motion Passed.*

**Motion** was made by Vincent Faienza, **seconded** by Alice Kelly to add 9a. Field Change to Cobblestone Plaza Site Plan to the agenda. All were in Favor. *Motion Passed.*

Chairman Demetriades called for the Main Motion on the agenda. All were in Favor. *Motion Passed.*

**5. Public Comments**

Mertie Terry of 589 Main Street expressed that she was adamantly opposed to the change of the mixed-use business zone from Court Street to Geer Street. Mrs. Terry could not understand the reasoning behind the change for the gateway to the Town. Mrs. Terry felt this was not a good change due to no highway access and the impact to the people that live there. Mrs. Terry pointed out the "dead-zone" that has existed in the Sav-mor Plaza for years. Mrs. Terry expressed concern for a drop in property values. Mrs. Terry asked that Planametrics and the Committee look carefully at this again and the impact it would make.

Kevin Slifer of 42 Hillside Road commented again on his lack of understanding with Mr. Demetriades. Mr. Slifer remarked that he felt at the last Committee meeting that the members

who were present seemed to understand what he had been concerned about.

**6. Development Compliance Officer Report:**

a. Activity Report

Zoning Enforcement Officer Fred Curtin explained that the contractor for Eager Lane was going to put in two yard drains and that progress was being made. Mr. Garafalo asked that more information regarding specifics be brought to the Commission. Mr. Garafalo asked whether the homeowner's consultant's information was considered in the discussion process and what was the homeowner's reaction to the drains. Mrs. Kelly asked who was responsible for the drains. Mr. Curtin said that it would be the homeowner. Mrs. Kelly would like the information to be relayed to the homeowner, so it is clear that they are responsible for the drain maintenance.

Mrs. Kelly asked for information about the Baroni complaints. ZEO Curtin said that he was working with Inland and Wetlands. ZEO Curtin will review the as-builts and grading plans and then address what actions need to be taken. The Commission asked ZEO Curtin if he ever received the packet with the concerns of the site and the pictures. ZEO Curtin had not received the packet, but had heard about it. Mrs. Kelly gave ZEO Curtin her copy.

b. Status of Outstanding Permits - No report.

**7. Town Planner Report:**

a. Public Hearings to be Scheduled:

1. Application #10-31: Special Permit (Rear Lot) at Woodside Road. H & C Developers LLC, applicant; Gardner's Nurseries Inc., owner.

**Motion** was made by Alice Kelly, **seconded** by Thomas O'Neill to schedule the Public Hearing for Application #10-31: Special Permit (Rear Lot) at Woodside Road on June 1, 2010. All were in Favor. *Motion Passed.*

b. Performance Bond Actions:

1. Status of "Shot-Crete" at Cobblestone Plaza

Mr. Minor provided the Commission with information regarding the shotcrete. Mrs. Kelly reviewed her memo and reply to Mr. Mazurek regarding concerns with the slope. Mrs. Kelly also reviewed the shotcrete proposal from ShurShot and expressed her concerns with the proposal and the deterioration at the site. Mr. Cannata conveyed his frustration with the entire process, but felt the work should not be stop. Mr. Cannata thought the work should move forward, with the information submitted to Welti and the bond posted. Mr. Minor discussed a 2008 letter from Dr. Welti and agreed it should be looked at whether the specifics match once the work is complete and the work should be verified by Haley & Aldrich with Town Engineer Mazurek to see if more work should be done. There was a lot of discussion by the Commission expressing concern for an accurate and complete job. Mr. Faienza felt it should move forward and then have it reviewed.

The Commission agreed that staff should review the work with Haley & Aldrich to make sure additional shotcrete, due to deterioration of the site is not needed. The Commission also agreed the bond still exists and that the ZEO needs to take action.

**Motion** was made by Alice Kelly, **seconded** by Michael Cannata to direct the Zoning Enforcement Officer to enforce compliance with the performance bond requirement, that the \$38,000 bond be posted by May 15, 2010. All were in Favor. *Motion Passed.*

**8. Public Hearing and Possible Action:**

a. Application #10-22: Home Occupation (Import/Export Business) at 15 Wild Rose Court. Qamar Naqvi, owner/applicant.

Vincent Faienza read the legal notice into record.

