

**TOWN OF CROMWELL  
INLAND WETLANDS AND WATERCOURSES AGENCY  
7:00 PM WEDNESDAY, JANUARY 5 2022  
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Joseph Corlis, Robert Donohue, William Yeske, Stacy Dabrowski, Wynn Muller, and John Whitney (via phone)

**Absent:**

**Also Present:** Director of Planning and Development Stuart Popper

**1. Call to Order:**

The meeting was called to order by Chairman Joseph Corlis at 7:04PM.

**2. Roll Call:**

The presence of the above members was noted.

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Jan 12, 2022 11:10A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

**3. Seating of Alternates**

No alternates were seated.

**4. Approval of Agenda**

Mr. Popper asked the commission to amend the agenda. He said he would like to add election of officers under New Business as item b.

John Whitney made a motion to approve the amended agenda of January 5, 2022.

Seconded by Robert Donohue *All in favor, motion passed.*

**5. Approval of Minutes:**

a. December 1, 2021

Robert Donohue made a motion to approve the minutes of December 1, 2021. Seconded by John Whitney. *All in favor, motion passed*

**6. Development Compliance Officer Report:**

a. Status of On-going Project and Existing Cease and Desist Orders

Mr. Popper said Mr. Driska is absent and he would give the report. He said Mr. Driska continues to monitor and is about to sign off on the Nike site. Mr. Popper said Mr.

Driska continues to monitor the Arbors Meadow development on Field Road. He said the new owner of the shopping center next to the 99 restaurant has cut some trees and brush in the area behind the 99 restaurant and adjacent to West Street and Route 9. Mr.

Popper said we are working with the owner to make sure the areas disturbed are all stabilized. He said this work was done to make the center more visible and as part of the plan to repave the parking lot and to remodel the center's façade. Mr. Popper said that it will be nice to see that area cleaned up. He also discussed the work being done by the State to the Route 9 exit ramp and the drainage under West Street to Shunpike Road.

**7. Town Planner Report:**

Mr. Popper said he wished to advise everyone here this evening that there will be no public hearing this evening for Application #21-06: Application #21-06: Request to conduct activities within the Inland Wetlands and Upland Review Area to allow for the construction of a road and warehouse at 94A and 102 Court Street, 76 and 80R Geer Street and 210 Shunpike Road. Scannell Properties #576, LLC is the Applicant and Dilys B. and Henry P. Jr. McIntyre, Gardner's Nurseries Inc. and Paramount Property LLC are the Owners.

Mr. Popper said the Commission has received a letter from the applicant's attorney requesting an extension of time due to the delay required for the peer review. He said the Public Hearing will not be opened this evening and will be continued to the Wednesday February 2, 2022 meeting.

Mr. Popper said in regards to the requested peer review for the warehouse site application he called six firms and ended up interviewing three different engineering firms. He said the firm selected had to affirm that they did not have any past, future, or pending relationship with the applicant. Mr. Popper said he selected the engineering firm named Landtech in Westport, CT. He said that Landtech has experience doing peer reviews. Mr. Popper said they are currently working on the peer review study and he is hoping to have the study completed by January 14, 2022.

He asked the commission if they wished to wait until the next regular meeting to discuss the peer review or if they wished to hold a special meeting in January, maybe on January 19<sup>th</sup> to discuss the peer review. The Commission members discussed the question and decided with a show of hands that everyone is in favor of waiting until the next regular scheduled meeting on Wednesday February 2, 2022 to discuss the peer review. Mr. Popper said, once the peer review is available, it will be available on the Town website under the Inland Wetlands section of the Planning Department web page. Mr. Popper said, if possible, there will be a link on the main page of the website and it will also be available to review in the Planning Department office. The Public Hearing for the warehouse will continue February 2<sup>nd</sup>.

**8. Public Comments:**

Chairman Corliss asked for Public Comments. Mr. Popper explained that the public comments are for any item that is not the public hearing item. He said he wanted to be very clear that the public cannot discuss the public hearing item and if the Agency were to allow that he wants it noted for the record that he was against it.

Phylliss Becker at 71 Geer Street asked for a better understanding of the legal process for advertising a public hearing including when the signs should be posted and what are the legal notice requirements. Mr. Popper the applicant is required to post the sign and notify the abutting property owners within 100 feet of the subject property 14 days before the start of the public hearing. He said the town is required to advertise the legal notice for the public hearing in a local newspaper (We use the Hartford Courant) twice 14 days

before the start of the public hearing. Mr. Popper said that dates on the sign are not legally required to be changed but that the developer usually does that as a matter of courtesy.

Patricia Jepson at 46R Geer Street said she wanted to address the Agency to explain to them the process of holding a public hearing based upon Roberts Rules of Order and the appropriate role of town staff in relationship to the public hearing process. The Agency members and Mr. Popper discussed whether or not this related more to the actual public hearing rather than a public comment. Mr. Popper said he was concerned that we were entering a gray area that could have legal implications if the decision on the application was ever appealed by either the developer or the neighbors. He suggested that the Agency ask Ms. Jepson to wait until the public hearing is continued at the February 2, 2022 meeting. Mr. Yeske asked Ms. Jepson that she wait until the February 2, 2022 meeting.

Ms. Jepson asked that the minutes reflect that she was not allowed to speak under the public comments section of the meeting.

