

**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING AND PUBLIC HEARING
7:00 P.M. THURSDAY, NOVEMBER 4, 2010
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Development Compliance Officer Report:**
 - a. Activity Report
 - b. Status of Outstanding Permits
7. **Town Planner Report:**
 - a. Public Hearings to be Scheduled
 - b. Performance Bond Actions:
 1. Performance Bond for "Cromwell Chase"
8. **Public Hearing and Possible Action:** None.
9. **Old Business:**
 - a. Application #10-45: Site Plan Approval for Two Commercial Buildings at 1 Willowbrook Road. Stone Ridge Associates LLC, owner/applicant.

RECEIVED FOR FILING
10/22/2010 at 12:33 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Darlene D. DiPietro
TOWN CLERK

10. New Business:

a. Application #10-69: Extension of Site Plan Approval for Commercial Building at 310 Main Street. Delta Building Corporation, owner/applicant

11. Communications

12. Commissioners' Comments:

b. Discuss Staff Responsibilities

13. Approval of Minutes:

a. October 19, 2010

14. Adjourn

Individuals with disabilities who require accommodations, assistance, or communication aids to participate at this meeting are encouraged to make their needs and preferences known to Town Planner Craig Minor at 632-3422 or cminor@cromwellct.com or to the Town ADA Coordinator Therese Strong at 632-3446 or tstrong@cromwellct.com at least 72 hours prior to the scheduled event.

Memo

To: Planning and Zoning Commission
From: Craig Minor, AICP
Town Planner *CM*
Date: October 22, 2010
Re: Comments for P&Z Meeting on November 4, 2010

I'm preparing this agenda packet early, because I am going on vacation today and won't be back until November 2.

Note that this meeting is on Thursday, November 4 due to Election Day.

7. Town Planner Report:

b. Performance Bond Actions:

1. Performance Bond for "Cromwell Chase"

I put this on the agenda because I thought the developer would have submitted the documentation necessary for me to process his request. He has not as of this writing, and at this point even if I got it to me today, I would not be able to verify it before I leave on vacation. I recommend it be tabled.

8. Public Hearing and Possible Action:

None. The applicant for 27 Coles Road has withdrawn his application.

9. Old Business:

a. Application #10-45: Site Plan Approval for Two Commercial Buildings at 1 Willowbrook Road. Stone Ridge Associates LLC, owner/applicant.

I spoke with Jim Cassidy today, and he has not met with the landscape architect yet to discuss the enhanced landscaping that I recommended at the meeting on October 5. Depending on what is waiting for me when I get back from vacation, I will probably recommend tabling this application.

10. New Business:

a. Application #10-69: Extension of Site Plan Approval for Commercial Building at 310 Main Street. Delta Building Corporation, owner/applicant

The five-year expiration date is approaching, so the owner has asked to have it extended. He does not specify the length of the desired extension, but state law allows another five years.

I sent a memo to town staff asking if anyone had any concerns with renewing this approval, since there has been a lot of streetscape improvements in this area. I did not get any response, so I take that to mean there are no staff concerns.

I have no objection to granting an extension, but I would not recommend five years. A lot can happen in five years which could result in this site plan being inappropriate to the area. I therefore recommend approving a one-year extension. The owner can always come back and ask for an additional four years.

Sec. 8-3. Establishment and changing of zoning regulations and districts. Enforcement of regulations. Certification of building permits and certificates of occupancy. Site plans. District for water-dependent uses.

(i) In the case of any site plan approved on or after October 1, 1984, except as provided in subsection (j) of this section, all work in connection with such site plan shall be completed within five years after the approval of the plan. The certificate of approval of such site plan shall state the date on which such five-year period expires. Failure to complete all work within such five-year period shall result in automatic expiration of the approval of such site plan, except in the case of any site plan approved on or after October 1, 1989, the zoning commission or other municipal agency or official approving such site plan may grant one or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed ten years from the date such site plan is approved. "Work" for purposes of this subsection means all physical improvements required by the approved plan.

cc:
Community Development Director
file

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	Silt fence installed
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	Tournament over Late removing signs

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 Signs 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	Closed for the season all materials removed from site
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: Operation must conform with the Cromwell Hills Condominium Association Phase II and III Rules & Regulations revised April 2008.	15 Wild Rose Court	Import handicrafts & gift items	Approved 6/15/2010	
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	Handicap ramp complete
10-24	Elizabeth Vincenzi Special Conditions: NONE	199 Shunpike Road	Elite Fitness Studio	Approved by staff 3/30/10	Open for business
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	

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>
10-26	Brian DiMartino Special Conditions: (1) The applicant shall submit all utility easements indicated on the plans for review by the Town Attorney prior to map filing. (2) The plans shall be reviewed and approved by the Town Engineer prior to map filing.	9 Ledge Road	1 lot subdivision	Approved 6/15/2010	
10-27	Cromwell Little League Special Conditions: Approval by Board of Education	9 Captain James Mann Memorial Drive	Batting cages and Press Box	Approved 5/04/2010	Complete
10-28	LRC Group/Pat Gorman Special Conditions: NONE	14 Hillside Road	Proposed parking expansion	Approved 5/18/ 2010	Work in progress
10-29	Burt 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	Event over