**Motion** was made by Alice Kelly, **seconded** by Thomas Madden to open the public hearing. All were in Favor. *Motion Passed.*

The Town Planner informed the Commission that, due to Condominium rules, the applicant was not able to post the required sign for at least ten days before the hearing. However, there was a sign for several days before the previous cancelled public hearing on May 4, and a second sign was up for about a week for tonight's public hearing, so in his opinion the intent of the requirement has been met, if not the letter.

Qama Naqui of 15 Wild Rose Ct described that her husband wished to sell decorative pieces and that she has not had any complaints. Ms Naqui stated that there would be no trucks going in and out because they were going to rent a storage area. Ms Naqui said that her husband still needed to obtain a license for the business. Mr. Minor had requested before and still had not received the arrangement for the business. Mr. Minor explained to Ms Naqui that he still needed the floor plan, which showed the layout of the business in the home. Mr. Minor explained that that the business must not exceed 25% of the space of the home. Mrs. Kelly asked for the location of where the decorative materials where going to be stored, so the Commission could be assured that they were not coming to the unit. The Commission discussed the sign posting concern and decided that the spirit of the regulation was met.

Chairman Demetriades asked for comment in favor of the application. There was none.  
Chairman Demetriades asked for comment opposed to the application. There was none.  
Chairman Demetriades asked for comment neither for nor against the application.

Michael Slifer of 2 Pond View Drive commented that the Commission should get clarification from the condo association whether this is permitted within the condominium before accepting the application.

**Motion** was made by Alice Kelly, **seconded** by Michael Cannata to continue the hearing for Application #10-22: Home Occupation (Import/Export Business) at 15 Wild Rose Court until the next meeting. All were in Favor. *Motion Passed.*

**9. Old Business:**

a. Field Change to Cobblestone Plaza Site Plan

Mr. Minor informed the Commission that Haley & Aldrich has deemed the larger rock suitable. Mr. Cannata said that he would accept the finding, but with questions and he does not feel good about it particularly at this location. Mr. Cannata did not feel that the stone was going to bind at the same level as the smaller stone.

**Motion** was made by Alice Kelly, **seconded** by Vincent Faienza to approve the field change as requested by the applicant, as found suitable by Haley & Aldridge. All were in Favor. *Motion Passed.*

Mrs. Kelly asked whether the required inspections are taking place. Mr. Minor said he could not answer the question, as he is not involved at that level of the project. Mr. Cannata asked through the Chairman if it can be asked and addressed.

**10. New Business:**

a. Application #10-28: Site Plan Approval (Expansion of Existing Parking Lot) at 14 Hillside Road. LRC Group, applicant; Buhl Land East IV LLC, owner.

Pat Gorman of 160 West Street, LRC Group, explained that his client purchased the property at 14 Hillside Road and GKN has occupied the space. There are no additions to the building; they are just relocating the front door. Mr. Gorman provided photos to familiarize the Commission with the property. Mr. Gorman explained that they are relocating the door and adding 58 spaces including handicap spaces, as well as storm drainage, lighting, and landscaping. Mr. Gorman addressed all comments in Mr. Minor's April 23, 2010 letter. Mrs. Kelly asked about the roll up doors and questioned about the ability of trucks munevering through the parking lot. Mr. Gorman addressed all her concerns. Mr. Faienza commended the project and all the Commissioners agreed.

**Motion** was made by Thomas Madden, **seconded** by Joseph Garafalo to approve Application #10-28: Site Plan Approval (Expansion of Existing Parking Lot) at 14 Hillside Road. All were in Favor. *Motion Passed.*

**11. Communications:**

a. Letter from First Selectman to Patrick Snow regarding "Cider Hill" dated May 5, 2010.

First Selectman John Flanders addressed the Commission regarding his letter to Mr. Snow and that it is not as relevant as it was when written. First Selectman Flanders explained to the

Commission that the Cider Hill situation is on going and that they are trying to find the best solution to address it quickly. Tilcon is not going to offer Mr. Snow credit, but gave a reasonable quote of \$110,000 to the Town. The storm drains are caving in under the roads and need excavating at additional costs. First Selectman Flanders said they will take action and then take legal action. He hopes to start as soon as next week. The Commission and First Selectman Flanders discussed the various bond monies. The Commission asked to be kept informed on the process. The Commission expressed concern with projects involved with Mr. Snow and the increasing costs mounting on the Town with time and legal expenses and whether this can be a consideration for future projects. The Town Planner reminded everyone that it has not been five years yet since the project was approved so he is not sure the Town can take the bond money, but if the Town Attorney recommends this approach, then he would have no objection.

