



## Town of Cromwell Planning and Zoning Commission

*PUBLIC HEARING AND REGULAR MEETING  
7:00 P.M. TUESDAY, APRIL 5, 2011  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET*

### Minutes and Record of Votes

Present: Vincent Faienza, Nicholas Demetriades, Joseph Garafalo, Michael Cannata, Doug Sienna, Alice Kelly and Thomas Madden and Peter Keithan

Also Present: Town Planner Craig Minor, Zoning Enforcement Officer Fred Curtin, BOS Liaison Anthony Varricchio, Sr.

#### 1. Call to Order

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

#### 2. Roll Call

The presence of the above members was noted.

#### 3. Seating of Alternates

There were none present.

#### 4. Approval of Agenda

**Motion** to approve agenda made by Douglas Sienna and **seconded** by Joseph Garafalo. *All were in favor; the motion passed.*

#### 5. Public Comments

Chairman Faienza announced that the public hearing for the rear lot will be scheduled for the April 9<sup>th</sup> meeting.

Myron Johnson of 16 Pleasant Street came up to clarify some issues that he presented at the last meeting. He said he felt there was confusion about what he was trying to say. He said he was on the agenda about 3 years ago and he feels that what is being enforced now was not what decided on at that meeting years ago. Myron wants to clarify what people are giving him a hard time about. He said he does have a special permit for the truck on his property. Chairman Faienza said they he would be happy to schedule a meeting with the Town Planner, Zoning Enforcement Officer and himself to meet with Myron and see the property/issues in question. They will be in touch with him to set up a time that is convenient for all.

#### 6. Development Compliance Officer Report:

Fred Curtain said the issue of unregistered vehicles seems to have been resolved. He thinks the owner buys and then sells the cars overseas. He also said that he hasn't received any complaints from residents about the GHO. He also said that Rocky Hill Materials agreed to hire a surveyor to have the property surveyed to locate the grades, elevation and the row. He said they have a deadline of April 30, 2011 to comply with the grading plan and to install the additional silt. Alice Kelley asked if they were allowed to bring in dirt or asphalt. Fred Curtain said that they do have a permit to bring in clean fill. Alice Kelly asked how old the permit was and do they need a new one. Fred Curtain replied that he will check and alert the town attorney if they do need a new one and he will email Alice Kelly with the permit date.

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

Town Planner Craig Minor reported he would not be at the next meeting due to the Passover Holiday.

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

a. Application #11-09: Use Permit (Golf Tournament) for Travelers Championship at 100 Golf Club Road. Greater Hartford Community Foundation Inc, applicant; Tournament Player's Club of CT Inc, owner.

Doug Sienna read the public notice dated March 22, 2011. Daniel Kleinman a Land Use Attorney with the firm Levy & Droney, 74 Batterson Park Road, Farmington, CT 06032 presented the plans for the 60<sup>th</sup> golf tournament to be held at the TPC. He said this was his 28<sup>th</sup> year representing the Greater Hartford Community Foundation and that they appreciate all the help they receive from the Commission and Town Planning staff year after year. He said they have always tried to be good neighbors and he hopes the town agrees. He went on to say that there are no major changes to this year's tournament. The tournament will be held from June 20 – June 26, 2011 and the permit request is for April 19, 2011- July 20, 2011. He then asked Kevin Harrington a Director from the Greater Hartford Community Foundation to speak to the Commission. Mr. Harrington said some changes include adding entertainment to Wednesday Night and a reception near the driving range on Monday instead of having it offsite on Sunday. They will continue to work with Gardner's Nursery for off site and will call parking. There will be a trailer on the corner of Route 99 and Golf Club Road. They are also exploring the use of Woodside Intermediate School for VIP Parking. Joseph Garofalo asked if this would interfere with the school year but Mr. Harrington said the Board of Education has no problem with Tuesday-Sunday use since school ends on Monday, June 20<sup>th</sup>. They are also looking at the former Ames parking lot in Rocky Hill for ADA parking.

Craig Minor then read the conditions that were changed or added over the last several years. Attorney Kleinman asked if an updated list of conditions could be provided to them so they can be sure they are in compliance with all of them.

Chairman Faienza then read a statement from Barbara Gallo of 32 Glenwood Terrace who was in favor of the application. The Chairman then asked for any other members of the public who were in favor of the application.

Dick Coughlin, 19 Glenwood Terrace came forward and said he was in favor of the application

and that it is a good organization and has a positive effect on the town. He had been concerned with the hours of operation but it is better now. He also said in the past the green screening was not removed in a timely fashion but that has also been better.