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>
10-31	H & C Developers Special Conditions: NONE	Woodside Rd-west side	Woodside Estates	Approved 6/1/2010	
10-32	H & C Developers Special Conditions: (1) The applicant may delete the sidewalks shown on "Leghorn Lane." (2) The applicant shall revise the plans, if feasible, moving the proposed yard drains from Lot 2-3 to Lot 2-4. (3) The applicant shall submit revised drainage calculations for review and approval by the Town Engineer.	Woodside Road	Woodside Estates	Approved 6/15/2010	
10-33	One Kirby Road C,LLC Special Conditions: NONE	1 Kirby Road	Site plan modification Dunkin Donuts	Approved 6/1/2010	
10-34	TNT Fireworks/Melissa Gaduti Special Conditions: NONE	77 Berlin Road	Retail sale of CT approved works	Approved by staff 5/25/10	Event over
10-35	Allan Spotts Special Conditions: NONE	West St. Firehouse to Pierson Park, Comm. Field Rd.	Cromwell Riverport Festival	Approved 6/1/2010	Event over

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>
10-36	Nadeem Khalid Special Conditions: NONE	538 Main Street	Express Food Mart	Approved by staff 6/8/10	
10-37	Staff Special Conditions: NONE	town-wide	SR amendment re road paving	Pending	
10-38	William Torza Special Conditions: NONE	150 Sebethe Drive	Banquet Room Addition - Billy Tee's	Approved 8/3/10	Work in progress
10-39	LRC Group/Pat Gorman Special Conditions: NONE	21 Evergreen	Resubdivision	Approved 9/7/10	
10-40	First Tee of Connecticut Special Conditions: NONE	676 Main Street	Zone Change from IP to I	Approved 8/3/10	No Activity
10-41	First Tee of Connecticut Special Conditions: 1. The deed restriction submitted with the application will be executed by the applicant. 2. The plans shall be reviewed and approved by the Town Planner prior to map filing.	676 Main Street	Re-subdivision of portion of property	Approved 8/3/10	

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>
10-42	Elizabeth Bianco Special Conditions: NONE	33 Berlin Road	Hot Dog Cart	Tabled	
10-43	Town Engineer Special Conditions: NONE	Eager Lane	Eager Lane Bond	Agreement with the First Selectman 9/21/10	
10-44	1213 Development LLC Special Conditions: Bond be placed for storm drain improvements. Fee waived in lieu of Open Space	196 Coles Road	Residential re-subdivision	Approved 10/5	
10-45	Stone Ridge Associates Special Conditions: NONE	1 Willowbrook Road	Site plan approval for two commercial buildings	Tabled	No Activity
10-46	Cobblestone Associates Special Conditions: NONE	Berlin Rd. Rte.372	Subdivide for additional bldg.	Denied 9/21/10	
10-47	1213 Development, LLC Special Conditions: NONE	196 Coles Road	Excavation special permit in connection with subdivision	Appl. Withdrawn 9/21/10	
10-48	Asma Ijaz Special Conditions: NONE	136 Berlin Rd Suite 101	Nova Dental - New dental office replacing previous one.	Approved by staff 8/3/10	

10-49 John J. Cassells
 Special Conditions:
 NONE

27 Coles Road

Convert existing 2 family to 4 family

Ph 10/5

2010 PERMITS

Permit# **Name of Applicant** **Site Location** **Type of Activity** **Decision Date** **Status**

10-50 Conservation Comm.
 Special Conditions:
 NONE

Town wide

Add "Open Space Plan" to POCD

Ph 10/19/20

10-51 William Coons
 Special Conditions:
 1. All paving, curbing and final backfilling shall be completed no later than 9/30/10.
 2. The planting of street trees shall be completed not later than 10/15/10.

Northbrook Estates

Extend expiration date

Approved 9/7/10

10-52 William Coons
 Special Conditions:
 1. There shall be not less than a total of 66 street trees planted within the subdivision.
 2. You will submit a plan showing the proposed locations of all street trees to be planted in open space locations.
 3. The planting of all street trees shall be completed not later than

Northbrook Estates

Revise street tree plan

Approved 9/7/10

10/15/10.

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>
10-53	Judith Milardo Special Conditions: NONE	28 Court Street	Piano and voice lessons	Approved 9/21/10	
10-54	Steve Rosner Special Conditions: NONE	319 Main Street	Cromwell Computers Computer sales & service	Approved by staff 8/16	Open for business
10-55	Michelle Hodge Special Conditions: NONE	51 Court Street	"incidental fill" backyard	Approved by staff 8/19	Work in progress Hydro seeded
10-56	Hi-Tech Industries Special Conditions: NONE	538 Main Street	Drive-through for Express Food Mart	Approved 9/7	Work in progress
10-57	Progress Drive Assoc. Special Conditions: Additional and shown on plan must be acquired prior to filing.	5 Progress Drive	Liturgical Publications	Approved 9/7	Work in progress
10-58	Mattabassett District Special Conditions: NONE	245 Main Street	WPCF Upgrade	Tabled	Ph on 10/5/10
10-59	Maria Iacobucci Special Conditions: NONE	1100 Corporate Row	SNT Enterprise Landscape company	Pending	