**12. Commissioners' Comments:**

a. Zoning Regulations Committee Report

Mrs. Kelly commented that the last meeting was very productive. The next meeting was scheduled for June 14, 2010. The setback issue will be discussed and she asked that Jason look at the Main Street issue from Planametrics.

b. Mr. Faienza commented that it was imperative that ZEO Curtin and Town Engineer Mazurek stay on top of reports at Cobblestone because it needs to be done right. Mr. Faienza stressed that if there are problems, that they need to be found at each stage and corrected and not when the project has been completed. Mrs. Kelly stressed her concern with not stopping projects and the impact it can have when filing legal action in the future.

**13. Approval of Minutes:**


a. May 4, 2010

**Motion** was made by Alice Kelly, **seconded** by Joseph Garafalo to approve the minutes of May 4, 2010. All were in Favor. *Motion Passed.*

**14. Adjourn**

The meeting adjourned by general consent at 8:25 pm.

Respectfully submitted,

  
Jennifer L. Donohue  
Clerk



**Town of Cromwell  
Planning and Zoning Commission**

*Jean Ahlgren Asst*  
TOWN CLERK

**PUBLIC HEARING AND REGULAR MEETING  
7:00 P.M. TUESDAY, JUNE 1, 2010  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

**MINUTES AND RECORD OF VOTES**

Present: Nicholas Demetriades, Vincent Faienza, Joseph Garafalo, Peter Keithan,  
Michael Cannata, Alice Kelly, Thomas O'Neill, Tom Madden, Doug Sienna  
(arrived late), Alternate Fred Hayward

Also Present: Town Planner Craig Minor, BOS Liaison Anthony Varricchio, Sr

Absent: Alternate Linda Duren

**1. Call to Order**

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

**2. Roll Call**

The presence of the above members was noted.

**3. Seating of Alternates**

Alternate Fred Hayward was seated by unanimous consent.

**4. Approval of Agenda**

**Motion** was made by Alice Kelly, **seconded** by Vincent Faienza to approve the agenda.

**Motion** was made by Alice Kelly, **seconded** by Vincent Faienza to add 7b2. Letter from Patrick Snow of Cider Hill Associates to First Selectman John Flanders dated May 24, 2010 regarding Performance Bond for "Cider Hill Estates" to the agenda. All were in Favor. *Motion Passed.* Chairman Demetriades called for the Main Motion on the agenda. All were in Favor. *Motion Passed.*

**5. Public Comments**

Salvatore Petrella of 630 Main Street stated that he was willing to contribute towards a proper recording system as long as it did not violate a Code of Ethics, so that the Town could have something that worked properly.

Mertie Terry of 589 Main Street had spoken last month about her concern with the zone change along Main Street. Mrs. Terry had explored around Cromwell current business occupancies and found multiple vacancies in business zones all throughout Town. Mrs. Terry emphasized not wanting empty storefronts in more locations in Town.

Jay Polke of 15 Harrison Drive also stated that he was willing to contribute towards a proper recording system for the Town as long as it did not violate any codes.

Beverly Leghorn-Jirele of 25 Woodside Road confirmed that she would be able to speak regarding the Woodside Road development during the subdivision discussion.

**6. Development Compliance Officer Report:**

a. Activity Report

Zoning Enforcement Officer Curtin reviewed his 5/25/10 memo to Town Engineer Mazurek. ZEO Curtin reviewed that a Cobblestone meeting had been held last week. Mr. Faienza reported that the site is being inspected weekly and passed out pictures to the Commission, as he had been at last weeks meeting. ZEO Curtin clarified that Mr. Welti has been on the site.

