

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
7:00 P.M. TUESDAY, OCTOBER 21, 2008
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET**

MINTUES AND RECORD OF VOTE

Present: Michael Cannata, Peter Keithan, Vincent Faienza, Nicholas Demetriades, Alice Kelly, Thomas O'Neill, Tom Madden, Steve Donen, Alternate Joseph Garafalo, and Alternate Ann Halibozek

Absent: Barry McGuinness, Alternate Linda Duren and BOS Liaison Richard Waters

1. Call to Order

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

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

Alternate Ann Halibozek was seated by general consent.

4. Approval of Agenda

Motion was made Alice Kelly, **seconded** by Peter Keithan to approve the agenda. All were in Favor. *Motion Passes.*

5. Public Comments

There were no public comments.

6. Development Compliance Officer Report:

It was stated that Mr. Curtin was on vacation.

a. Activity Report

Mrs. Kelly asked Mr. Mazurek about the loose rocks above the CVS building site and the rocks near the bottom of the site near the CVS. Mr. Mazurek explained that a meeting with Town Staff and Mr. Snow was going to be held regarding the site and that the issues would be addressed.

b. Status of Current Permits

- c. Development Bond Releases
 - 1. 55 Sebeth Drive
 - 2. 39 Shunpike Road
 - 3. 15 Commerce Drive

Mr. Minor explained that these are bonds that Mr. Curtin places on sites that have outstanding issues after a CO has been obtained. Mr. Minor said that Mr. Curtin is now satisfied with the locations and is recommending their bonds be released.

Motion was made Alice Kelly, **seconded** by Thomas O'Neill to release the bonds at 55 Sebeth Drive, 39 Shunpike Road and 15 Commerce Drive as recommended by the ZEO that all items have been completed. All were in Favor. *Motion Passes*

7. Town Planner Report:

- a. Performance Bond Reductions and Releases:
 - 1. "Washington Estates" Subdivision

Mr. Minor commented that Mr. Niesyn said the work has been completed.

Motion was made Peter Keithan, **seconded** by Vincent Faienza to approve the release of the Washington Estates subdivision bond. All were in Favor. *Motion Passes.*

- b. Public Hearings to be Scheduled:

- 1. Application #08-72: Special Permit (Daycare) at 181 Shunpike Road. Quantum of Cromwell III, owner/applicant.

Motion was made Alice Kelly, **seconded** by Vincent Faienza to schedule the public hearing for November 18, 2008. All were in Favor. *Motion Passes.*

- 2. Application #08-73: Special Permit (Excess Garage Space) at 2A Cedar Drive. Donald and Donna Hermann, owner/applicant.

Motion was made Steve Donen, **seconded** by Alice Kelly to schedule the public hearing for December 2, 2008. All were in Favor. *Motion Passes.*

c. Incentive Housing Zone

Mr. Minor introduced Mr. David Fink from the Partnership for Strong Communities to speak to the Commission. Mr. David Fink, of West Hartford, is the Policy Director for the Home CT Campaign. Mr. Fink described the CT Housing Program, which allows towns to create more housing options in CT. Mr. Fink explained the reasons why towns are considering this and the requirements for the program. Mr. Fink described this as a proactive planning process for town's to use.

Mrs. Kelly asked about the use of the grant. Mr. Fink explained that Town's do need to have potential sites on the grant application. Mr. Fink described that the grant can look at marketing studies, sites, what type of units, mixed use, size of design and regulation for the sites.

Mrs. Kelly asked about PRD sites in Cromwell and expressed concern over the processing of the application. Mrs. Kelly felt that this was just to have been looked at for Planimetrics according to last month's minutes. Mr. Donen agreed with Mrs. Kelly and stated that OPM probably wants to see that sites are available to make sure towns have not maxed out in density. The Commission discussed the draft application and appropriate sites. Mr. Minor was asked to have it available for the November 18th meeting. Ms Halibozek asked what the typical turn around time for application approval was for the grant. Mr. Fink said it has been taking about 2 to 3 weeks.

8. Public Hearing and Possible Action: None

9. Old Business:

a. Application #08-01: Revision to POCD to Enable Tax Reduction of Privately-Owned "Open Space". Planning and Zoning Commission, applicant.

Mrs. Kelly attended the last Board of Selectman meeting and many Selectman were in favor of the Revision but commented that they had not received their information in time. But Mrs. Kelly heard additional information afterwards regarding the tax implication concerns and contacted Mr. Minor.

Mr. Minor reviewed some numbers on what the implication would be if everyone took advantage of the program. This would not happen due to the fact the penalties are significant from withdrawing from the program. Mr. Minor still needs to review the numbers with the Tax Assessor for accuracy.

Chairman Demetriades discussed the possibility that the acreage could be revised to provide a balance to protect Open Space. Mr. Donen asked what the total tax reduction was in comparison to total revenues. Mrs. Kelly suggested that we also calculate a cost impact for 4 acres. Mr. Cannata commented that the tax reduction was giving the town the Open Space benefit throughout, in comparison to the cost of the River Front Park.

10. New Business: None.

11. Communications: None.

12. Commissioners' Comments

a. Discuss Changes to River Front Park

Chairman Demetriades read an email from Mr. Minor to the Commission regarding application 08-10 explaining that the intent of the approval was met and that the appropriate documents were filed. Mr. Minor added that the P&Z approval did not include the requirement that the Phase II report be submitted to P&Z; the Inland Wetlands permit included that requirement, and he did give a copy of the report to the IWA commissioners. This report has always been available to any P&Z commissioner who wanted to see it.

Mr. Mazurek explained that the plans were revised to include more permanent bathrooms and now a gazebo will be installed. Mr. Mazurek also informed the Commission that plans are set to go before the Inland Wetlands Agency for an expansion of the park for a boat/kayak launch area.

Mr. Mazurek explained that there are some pavers that have been placed for a staging area. Mr. Faienza asked if the documents were a Phase II study. Mr. Mazurek said it was and that there were no problems. Mr. Mazurek also said that when they are ready they would be submitting a plan for the sign for the park.

b. Discuss the Use of E-Mail and FOI Issues

Chairman Demetriades reviewed with the Commission to have Mr. Minor ask the First Selectman to ask the Town Attorney or if it's on record what is appropriate use of email amongst Commission members. Mr. Minor said he would find out.

c. Report by Zoning Regulations Update Committee

Mrs. Kelly announced that the first meeting would be October 29th from 7-8pm in Rm 222 and that she has reserved the room. Mrs. Kelly provided the Commission with a suggested list of

power users and asked the Commission to let her know if they have any additional suggestions. Mr. Donen suggested George LaCava.

Jason Vincent of Planimetrics has a meeting on Tuesday at 1pm with Town Staff.

d. Report by POCD Implementation Committee

Mr. Minor needs to submit Mr. Garafalo's name to the BOS. Mr. Minor suggests a call of the meeting. Chairman Demetriades suggested that Mr. Minor and he work together on that.

13. Approval of Minutes:

a. October 7, 2008

Motion was made by Peter Keithan, **seconded** by Alice Kelly to approve the October 7, 2008 minutes. All were in Favor (O'Neill, Madden, Halibozek abstain). *Motion Passes.*

14. Adjourn

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

Respectfully Submitted,

Jennifer L. Donohue
Commission Clerk