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>
10-60	Mattabassett District Special Conditions: NONE	245 Main Street	WPCF Upgrade Flood Plain Development	Approved 10/5	
10-61	Mattabassett District Special Conditions: NONE	245 Main Street	WPCF Upgrade Stack height	Approved 10/5	
10-62	Habitat for Humanity of CT Special Conditions: NONE	34 Shunpike Road	Sell new & slightly used goods	Approved by staff 9/15/10	
10-63	H&C Developers LLC Special Conditions: Town Attorney's approval	Woodside Estates Sub	Restrictive Covenant	Approved 10/5	
10-64	Town of Cromwell Special Conditions Approval of Town Engineer of the final plans.	Cider Hill Sub/Evergreen	Stormwater Conveyance in Open Space parcel	Approved 10/5	
10-65	Cromwell Little League	Watrous Park	Amend site plan approval of Little League facilities	Approved 10/5	

2009 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>
09-01	Town of Cromwell Special Conditions: NONE	204 Main Street	Canoe Kayak/Launch at River Port Park	Approved on 2/17/2009	No Activity
09-02	Town of Cromwell Special Conditions: NONE	204 Main Street	Canoe Kayak/Launch at River Port Park	Approved on 2/17/09	No Activity
09-03	CC Cromwell LP Special Conditions: NONE	town wide	Amendment Sec. 14.1(b)(1)	Denied 2/17/09	
09-04	Viola Lawn Service Special Conditions: 1) Applicant shall submit a revised site plan showing the location of the screening and the bins & equipment; 2) applicant shall install the screening within 90 days.	45 Commerce Drive	Storage of topsoil, mulch and equipment	Approved on 2/17/09	
09-05	Brian Michaud CAS Construction Special Conditions: NONE	80 Shunpike Road	Keypoint Partners- Property Management	Approved by staff 1/26/09	
09-06	Reed Builders Special Conditions: 1) Subject to staff review of the final plans to ensure all the required	100 North Road	New subdivision "Mountain View Estates"	Approved 3/17/09	Site work in progress New home applications issued

changes were made; 2) Open space shall be deeded to a land trust; 3) Plans shall be revised to show sidewalks.

09-07	<p>Greater Hartford Community Foundation Special Conditions: 1) All of the conditions of Permit#08-17 dated 3/25/08 shall apply to this permit.</p>	100 Golf Club Road	Travelers Championship	Approved 3/03/09	Done
09-08	<p>Stephen J. Kuszek, Jr. Special Conditions: NONE</p>	Beechwood Circle	Construct garage in excess of 1,000 square feet	Approved 3/26/09	Started to clear for foundation
09-09	<p>Bogdan Special Conditions:</p>	18 Oxford Lane	Tax preparation	Approved 17-Mar-09	
09-10	<p>Eleanor Hojda Special Conditions: Obtain Health Dept. food permit, if required</p>	10 Ryan Court	Gift Baskets	Approved 3/17/09	
09-11	<p>Robert Greenberg Special Conditions: NONE</p>	112 West Street	Catering	Approved 3/17/09	
09-12	<p>James & Joan Green Special Conditions: NONE</p>	372 Main Street	Psychiatric counseling	Approved 3/17/09	
09-13	<p>Economy Fuel Depot Special Conditions: NONE</p>	201 Main Street	Fuel Storage Facility	Approved 4/07/2009	Complete

09-14	Cobblestone Assoc. Special Conditions: NONE	60 & 72 Berlin Rd.	Liberty Bank	Approved 3/17/2009	Posted cash bond
09-15	Cobblestone Assoc. Special Conditions: This Special Permit shall expire on 10/05/2009. The applicant shall make a presentation on the status of the engineered rock wall to the P & Z Commission at its meeting on August 7, 2009.	72 Berlin Road	Extend Expiration Date of Special Permit #05-50 Excavation at 72 Berlin Rd.	Approved 3/03/2009	Project on Hold
09-16	Ken & Norm Nadeau Special Conditions: The management plan for Stormwater Management Area #3 as proposed by the applicant shall be funded by the applicant in a form and amount to be approved by the appropriate Town authorities.	123 & 141 North Rd.	Resubdivision	Approved 6/16/2009	E & S installed. Rough grading. Subdivision plans filed
09-17	Joshua Eddinger Special Conditions: 1) No fertilizers or pesticides are stored onsite, 2) the signs as required by the Police Chief are put in place, 3) work is done in accordance with the	24 Shunpike Road	Retail Nursery	Approved 3/17/09	Closed for the season

site plan.