Patrick Snow of Cobblestone Associates gave an update on the shot-crete. Mr. Snow passed out a letter to the Commission for their review. Chairman Demetriades gave time for the Commissioners to review the letter. CVS may want additional work done to their site and Mr. Snow needs additional time to hear from their engineers. Mrs. Kelly asked about the bond of \$38,000. Mr. Snow has not placed the bond yet. There was discussion of the bond and the issues surrounding it. Mrs. Kelly and Mr. Minor discussed the various bond monies. Mrs. Kelly expressed her concerns with Mr. Snow's inability to go on the CVS site. Mrs. Kelly expressed her concern with the inaccuracies of the shot-crete proposal. Mr. Madden asked Mr. Snow if he knew what CVS might be looking for. Mr. Snow thought perhaps more shot-crete or mesh.

**Motion** was made by Alice Kelly, **seconded** by Joe Garafalo to extend the time from June 20, 2010 for completion of work to August 31, 2020 with the condition the Town Engineer approves the proposal by the CVS engineers. (In Favor, Demetriades, Faienza, Garafalo, Keithan, Kelly, O'Neill, Madden, Hayward) (Opposed, Cannata) Motion Passed.

The Commission discussed the bond monies. Mr. Snow stated he would be asking for a reduction in his bond on Phase I of the project and than he would ask that to cover this bond. Mr. Cannata stated that there has been a lack of request for reduction or an inspection so it cannot be assumed.

Mr. Garafalo asked to discuss the Eager Lane issues. Mr. Steve McClarty from Coastal building stated that he put the markers in for the drains but he has not heard back from Town Engineer Mazurek. ZEO Curtin said that he would check on the progress tomorrow. Mr. Garafalo asked questions regarding the swale and expressed concerns. Mr. Garafalo asked whether the homeowner's engineer's comments had been addressed. Mr. Hayward suggested a field visit. Chairman Demetriades said to let the Town Engineer continue the process and if progress did not continue to be made that they would schedule to walk the site.

Mrs. Kelly gave a summary of the Code Enforcement Activities Worksheet. Mrs. Kelly reviewed with ZEO Curtin what the Commission would like to know. Mrs. Kelly asked that the outstanding items from 2009 be on the Outstanding Permits report, such as Cobblestone.

Mr. Faienza asked that copies of the Cobblestone engineering reports be copied to the Commission. ZEO Curtin said he would get them to the Commission.

Mrs. Kelly reviewed guidelines from December that were to be followed by Cobblestone. Mrs. Kelly asked Mr. Snow if they were being followed. Mr. Snow discussed that Mr. Welti needs to sign off on all final engineering. Chairman Demetriades asked ZEO Curtin to reiterate to Town Engineer Mazurek that he is following all guidelines. Mr. Hayward asked if the Town Attorney should review since there are discrepancies.

Mr. Hayward thanked ZEO Curtin for his hard work on South Street and asked what trees were going to be planted on the Timber Hill issue. Mr. Hayward would like to be informed of the trees.

- b. Status of Outstanding Permits –provided in packet, no discussion.

#### 7. **Town Planner Report:**

- a. Public Hearings to be Scheduled:
- b. Performance Bond Actions:

- 1. Final Performance Bond Release for "Harpers Meadow".

Town Planner Minor went to the site and all the trees are in place and all set and he recommends the release of the bond.

**Motion** was made by Vincent Faienza, **seconded** by Joseph Garafalo to release the \$3,100 cash performance bond for Harper's Meadow as recommended by Town Planner. All were in Favor.  
*Motion Passed.*

- 2. Letter from Patrick Snow of Cider Hill Associates to First Selectman John Flanders dated May 24,2010 regarding Performance Bond for "Cider Hill Estates"

Town Planner Minor explained that it would be appropriate for the Commission to make a motion stating their support in the release of the bond. The Commission discussed at length on how to word the motion. Mrs. Kelly expressed concern over the lack of signature on the letter from Patrick Snow.

**Motion** was made by Michael Cannata, **seconded** by Thomas O'Neill the Commission is in agreement in principle to release the cash bond to the Town for repairing of the road. All were in Favor. *Motion Passed.*

Mrs. Kelly asked if the open space was deeded to the Town. Town Planner Minor was going to check.

Mr. Faienza read the legal notice into record.

**8. Public Hearing and Possible Action:**

a. Application #10-22: Home Occupation (Import/Export Business) at 15 Wild Rose Court. Qamar Naqvi, owner/applicant. Continued from May 18, 2010

The applicant was not present at the meeting.