**9. New Business Accept and Schedule New Application:**

a. Application #21-07: Request to conduct activities within the Upland Review Area to allow for the construction of additional parking spaces at 60 Hicksville Road. Adelbrook, Inc. is the Applicant and the Owner.

Mr. Henry Thomas, RLA, from the LRC Group said Adelbrook, Inc. is proposing to expand parking and drop-off facilities to better accommodate existing demand for employees in visitor parking on campus. He said this is due to the requirement of shift overlaps that occur several times over the course of a typical 24-hour day as well as the nature of the student transportation (auto/van) and drop-off / pickup that is typical of the school function at the facility.

Mr. Thomas explained that presently, the campus contains 199 existing parking spaces. The proposed plan provides for an increase of 71 spaces to a total of 267 parking spaces as follows:

- Three new permeable asphalt parking bays along Missionary Road (net addition of 36 spaces).
- Improvement of existing lots near the Unity Center and School including addition of permeable asphalt parking bay (Lot #2 and #4 - net addition of 12 spaces).
- Expansion and renovation of the main lot (identified as lot #1 on the submitted site plans) at the NW corner of the developed campus (net addition of 20 spaces). This lot already exists in part within a regulated area adjacent to a wetland/pond, and portions of the expanded lot (with related grading and improvements) will take place in the regulated area.

Mr. Thomas explained that the existing queuing for the student drop-off and pickup activity in Lot #2 in front of the School Building and on the Missionary Road (the main

campus private drive). He noted that the expansion plan for Lot #1 includes development of a dedicated queuing lane to remove this que as a traffic consideration on Missionary Road.

Mr. Thomas said the Upland Review Area affected by the proposed plan is 14,407 sf of new activity plus 6,297sf of existing improvements to be renovated for a total affected area of 20,704 sf.

He noted that there are no direct impacts to the delineated wetlands, however, existing discharge points at the edge of the wetland will continue to be utilized and the ends of the pipe outlets stabilized.

Mr. Thomas explained that the proposed Stormwater management system of Lot #1 is designed to meet town standards and results in no net increase in discharge rate. He noted that the system also provides new stormwater quality measures with the installation of stormwater storage chambers which includes an isolator row that allows sediment and solids to be captured before runoff is released downstream. Mr. Thomas said new catch basins are equipped with 4' sumps to collect sediment and debris prior to entering the stormwater management system.

Mr. Richard Reynolds, project engineer at the LRC Group said improvements to the existing and proposed parking spaces will include curbing around the perimeter, queuing lanes, drainage structures and directional signage for vehicles. He said they will be adding two underground chamber systems. Mr. Reynolds said these chambers have an isolator which traps sediment and allows the sediment to settle out, so it can be cleaned and not affect the wetlands area. He said the curbing will keep any spills or storm water runoff contained within the parking area.

Mr. Popper said if this is approved by the Agency that there will be a site plan modification application submitted to the Planning and Zoning Commission. He explained that the town engineer will review the drainage calculations and storm water design for the plan. Mr. Popper said that the Zoning Officer will look at the landscaping and lighting. He said the activity before the Agency is the related disturbance within the upland review area for the construction of the parking lot improvements and new parking spaces.

William Yeske made a motion to approve Application #21-07: Request to conduct activities within the Upland Review Area to allow for the construction of additional parking spaces at 60 Hicksville Road. Adelbrook, Inc. is the Applicant and the Owner. Seconded by Robert Donahue. *All in favor, motion passed*

#### b. Election of officers

Mr. Popper asked the commission if there were any nominations for chairman. He said he was asked to table the election of the Vice Chairman to the next meeting. Robert Donohue nominated John Whitney for Chairman. Seconded by Wynn Muller (via telephone). John Whitney accepted the nomination and the nomination have been closed.

*All in favor, motion passed.*

**10. Public Hearing:**

a. Application #21-06: Application #21-06: Request to conduct activities within the Inland Wetlands and Upland Review Area to allow for the construction of a road and warehouse at 94A and 102 Court Street, 76 and 80R Geer Street and 210 Shunpike Road. Scannell Properties #576, LLC is the Applicant and Dilys B. and Henry P. Jr. McIntyre, Gardner's Nurseries Inc. and Paramount Property LLC are the Owners.

Mr. Popper said the Commission has received a letter from the applicant's attorney Thomas Cody consenting to an extension of time due to the delay required for the peer review. He said the Public Hearing will not be opened this evening and would be continued to the Wednesday February 2, 2022 meeting. Mr. Popper asked the Commission to make a motion to accept the letter from the applicant's Attorney giving the applicants consent to the extension of time. He asked the commission to make a motion to accept the letter consenting to the extension.

Robert Donahue made a motion to accept the letter consenting the extension of time. Seconded by Peter Omicioli. *All in favor, motion passed.*

Mr. Popper said the Public Hearing is continued to the February 2nd meeting.

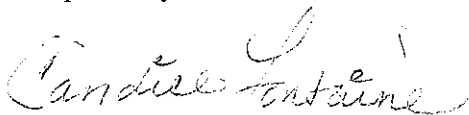
**11. Commissioners' Comments and Reports:**

Mr. Whitney thanked the commission for the nomination. Mr. Popper thanked Chairman, Joseph Corlis for his years of service as a member of the commission as well as his service of Chairman.

**12. Adjourn:**

Robert Donohue made a motion to adjourn at 7:50 PM. Seconded by William Yeske. *All in favor, motion passed.*

Respectfully submitted,



Candice Fontaine

Recording Clerk