09-18	Fred Curtin, ZEO Special Conditions: (1) That the design match existing or proposed "Welcome to Cromwell" signage; (2) to be approved by the Commission, not the staff.	Town wide	Zoning Amendment - "Welcome to Cromwell" signs on private property	Approved 4/21/2009
09-19	Economy Fuel Depot Special Conditions: (1) the third tank will not be installed until the Fire Chief is satisfied that adequate water control measures are met.	201 Main Street	Fuel storage facility	Approved 4/21/2009
09-20	RA Cromwell, LLC Atty. Dennis Ceneviva	Town wide	Zoning amendment to change Section XI-11.6 (a) Section XI-11.6 (f)	Denied 5/05/09
09-21	Amy Gilbert Special Conditions: No dumping or placement of any type of material on this property. Property within 100 ft Upland Review	41 South Street	Parking of trucks & equip. for landscape business	Approved by staff 3/19/09
09-22	Corporate Row Assoc. Special Conditions (1) The Town Engineer	269 Main Street	Construction of addition to office bldg in SFHA	Approved 4/21/2009 Work in progress

review and find the site plans to be in compliance with Section 12; (2) Property shall be available for regular inspection by the Town Engineer

09-23	Corporate Row Assoc. Special Conditions: 1) Revised architectural plans showing no habitable area in the top floor; (2) no additional exterior lighting.	269 Main Street	Construction of addition to office bldg in SFHA	Approved 4/21/2009	Addition complete
09-24	First Selectman Special Conditions:	Northern Tier	Zone Change	Moved to Old Business	
09-25	Richard Gilbert Special Conditions: The Town Engineer accepts the applicant's certification that the plans comply with Article 12 of the Cromwell Zoning Regulations.	39 Pasco Hill Road	Gilbert's Contractors - Garage, storage yard and greenhouse	Approved 5/19/09	Building complete Site is stabilized
09-26	Richard Gilbert Special Conditions: NONE	39 Pasco Hill Road	Gilbert's Contractors - Garage, storage yard and greenhouse	Approved 5/19/09	Building complete Site is stabilized
09-27	Richard Gilbert Special Conditions: NONE	39 Pasco Hill Road	Gilbert's Contractors - Garage, storage yard and greenhouse	Approved 5/19/09	Building complete Site is stabilized
09-28	Town of Cromwell	9 Mann Memorial	Addition to shed	Approved by	

	Rick Mandeville Special Conditions: NONE						Staff 4/13/09
09-29	First Selectman Special Conditions: NONE	Willowbrook Road	Community Garden	Approved 4/21/2009	Citizens using garden		
09-30	Marino Crane Special Conditions: NONE	River Road	May Events for Kleen Energy	Complete 05/05/09	Done		
09-31	Gerriane Dickinson Special Conditions: NONE	2 Willowbrook Rd.	Body Wellness Therapeutic	Approved by Staff 4/30/09			
09-32	James P. Cassidy Cromwell little league Special Conditions: NONE	9 Capt. Mann Memorial Drive	Concession stand and bathroom	Approved 5/05/09	Complete		
09-33	James P. Cassidy Cromwell little league Special Conditions: (1) Satisfactory review of town staff, to include engineering, police and fire.	9 Capt. Mann Memorial Drive	Concession stand and bathroom	Approved 5/05/09	Complete		
09-34	Joseph Mazurek Special Conditions: NONE	45 Shunpike Road	"Welcome to Cromwell" sign	Approved by P&Z 6/2/09	Installed		
09-35	Town of Cromwell Special Conditions: NONE	161 Berlin Road	Cromwell Town Sign	Denied 5/19/09			

09-36	Cobblestone Assoc. Special Conditions:	60 & 72 Berlin Road	Modifications to previously approved Cobblestone Plaza SPA	Withdrawn
09-37	Conservation Comm. Special Conditions:		Amend to POCD	Pending
09-38	CRT, Inc. Special Conditions:		Head Start in ECS school	No action
09-39	Paul SantaMaria, Lisa & Orlando Cardenas Milone & MacBroom Special Conditions:	151 West St., 153 West St. Mystique Lane	Change parcels from A-25 and PO zones to BUS zone	Denied 7/7/09
09-40	Melissa Goduti Special Conditions: NONE	136 Berlin Road	Sale of Fireworks	Approved by staff 5/26/09 Done
09-41	Jonathan Beatty Special Conditions: NONE	River Road	Concert at River Park	Approved 7/7/09 Done
09-42	Country Squire Commons Special Conditions: NONE	40 Country Squire Drive	Safety Priority LLC	Approved by staff 7/1/09
09-43	Michael & Kelly Groeper, Gerald Groeper, Janice Carlson, Mary & Peter Cubeta, Hector Ocampo Special Conditions: NONE	31, 33, 35 & 37 River Road	Change WXMD to A-15	Approved 7/7/09

09-44	MJ Property Management Special Conditions: NONE	41 South Street	Addition to existing structure	Approved 7/7/09	No Activity
09-45	MJ Property Management Special Conditions: NONE	41 South Street	Addition to existing structure	Approved 7/7/09	No Activity
09-46	Lori McKnight Special Conditions: NONE	Pierson Park Community Field Rd	Riverport Festival	Approved by staff 6/17/09	Done
09-47	Robert Breault Special Conditions: NONE	30 Country Squire	Modification to Site Plan	Approved 7/7/09	Site work completed
09-48	Ernest Lacore Special Conditions:	397 Main Street	Caretaker apartment	Approved by staff 7/24/09	
09-49	Enzo Farienza Special Conditions: NONE	328 Main Street	Republican Headquarters	Approved by staff 7/28/09	
09-50	Maria Santiago/Anna D'Angelo Special Conditions: All signs need zoning approval.	51-32 Shunpike Rd.	A to Z Consignment	Approved by staff 7/29/09	
09-51	Jeff Zashut Special Conditions: NONE All signs need zoning approval.	40 Country Squire	Lead Cash In, LLC Marketing	Approved by staff 7/29/09	