Chairman Demetriades for public comments. There were no public comments.

**Motion** was made by Alice Kelly, **seconded** by Peter Keithan to table Application #10-22: Home Occupation (Import/Export Business) at 15 Wild Rose Court. All were in Favor. *Motion Passed.*

b. Application #10-31: Special Permit (Rear Lot) at Woodside Road. H & C Developers LLC, applicant; Gardner's Nurseries Inc., owner.

**Motion** was made by Vincent Faienza, **seconded** by Alice Kelly to open the public hearing. All were in Favor. *Motion Passed.*

Attorney Salvatore Petrella of 630 Main Street reported that signs were posted on the property and that the certified mailings had been sent to the proper property owners. Attorney Petrella explained that this is an A-25 zone and that they applied for and received wetlands approvals in 2006. The applicants also received a variance in 2006 on the setback, so as not to impact the wetlands. Attorney Petrella stated that they did apply for subdivision approval in 2006, but the moratorium went into effect. Attorney Petrella reviewed how the lot meets rear-lot requirements and discussed the visual impact of the rear lot.

Jim Cassidy, Engineer of Hallisey, Pearson, and Cassidy explained the 10.5 acres along Woodside Road. Mr. Cassidy described the location of the rear-lot in conjunction with the surrounding properties and the 8-new building lots. Seven of the lots will come off of the new roadway and one will come off of Woodside Road. Mr. Cassidy described the lot and the position of the house and how it meets compliance with rear-lot zoning regulations. Mr. Cassidy described how by going with a shorter road benefits the environment and the community.

Mr. Keithan expressed concern with the run-off to the church property. Mr. Cassidy explained

how they have changed the design to address the wetland concerns.

Chairman Demetriades asked for comments in support of the application. There were none.

Chairman Demetriades asked for comments opposed to the application. There were none.

Chairman Demetriades asked for comments neither for nor against the application.

Beverly Leghorn-Jirele of 25 Woodside Road expressed concern for the lack of drainage when the property has houses and roads built on it. Ms Leghorn-Jirele explained that when the school was voted on there was supposed to be drains and they are not there. Ms Leghorn-Jirele stressed her concern with water and drainage.

Kathleen Leghorn of 25 Woodside Road remarked that her family owned the land at one time and that the land is very wet. Ms Leghorn expressed concern with being flooded out.

Beverly Leghorn-Jirele of 25 Woodside Road questioned whether they were going to fill the land up to her property.

Mr. Cassidy explained the formalized drainage system that would be installed. Mr. Cassidy described how it would catch water and the discharge of water. Mr. Cassidy described the infiltration system for the lots and the runoff. The water drainage along Woodside Road was also discussed.

**Motion** was made by Alice Kelly, **seconded** by Vincent Faienza to close the public hearing for Application #10-31: Special Permit (Rear Lot) at Woodside Road. All were in Favor. *Motion Passed.*

**Motion** was made by Alice Kelly, **seconded** by Thomas O'Neill to approve Application #10-31: Special Permit (Rear Lot) at Woodside Road. All were in Favor. *Motion Passed.*

9. **Old Business:** None

10. **New Business:**

a. Application #10-32: Subdivision Approval ("Woodside Estates") at Woodside Road, H & C Developers LLC, applicant; Gardner's Nurseries Inc., owner.

Attorney Salvatore Petrella commented that he would like to incorporate previous comments regarding Woodside Estates into this application. Chairman Demetriades consented. Attorney Petrella reviewed that it is a 10.5-acre parcel with about 5 acres being preserved. Attorney Petrella submitted to Town Planner Minor a Conservation Easement draft. Attorney Petrella

discussed the deed restriction and placement of the homes to be 40 ft off from Woodside Road to be in line with the other homes along Woodside Rd. Attorney Petrella also addressed the open space fee and how this may not be entirely appropriate for this application because of all the protected open space on Lot 2-4. Mr. Cassidy informed the Commission that all utilities would be underground. Mr. Cassidy will be redrawing the plans to address the changes needed and it will be submitted for the next meeting. Attorney Petrella assured the Commission that Mr. Hagel would be the developer and that he would be overseeing the project and not selling off the lots to someone else to build the houses on. Mr. Madden suggested walking the property. Mr. Cannata confirmed that Mr. Coons was a silent partner with Mr. Hagel. Chairman Demetriades confirmed that staff comments were needed and a new set of plans.