Kathy Ekstrom of 1 Ridge Road also came forward and said she was in favor of the application but did have a problem and didn't know who to go to. She said several years ago concrete structures were placed in the easement area of her yard. She asked what they were for and was told it was for transformers so wires could be run underground instead of thru the trees. She said nothing was ever done and the structures just stayed there for a while. She called CL & P over concerns of the large opening in each structure and the possibility of a child or animal falling in there. Steel tops were put on top to cover them. She said the structures are obnoxious and do not add value to her home. She said she felt they could have been put on the access road but it was easier for them to put them in her yard. She showed the Commission pictures of the structures that were stored in her camera. She does not want these on her property permanently and said the TPC has plenty of their own land to put these. She also said that at times the lines of communication between surrounding homeowners and the tournament is limited and they do not seem to be afforded the same in depth meetings as the TPC homeowners.

Attorney Kleinman came up to respond to Ms. Ekstrom and said that they can certainly meet with the residents of Ridge Road if they would like to request a meeting. He also said that the homeowners can call any of the tournament coordinators on their cell phones during the tournament if they have any issues what so ever. He said that Kevin Harrington and the 1<sup>st</sup> Selectman were aware of the structures and that they did work with various groups to make them safer by putting the steel on top. They will continue to work with these groups to find out what the possible options are.

Chairman Faienza suggested that Ms. Ekstrom exchange phone numbers with Mr. Harrington and Attorney Kleinman so they can continue to have future discussions.

**Motion** was made by Michael Cannata to close the public hearing and **seconded** by Alice Kelly. *All were in favor; the motion passed.*

**Motion** was made by Doug Sienna to approve Application #11-09 with all the conditions outlined tonight and **seconded** by Joseph Garafalo. *All were in favor; the motion passed.*

## **9. Old Business:**

a. Application #10-72: Revised Zoning Regulations and Zoning Map. Planning and Zoning Commission, applicant.

Chairman Faienza thanked all those who had a part in the process of updating the regulations. We should all be proud of this document. These are the first time that new regulations have been updated. Chairman of the subcommittee, Alice Kelly asked that the Planning and Zoning Commission approve the new regulations. She thanked the members of the public who had attended all the meetings.

**Motion** made Alice Kelly to approve Application 10-72 Revised Zoning Regulations effective May 1, 2011 and was **seconded** by Joseph Garafalo. *All were in favor; the motion passed.*

Motion made by Michael Cannata to approve Application 10-72 Revised Zoning Map effective May 1, 2011 and was **seconded** by Thomas Madden. *All were in favor; the motion passed.*

## **10. New Business:**

a. Application #11-13: Vendor's Permit (Lunch Wagon) at 97 Berlin Road. Ryan Ahlquist, applicant; Evelyn Smigel, owner.

Attorney Julie Petrella of 630 Main Street came forward representing applicant Ryan Ahlquist. Attorney Petrella wanted to clarify that the lunch wagon would serve both breakfast and lunch with operating hours to be Monday thru Friday 6:00am-2:00pm. Truck is self sufficient and provides both hot and cold water and does not need electricity. This is a business zone and there are no other similar businesses or pending requests for similar permits. The business will not produce any significant noise and no residences will be impacted. There are 3 fire hydrants nearby and 2 traffic lights allowing customers to exit safely. There is also parking available. Mr. Ahlquist does have permission from the owner, Evelyn Smigel. Attorney Petrella did say that Mr. Ahlquist's social security number was left on the application when it was copied and distributed so please destroy any copies that have his personal information on there.

Commissioner Thomas Madden asked if client has past experience with food and the reply was no. Commissioner Doug Sienna asked if he had the proper food license and Mr. Ahlquist replied that he was going to the SafeServ class on May 2, 2011. Chairman Faienza asked if anyone like Fire Department or Police Department had any issues with this permit and Craig Minor replied that there were no issues by any other departments that he knows of.

**Motion** made by Nicholas Demetriades to approve application #11-13 and **seconded** by Douglas Sienna. *All were in favor; the motion passed.*

Mr. Jay Polke, 15 Harrison Drive and owner of the Willowbrook Plaza came forward to ask that the commission keep the taxpayers in mind when granting applications for these types of businesses. He feels that we have to keep existing vacancies and existing businesses in mind so that these businesses are not affected by new business/vendors.

Commissioner Michael Cannata replied that Mr. Ahlquist is a town resident and taxpayer and should be able to open a business. He does agree with Mr. Polke when it is a seasonal vendor trying to profit from the town.

## **11. Communications**

Chairman Faienza reported that there will be a sitewalk at Cobblestone on April 8<sup>th</sup> at 2:00pm and all are invited.

## **12. Commissioners' Comments**

Joseph Garafalo asked Douglas Sienna about the Mattabasset sitewalk. Douglas Sienna gave him the number to call so this can be arranged for individuals when it is convenient for them.

**13. Approval of Minutes:**

a. March 15, 2011

**Motion** made by Peter Keithan to approve the minutes of March 15, 2011 and was **seconded** by Joseph Garafalo. *Enzo Faienza abstained. Rest of Commission was in favor; the motion passed.*

**14. Adjourn**

**Motion** made by Alice Kelly to adjourn the meeting at 8:19pm and was **seconded** by Peter Keithan. *All were in favor; the motion passed.*

Respectfully Submitted,

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Linda Imme  
Clerk