09-52	Comstock Marketing Special Conditions: NONE	135 Sebethe Drive	Comstock Marketing Printing and mailing	Approved by staff 8/3/09
09-53	First Selectman Special Conditions: NONE	Shunpike Road	Northern Tier zone change	Denied 8/4/09
09-54	P & Z Special Conditions: That a corner lot is 2 front property lines.	Town-wide	Landscaping strip	Approved 10/20/09
09-55	WPCA Special Conditions: NONE	Town-wide	Sewer Service Area plan and map	Approved 8/4/09
09-56	Gilbert Bironi Special Conditions: NONE	78 Timber Hill Rd. Rear	Construct a home on a rear lot with a "re-subdivision"	Approved 11/17/09 Work in progress Site is stabilized
09-57	Gilbert Bironi Special Conditions: The Site Development Plan shall be revised to show a "restricted development" area in the northeast corner of the site, extending ten feet into the property.	78 Timber Hill Rd. Rear	Construct a home on a rear lot with a "re-subdivision"	Approved 11/17/09 Work in progress Site is stabilized
09-58	First Selectman Special Conditions: NONE	313 Main Street	T & D Auto Property	Withdrawn
09-59	Corporate Row Assoc. Special Conditions:	269 Main Street	Change second story storage into conference room	Approved 9/1/09

Construction of parking spaces to be deferred until; (1) the property is sold, or (2) there is a change of use from "professional office".

09-60	Sal Petrella Special Conditions: NONE	630 Main Street	Change to approved site plan	Approved 10/20/09	
09-61	Cobblestone, LLC Special Conditions: 1. Applicant shall revise the site plans as necessary to address the comments contained in the email from Town Engineer Joe Mazurek to Town Planner Craig Minor dated 12/1/09. 2. Applicant shall revise the site plans, submit performance bonds, & submit a construction phasing plan as necessary to address the comments contained in the memo from Town Planner Craig Minor to Planning & Zoning Commission dated 12/1/09. 3. Applicant shall revise the site plans as necessary to address items 1-11, 13 and 15 in	72 Berlin Road	Change to approved site plan #2	Approved 12/1/09	Project on hold

Commissioner Alice Kelly's list of sixteen items, provided they do not conflict with anything shown on the final set of site plans prepared by the Applicant, and with the following changes/clarifications:

#8 Inspections will be conducted by the firm of Dr. Clarence Welti, P.E. P.C. and submitted to the Town Engineer, #11 the second sentence is deleted, as well as the continuation on page 2; #13 the second sentence is deleted; #15 the first sentence is deleted.

4. The Applicants shall revise the site plans as necessary to address the comments contained in the letter from Country Squire II Condo Assoc. to Chairman Nicholas Demetriades dated 12/1/09 (attached) and as shown in the "Screening Plan Country Squire II" landscaping sketch revised 12/1/09, and the Applicant shall provide the Town Planner with a copy of the fully executed agreement between the

Applicant and Country Squire II Condo Assoc. regarding the improvements at Country Squire II; 5. The Applicant shall submit a bond to ensure the proper installation of all plant material and all fencing, curbing, and other physical improvements shown in the above referenced "Screening Plan Country Squire II" at Country Squire II Condo and to ensure the survival of the plant material for 18 months from the date of planting; 6. The Temporary/Intermediate Above-Ground detention basin shown on sheet IGD-1 dated 11/11/09 is approved with the following stipulations: a. The applicant shall post a performance bond in an amount to be approved by the Planning & Zoning Commission for the Underground Storm Water System shown on sheet GD-1 dated 11/25/09; b. The Underground Storm Water System shall be completed not later than June 30, 2011; c. The

Applicant shall revise the site plans for the Above Ground detention basin as necessary to satisfy the Town Engineer.

7. The applicant shall post a performance bond for the construction of the riprap slope in an amount to be approved by the Planning & Zoning Commission; 8. The applicant shall post a maintenance bond for the riprap slope in an amount to be approved by the Planning & Zoning Commission, to be in place for a period of five years from the completion date;

9. The applicant shall retain the firm of Dr. Clarence Welti P.E.P.C. to monitor the construction of the riprap slope and submit periodic reports to the Town Engineer in accordance with the construction phasing plan mentioned in the memo from Town Planner to P & Z Comm. Dated 12/1/09.

10 Applicant shall retain the firm of Dr. Clarence Welti to conduct post construction inspections of riprap slope & submit

periodic reports to the Town Engineer. The frequency of these inspections & reports shall be quarterly for first 2 years after completion of riprap slope and semi-annually for the next 3 years. 11. Applicant shall apply shotcrete to the ledge behind CVS building not later than 6/20/10.