**Motion** was made by Alice Kelly, **seconded** by Thomas Madden to table Application #10-32: Subdivision Approval ("Woodside Estates") at Woodside Road. All were in Favor. *Motion Passed.*

The Commission discussed a potential time for a site walk and proposed June 8<sup>th</sup> at 5:30pm. Attorney Petrella will confirm the date with Town Planner Minor.

b. Application #10-33: Site Plan Approval (Second Story Office Space) at 1 Kirby Road. One Kirby Road C LLC, owner/applicant.  
Jim Cassidy of Hallisey, Pearson, and Cassidy presenting for the applicants of 1 Kirby Road described the layout of the building. Mr. Cassidy described the 1,000 square feet of office space on the 2<sup>nd</sup> floor that is used by Dunkin Donuts. This request is simply to approve the use of the second story, which was not approved for use when the site plan was originally approved several years ago. There is sufficient parking for the additional office space because the Baskin Robins has moved out, reducing the amount of parking needed for the Dunkin Donuts. Mr. Cassidy explained that the retroactive approval is needed now because the franchise would like to purchase the property, but would like to make the plans compliant. Mr. Madden expressed concern with crowdedness. John Mandel, the applicant, explained that it has not been as busy since Baskin Robbins has moved out. Mrs. Kelly asked how the discrepancy happened in the first place. There was some discussion on the conflict.

**Motion** was made by Michael Cannata, **seconded** by Joseph Garafalo to approve Application #10-33: Site Plan Approval (Second Story Office Space) at 1 Kirby Road. All were in Favor. *Motion Passed.*

c. Application #10-35: Temporary Use Permit for "Cromwell Riverport Festival" on Community Field Road. Allan Spotts, applicant.  
The applicant could not be present. Town Planner Minor explained the only change from last year is that the Festival was adding a Farm Stand. Mr. Faienza detailed the hours of the Festival on Aug 26-29. Mr. Faienza explained that the farm stand would be on Saturday from 2-5pm and

would be facing the Fire Department. The parking arrangements would be the same as last year. The fireworks would be held on Saturday at 9:30pm.

**Motion** was made by Alice Kelly, **seconded** by Thomas O'Neill to approve Application #10-35: Temporary Use Permit for "Cromwell Riverport Festival" on Community Field Road. All were in Favor. *Motion Passed.*

**11. Communications:** None.

**12. Commissioners' Comments:**

a. Zoning Regulations Committee Report

Mrs. Kelly reminded everyone that there is a meeting scheduled for June 14<sup>th</sup> and that in addition to the agenda they would be discussing a budget for Planametrics. Town Planner Minor will discuss with Police Chief Salvatore on attending regarding the Liquor regulations. Mrs. Kelly explained that she might have additional public comments on liquor regulations.

b. Town Planner Minor informed the Commission that Larry McHugh of Chamber of Commerce asked him at the last Chamber meeting to present the members with an update of the new zoning regulations, and zoning map at their next meeting. Mrs. Kelly felt that they should not be discussed until a final map is ready. Town Planner Minor felt that an update should be given, since there has been so much discussion regarding the changes. Mrs. Kelly and Mr. Faienza plan to attend the Chamber meeting as well to help with the discussion.

c. Mr. Cannata discussed his concern with bonding and subdivisions. Mr. Cannata thought that a new system should be looked at so that sidewalks and streets and sidelines get complete during the building of a subdivision. Mr. Cannata stressed that homeowners should not have to wait until the end of 5 years to have their community looking acceptable. Mr. Cannata referenced a project on Pasco Hill as an example. Mr. Minor said he would draft an amendment to the subdivision regulations for the Commission's review, which would require the developer to finish the road once 75% of the homes are built.

d. Mr. Cannata remarked on the Cobblestone bond reduction that Pat Snow referred to earlier tonight and asked the Commission to think long and hard about it. Mr. Cannata asked if the slope would hold up to the test of time. Mr. Cannata expressed concern with the temporary detention system and subdivision of the property.

e. Mr. Sienna typed up concerns from the May 4<sup>th</sup> meeting regarding Cobblestone and modifications to the site. The Commission discussed the concern and decided to establish a standard practice.

