

**TOWN OF CROMWELL  
SPECIAL MEETING  
INLAND WETLANDS AND WATERCOURSES AGENCY  
7:00 PM WEDESDAY, APRIL 6, 2022  
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman John Whitney, Joseph Corlis, Robert Donohue, William Yeske, and Peter Omicioli

**Absent:** Wynn Muller and Stacy Dabrowski.

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

**1. Call to Order:**

The meeting was called to order by Chairman John Whitney at 7:03PM.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates**

No alternates were seated.

**4. Approval of Agenda**

Robert Donahue made a motion to approve the agenda of April 6, 2022. Seconded by Peter Omicioli. *All in favor, motion passed.*

**5. Approval of Minutes:**

a. January 5, 2022

Robert Donahue made a motion to table the approval of the minutes of January 5, 2022. Seconded by Peter Omicioli. *All in favor, motion passed.*

**6. Development Compliance Officer Report:**

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

Mr. Driska was absent and Mr. Popper gave the report.

Mr. Popper said work has begun on the Hicksville subdivision and noted that they are working within the parameters of their approved Inland Wetlands permit. He explained that they are currently doing some clearing for the one lot located off of West Street and closest to Smith Road.

**7. Town Planner Report:**

Mr. Popper said there are a lot of things going on that are not related to the Inland Wetlands and Watercourse Agency. He said the PZC is considering an application and plans to renovate the Crossroads Shopping Center. Mr. Popper said the plans call for renovating the building façade, the parking lot, adding new signage and replacing the existing landscaping. He said the owner of the Shop Rite Center has submitted an

application to open a Burlington Store formerly called the Burlington Coat Factory next to the existing Marshalls' store and the new Five Below store is now open next to Shop Rite.

Mr. Popper said the new owners of the Lord of Cromwell site have submitted an application requesting a zone change from Highway Business to Mixed Use Development. He said plans call for 260 multi-family residential units, 26 condominium townhouses and 30,000 square feet of commercial space. Mr. Popper explained that this will include 15R Christian Hill which they have purchased and which will use as some type of open space/recreation area. Mr. Popper said the Lord Cromwell site developer will be in front of the IWWA eventually with an inland wetland permit for activities that will be within the upland review area. He said we have not heard back from the warehouse proposal and most likely they are still working on their responses to the peer review. Mr. Popper said once the issues articulated in the peer review are addressed we expect to see another application

**8. Public Comments:**

Chairman John Whitney asked for Public Comments.  
There were no Public Comments.

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

- a. Application #22-01: Request to conduct activities within the Upland Review Area to allow for the construction of commercial building at 5 Berlin Road. Bantry Bay Ventures, LLC are the Applicants and Michael J. Cannata is the Owner.

Mr. Popper said he is asking the Agency this evening is to accept the new Application. He said the applicant will make a brief presentation and after that the Agency will determine and vote as to whether or not the proposed activities are significant or insignificant. Mr. Popper noted that either way the application will be scheduled to heard at the IWWA's May 4, 2022 meeting.

Mr. Rock Emond, Associate Civil Engineer from SLR International Corporation in Cheshire Ct. said he is here on behalf Bantry Bay Ventures LLC, regarding the application with activities proposed within the 100-foot upland review area at 5 Berlin Road. He said the parcel is a 5.3-acre site which contains approximately 1.94 acres of regulated wetland resources, nearly 40% of the site. Mr. Emond said the proposed 5,000 square foot retail building is designed to avoid direct wetland impacts and minimize impacts within the upland review area to the maximum extent possible. He said that storm water management controls and water quality measures will be implemented to reduce potential impacts to the adjacent wetlands and water bodies. Mr. Emond explained that much of this project site is located within the 100-foot up land review area, disturbance to this area is necessary to complete this project. He described the alternative methods considered and justification for the method chosen. Mr. Emond noted the majority of the site is either wetlands or in the 100-foot upland review area, therefore there is only one section

of the site suitable for development, which was why it was selected as the proposed location of this project. He explained the location of the building was determined to minimize the area of upland review area disturbed by the construction of the project and was selected as the best alternative for this site to minimize potential impacts to the wetlands. Mr. Emond said the building will be connected to water and sewer utilities and they will manage all the stormwater onsite in an underground water retention system.

Mr. Popper said the staff will be reviewing this application and before our next meeting in May, a report will be given of any issues they may have with the site. He said if this application is approved, it will then it would go to Planning and Zoning for a site plan, a special permit application, and a flood plain permit.

Mr. Popper read the definition of a significant impact from the Town of Cromwell Inland Wetlands and Watercourses Regulations. The agency members and Mr. Popper discussed the definition and concluded that there was no significant impact to the wetlands.

William Yeske made a motion that there is not any significant impact. Seconded by Peter Omicioli. *All in favor, motion passed.*

Mr. Popper said this application will be scheduled for the first meeting in May and if anyone has any questions to please contact him.

William Yeske made a motion to schedule Application #22-01: Request to conduct activities within the Upland Review Area to allow for the construction of commercial building at 5 Berlin Road. Bantry Bay Ventures, LLC are the Applicants and Michael J. Cannata is the Owner to be considered as a business item at the May 4, 2022 meeting. Seconded by Peter Omicioli. *All in favor, motion passed.*

#### **10. Commissioners' Comments and Reports:**

There were no comments

#### **11. Adjourn:**

Peter Omicioli made a motion to adjourn at 7:30PM. Seconded by Robert Donohue. *All in favor, motion passed.*

Respectfully submitted,



Candice Fontaine  
Recording Clerk