09-62	First Selectman Special Conditions: Sec.8-24 due to consent with POCD	2 Wall Street	Sec. 8-24 referral	Approved 10/20/09
09-63	Mike Cornett Special Conditions: NONE	2 Willowbrook Rd.	Cartridge World	Approved 8/31/09
09-64	Sal Petrella Special Conditions: NONE	Northwoods Estates	Extension to map filing deadline	Approved 9/1/09
09-65	Erin Ireton Special Conditions: NONE	540 Main Street	Hot dog cart	Approved 9/16/09
09-66	WPCA Special Conditions: NONE	Beechwood Circle Sewer	8-24	Approved 9/16/09 Sewer installed
09-67	Fire District Special Conditions:	Beechwood Circle Sewer	8-24	Approved 9/16/09 Water Main installed

09-68	<p>Special Conditions: NONE</p> <p>Teri Ceplenski Holy Apostles Special Conditions: NONE</p>	33 Prospect Hill Rd.	Fair	Approved 9/16/09	Done
09-69	<p>Trilacon Development Special Conditions: NONE</p>	Willowbrook Road	Extension of Site Plan Approval date for Active Adult development	Approved 11/17/09	
09-70	<p>Mark J. Soil Special Conditions: Drive up window not approved</p>	77 Berlin Road	New England Steamburger	Approved by staff 11/2/09	
09-71	<p>Bible Baptist Church B. Gagnon/H. Davidson (see 09-75)</p>	110 Court Street	Church services	Approved 1/5/10	
09-72	<p>Cider Hill Assoc. Special Conditions NONE</p>	Evergreen Road	Extension of subdivision expiration date for Cider Hill	Approved in part 11/17/09	
09-73	<p>River Highlands Assoc Special Conditions: NONE</p>	River Highlands	On-street parking	Commission agreed to support development of plans for parking	
09-74	<p>Nadeau Brothers Special Conditions: NONE</p>	North Road	Extension to map filing deadline for "Northwoods Estates" subdivision	Approved 11/17/09	
09-75	<p>Bible Baptist Church B. Gagnon/H. Davidson Special Conditions:</p>	40 Country Squire	Church	Approved 1/05/10	

NONE

09-76

Mark Langton/fire dept 82 Court Street

Special Conditions

NONE

Christmas trees & wreaths

Approved
12/1/09

Done

Minor, Craig

From: Greg Ugalde [greg.ugalde@tandm.com]
Sent: Tuesday, October 19, 2010 5:54 PM
To: Minor, Craig
Subject: P&Z Meeting November 4, 2010

Craig-

After your discussion with Sal Martelle, T&M's Project Supervisor, we hereby request that Cromwell Chase (f/k/a Pondview) be place on the Agenda for the next Planning & Zoning Commission meeting November 4, 2010, for the purpose of securing the bonding of the public improvements required in accordance with the its approvals. Through the use of a "Restrictive Covenant", Cromwell has a creative and unique method of ensuring that the improvements are done properly, until such time is bonding is put in place. Since this process is new to T&M, please let us know any details required on our part.

If you think it would be helpful, we are happy to sit down with you to discuss our responsibilities, or we can touch base on the phone as well.

Thanks for your assistance.

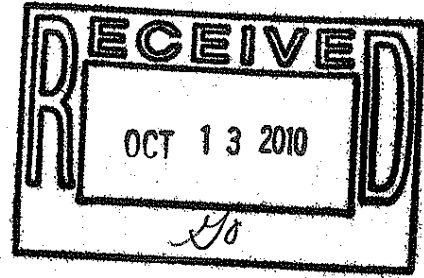
Greg

Gregory F. Ugalde, CGP, GMB
President & CLO
T&M Building Co., Inc.
110 Brook Street
Torrington, CT 06790
860-489-9229
www.TandM.com

10/22/2010



#10-69



October 12, 2010

Town of Cromwell
Planning & Zoning Commission
41 West St.
Cromwell, Ct. 06416

Re: 310 Main St

Ladies & gentlemen:

Please be advised that I represent Corporate Row Associates, who purchased the above referenced property from Viola Realty.

We are asking for an extension of the current Zoning Approvals (copy attached) subject to the same conditions.

We are currently discussing a potential development of the property that will require slight modifications to the plans. At that time we will incorporate the applicable comments & conditions of the approval into the revised design & re-submit for a site plan modification.

If you require any additional information, or if you would like me to appear before The Commission please let me know.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary R. Dayharsh". The signature is stylized with a long horizontal stroke at the end.

Gary R. Dayharsh
President

Memo

To: Town Staff
From: Craig Minor, AICP
Town Planner *CM*
Date: October 12, 2010
Re: P&Z Application #10-69: Extension of Site Plan Approval for 310 Main Street. Delta Building Corporation, owner/applicant.

The five-year expiration date for this approved site plan is approaching, so Gary Dayharsh has asked P&Z to grant him an extension.

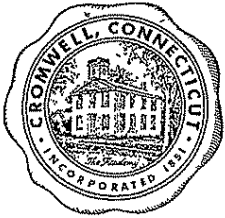
I told him that these plans would have to be reviewed by town staff to make sure nothing has changed in the field that would warrant the Commission denying his request, or approving it with conditions. Please review the plans and let me know if you have any concerns with renewing it as is.

This will be on the November 4, 2010 agenda for action.