**Motion** was made by Alice Kelly, **seconded** by Peter Keithan that all modifications to an approved site plan or subdivision plan be referred to the Town Engineer for his review and written comment, and if applicable to the Town's consulting engineer, before the Commission would consider the application for approval. All were in Favor. *Motion Passed.*

**13. Approval of Minutes:**

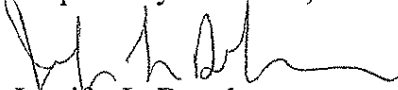
a. May 18, 2010

**Motion** was made by Alice Kelly, **seconded** by Vincent Faienza to approve the minutes of May 18, 2010. All were in Favor. (Hayward, abstain) *Motion Passed.*

**14. Adjourn**

The meeting adjourned by general consent at 9:55pm.

Respectfully submitted,



Jennifer L. Donohue  
Clerk



**Town of Cromwell  
Planning and Zoning Commission**

**SPECIAL MEETING  
5:30 P.M. TUESDAY, JUNE 8, 2010**

**WEST SIDE OF WOODSIDE ROAD  
CROMWELL, CONNECTICUT**

RECEIVED FOR FILING  
6-11 20 10 at 11:59aM.  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

*Jean Chequerin-Cass*  
TOWN CLERK

**MINUTES AND RECORD OF VOTES**

Present: Nicholas Demetriades, Vincent Faienza, Joseph Garafalo, Doug Sienna,  
Michael Cannata, Alice Kelly, Tom Madden and Alternate Fred Hayward  
Also Present: Town Planner Craig Minor, BOS Liaison Anthony Varricchio, Sr.  
Absent: Peter Keithan, Thomas O'Neill, and Alternate Linda Duren

**1. Call to Order**

Chairman Demetriades called the meeting to order at 5:30pm.

**2. Roll Call**

The presence of the above members was noted.

**3. Seating of Alternates**

**Motion** was made by Alice Kelly, **seconded** by Joe Garafalo to seat Fred Hayward. All were in Favor. *Motion Passed.*

**4. Site Inspection:**

a. Application #10-32: Subdivision Approval ("Woodside Estates") at Woodside Road, H & C Developers LLC, applicant; Gardner's Nurseries Inc., owner.  
Jim Cassidy, Engineer for the applicant, described the location of the entrance to the subdivision across from the entrance of the Woodside School. Mr. Cassidy also reviewed the current catch basins and the location of a new catch basin. Mr. Cassidy pointed out where the rear lot would be located among a clump of brush. Mr. Cassidy described the point marker for the middle of the cul-de-sac. Mr. Cassidy reviewed the drainage for Lot #4.

Mr. Madden asked about the neighbor's drainage concerns. The neighbor described how the water flows down Woodside Road along the beginning of her driveway and onto the corner of the Woodside Rd property. There was discussion about how it flowed through the property.

Chairman Demetriades recessed the meeting at 5:46pm.  
Chairman Demetriades called the meeting back to order at 5:49pm.

There was discussion regarding the 5 acres of Conservation Easement. There was discussion whether the property owners would be able to apply for open space rights. Town Planner Miner felt that it might be applicable, but that it would have to be reviewed by the assessor.

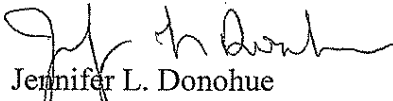
There was more discussion regarding the run-off of water from Woodside Road. Mr. Hagel, the applicant, discussed the possibility of placing curbing along Woodside Road and a catch basin instead of sidewalks within the subdivision. Mr. Hagel would have to get the proper permissions, as this is outside of the property. Mr. Hagel also discussed the pitch of the homeowner's driveway and putting in a crosswalk towards the school without going into the driveway of the school.

Chairman Demetriades addressed concerns with the construction atmosphere regarding trucks and dirt, particularly with the school. Chairman Demetriades also expressed concern with water in homeowner's basements and not allowing that to happen.

**5. Adjourn**

**Motion** was made by Alice Kelly, **seconded** by Doug Sienna to adjourn at 6:04pm. All were in Favor. *Motion Passed.*

Respectfully Submitted,

  
Jennifer L. Donohue  
Clerk