Attached:

1. Plans prepared by Frank Magnotta, PE dated Sept 2005 revised October 21, 2005.

cc:
Town Engineer
Cromwell Fire District
WPCA
Chief of Police
Development Compliance Officer
file ✓



Town of Cromwell

Planning and Zoning Commission

NATHANIEL WHITE BUILDING
41 WEST STREET
CROMWELL, CONNECTICUT 06416

SITE PLAN APPROVAL #05-73

Property Address: 310 Main Street **Zone:** DB
Map/Block/Lot: 53/56/11 **PIN:** 00197800 **Volume/Page:** 620/31

Name of Owner: Viola Realty LLC
Owner's Address: 310 Main Street

Name of Applicant: Same
Applicant's Address: Same

Date of Public Hearing: N/A
Date of Decision: November 15, 2005
Date of Publication: November 23, 2005

Description: New construction.

Conditions: (1) Building appearance subject to P&Z "architectural review";
(2) Plans shall be revised to comply with Town Engineer's stormwater runoff concerns dated 10/14/05 to his satisfaction.

Filing Instructions: Submit recording mylar for signature with four paper copies. Submit revised plans in digital format. Final "as-built" plans to be filed with Town Clerk upon completion of construction.

Peter Hanson
Chairman

date

Additional approvals or information may be required before a Building Permit application will be accepted. Contact the Building Department at 632-3428 for more information.

Selectman's Office 632-3410 / Finance 632-3414 / Public Works 632-3420 / Town Planner 632-3422 / Building Department 632-3428
Sewer Department 632-3430 / Town Clerk 632-3440 / Assessor 632-3442 / Tax Collector 632-3445 / Zoning Officer 632-3422
Health Department 632-3426 / Registrars 632-3418 / Youth 632-3448 / Elderly 632-3447 / Human Services 632-3449
Engineering 632-3420 / Library 632-3460 / Recreation 632-3467 / Emergency Management 632-3422
Human Resources Director 632-3497 / Risk Manager 632-3497



**Town of Cromwell
Planning and Zoning Commission**

REGULAR MEETING AND PUBLIC HEARING
7:00 P.M. TUESDAY, OCTOBER 19, 2010
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET CROMWELL, CONN.

RECEIVED FOR FILING
10/22 2010 at 2:51 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Darlene Di Proto
TOWN CLERK

MINUTES

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

1. Call to Order

The meeting was called to order at 7:02 pm 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 Vincent Faienza, **seconded** by Joseph Garafalo to approve the agenda with the removal of Items 11.a. and 9.a. All were in Favor. *Motion Passed.*

5. Public Comments:

Salvatore Petrella, 8 Wexford Lane: Would like to be able to address P&Z on the Monnes Farms open space issue, at a later date. The Northbrook Estates subdivision is now complete, and they will be applying for a bond release.

Richard Waters, 84 South Street: The curbing was improperly installed at Northbrook. The construction equipment that had been working at the Cobblestone Plaza site is now gone. Too many construction sites in Cromwell are allowed to be dusty and track mud into the street.

Myron Johnson, 16 Pleasant Street: Cobblestone Plaza is a modern marvel, and we should respect developers who are willing to take a chance.

6. Development Compliance Officer Report:

Mr. Curtin responded to Mr. Waters complaint about dirty sites, and said he is constantly working on it; dust will always be a problem at active construction sites. The Cobblestone project is on hold; he has asked the developer to install a fence around the detention pond. He is still researching the Alcap Ridge complaint from last month, and the two home occupation complaints. He is working on a complaint about a trailer at Crest Drive. He informed the Commission that there are some family issues that are taking him away from the office, and he will submit an updated report next month.

Commissioner Faienza asked him to check into the situation at the end of Sebethe Drive, the trucks parked there. Commissioner Garafalo asked him about the fill on Nooks Hill Road; Mr. Curtin replied that he is working with the public works department on that.

7. Town Planner Report

No report.

8. Public Hearing and Possible Action:

Commissioner Sienna read the legal notice.

a. Application #10-49: Special Permit (Multi-family Conversion) of the existing house at 27 Coles Road. John Cassells, applicant; Main Street Properties LLC, owner.

John Cassells presented his application. He explained that he wants to divide the house into four dwelling units, as shown on the revised site plan submitted tonight. He said that he will reside in one of the units.

Town Planner Craig Minor noted that the well should be tested, and if not sufficient for four dwelling units, the house should be connected to town water. Mr. Cassells said the house is on city water. Chairman Demetriades asked him to contact the Cromwell Historical Society to see if they had any concerns. Mr. Minor said he would do that. Commissioner Faienza asked him if he was aware of the fire code requirements for a four-unit building; he said he was.

Public Comments:

William Nussen, 30 Coles Road: Living across the street, he was concerned about what an apartment building would do to his property's value.

Sandra Muller, 45 Coles Road: This is a very historic house, and should be preserved.

Pat Dickenson, 31 Coles Road: Concerned about parking for four dwelling units, and its impact on the character of the neighborhood.

Ann Halibozek, 7 Christian Hill Road: Concerned about safety, in the sight line for drivers leaving the site. She felt a site visit by the Commission was in order. She was concerned with how this would impact the rest of the neighborhood which are all single-family homes.

Charles Dickenson, 31 Coles Road: How would the Commission enforce his continued residency there?

Myron Johnson, 16 Pleasant Street: The Town just invested \$1.6 million dollars in Coles Road, and another \$800,000 in the new bridge on Christian Hill Road.

Brian Armet, 26 Iron Gate Lane: As a former chairman on P&Z, he called on the commission to exert due diligence in reviewing applications of this sort.

The applicant responded to these comments. He said the house, at 7,000 square feet, was too big to be a single family home anymore. The pool has been out of use for a long time; he might even end up tearing down that wing of the house.

Mr. Minor concurred with the recommendation that the Commission do a site visit. Commissioner Cannata told the applicant to talk with the Fire Marshal and the Building Inspector, because converting the house to four units could involve more expense than he realizes.

The Commission agreed to hold a site visit on Sunday, October 24 at 10 am.

Commissioner Doug Sienna made a motion to continue the public hearing to October 24, 2010 at 10 a.m. at the site, seconded by Vincent Faienza. All were in favor. *Motion Passed.*

b. Application #10-50: Amendment to the "Plan of Conservation and Development", to add "Open Space Plan". Conservation Commission, applicant.

John Whitney, vice chairman of the Conservation Commission, presented the application. Town Planner Craig Minor informed the Commission that the Conservation Commission has been working on this plan for a long time. It contains a number of recommendations, and the Conservation Commission felt that the best way to get those recommendations taken seriously was by having the Open Space Plan annexed to the POCD.

Several of the goals were discussed.

The question of this being "another layer of bureaucracy" came up. Commissioner Cannata said by no means; this is merely advisory.

Public Comments:

Ann Halibozek, 16 Christian Hill Road and Selectman: The Board of Selectmen has approved this Plan, so please adopt it. Cromwell needs to protect its open space.

Commissioner Vincent Faienza made a motion to close the public hearing, seconded by Doug Sienna. All were in favor. *Motion Passed.*

Michael Cannata made a motion to approve application #10-50, seconded by Doug Sienna. All were in favor. *Motion Passed.*

9. Old Business:

a. Application #10-58: Site Plan Approval for WPCF upgrades at 245 Main Street. The Mattabassett District, owner/applicant.

Brian Armet, Executive Director of the Mattabassett District, presented the application. He described the project, and reviewed the numerous land use board approvals that the project has already received. It has been an industrial site since the 1930's. The expansion will not result in any additional employees or traffic. Some topsoil will be removed to their site in Berlin, including the ash soil. The project is necessary to comply with DEP nitrogen removal requirements, as well as the need to reduce their stack emissions.

Commissioner Keithan asked if this would increase their intake of waste to be processed. Mr. Armet said yes, as requested by Cromwell and the other member towns. He said they anticipate beginning construction in August 2011 and be finished by January 2012. The project will employ a significant number of local construction workers.

Vincent Faienza made a motion to approve Application #10-58, seconded by Peter Keithan. All were in favor except Doug Sienna (abstained). *Motion Passed.*

10. New Business:

a. Application #10-66: Revised Conservation Easement at "Cromwell Chase" Subdivision on Willowbrook Road. T&M Builders, owner/applicant.

Town Planner Craig Minor explained that the developer would like to eliminate the proposed homeowners' association, because there would be nothing for the association to do except enforce the open space restrictions. In Mr. Minor's opinion such an association would not remain

active anyway. The Town Attorney has recommended that the open space be protected by deed restrictions, rather than a conservation easement, which the developer has agreed to.

Vincent Faienza made a motion to approve Application #10-66, seconded by Joseph Garafalo. All were in favor. *Motion Passed.*

b. Application #10-70: Subdivision Application #10-70: Residential Subdivision on Woodside Road. H&C Developers LLC, applicant; Gardner's Nurseries Inc, owner

Attorney Salvatore Petrella explained that, due to missed communication between him and his client, the mylars did not get filed within the mandatory 90 days. He therefore asked that the same plans be re-approved, with the same conditions.

Town Planner Craig Minor recommended the Commission vote to support the developer's request to waive a second subdivision application fee.

Michael Cannata made a motion to approve, with conditions, Application #10-70, seconded by Doug Sienna. The conditions were: (1) the same conditions as for Application #10-32. All were in favor. *Motion Passed.*

Vincent Faienza made a motion to support the applicant's request for a waiver of the application fee, seconded by Doug Sienna. All were in favor. *Motion Passed.*

11. Communications

12. Commissioners' Comments:

a. Zoning Regulations: the Commissioner agreed to hold the public hearing on the new zoning regulations in Room 224, but have the gym ready in case of a very large turnout.

b. Cobblestone Plaza: Commissioner Cannata distributed copies of letters from various parties regarding the halting of work at Cobblestone Plaza.

13. Approval of Minutes

Joseph Garafalo made a motion to approve the minutes of October 5, 2010 as presented, seconded by Vincent Faienza. All were in favor. *Motion Passed.*

14. Adjourn

Vincent Faienza made a motion to adjourn, seconded by Joseph Garafalo. All were in favor. *Motion Passed.* The meeting adjourned at 8:35. p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Craig Minor". The signature is stylized with a large, circular flourish at the end.

Craig Minor, AICP
Town Planner