

**TOWN OF CROMWELL**  
**INLAND WETLANDS AND WATERCOURSES AGENCY**  
**7:00 PM WEDNESDAY, MAY 4, 2022**  
**COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET**  
**MINUTES AND RECORD OF VOTES**

**Present:** Chairman John Whitney, Joseph Corlis, William Yeske, Stacy Dabrowski and Peter Omicioli

**Absent:** Robert Donohue and Wynn Muller

**Also Present:** Director of Planning and Development Stuart Popper and Zoning Enforcement Officer Bruce Driska

**1. Call to Order:**

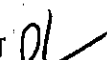
The meeting was called to order by Chairman John Whitney at 7:00PM.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates**

No alternates were seated.

RECEIVED FOR RECORD  
May 16, 2022 10:43A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT 

**4. Approval of Agenda**

Mr. Popper amended the agenda to add the acceptance of Application #22-02: 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. He said he would like the agency to make a determination of the impact of the application and schedule it to be heard at the June 1<sup>st</sup> meeting.

William Yeske made a motion to approve the amended agenda of May 5, 2022. Seconded by Joe Corlis. *All in favor, motion passed.*

**5. Approval of Minutes:**

a. April 6, 2022

Peter Omicioli made a motion to table the approval of the minutes of April 6, 2022.

Seconded by Joe Corlis. *All in favor, motion passed.*

**6. Development Compliance Officer Report:**

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

Mr. Driska said the Landon multifamily development located on Country Squire Drive had some issues during the last rain storm with slope stabilization and added erosion control mats to solve the problem. He said a Notice of Violation was issued on April 29, 2022 for deviations of an issued permit at 139 West Street consisting of an incorrect location of silt fencing and other control devices within an Upland Review Area and Wetlands. Mr. Driska said the developer has been cooperative with the requests to correct the issues and stop work order remains in effect until compliance is confirmed.

**7. Town Planner Report:**

Mr. Popper said there are a lot of things going on in town. He said parking lot and façade improvements have been approved for the Crossroads Shopping Center. Mr. Popper said we have an application coming before the PZC tomorrow evening for a zone change from Highway Business to Mixed Use Development for the former Lord Cromwell/Radisson/Red Lion site. He said plans call for 260 multi-family residential units, 26 condominium townhouses and 30,000 square feet of commercial space. Mr. Popper said there will be a Public Hearing tomorrow for the mixed-use zone change and if it is approved, they will come back for a special permit and site plan, but before that, they will come before the IWWA with an inland wetland permit for activities that will be within the upland review area.

**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 #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.

Attorney Evan Seeman, Robinson & Cole LLP from Hartford, CT is representing the applicant gave a brief summary of the first application submitted last year for a Warehouse on 250 acres of property. He explained that the IWWA had requested a peer review which was done by a third party, LandTech Consultants Inc. Attorney Seeman said as a result of the peer review that application was withdrawn to address the comments of the peer review.

He said the revised application is very similar to the first and there are again impacts to the inland wetlands at the site. Attorney Seeman said as a result the applicant is requesting that the application be scheduled for a Public Hearing at the IWWA meeting in June.

Mr. Popper suggested to the commission to make a motion to find this is a significant impact and require a Public Hearing scheduled on June 1<sup>st</sup>.

Peter Omicioli made a motion to find this a significant activity and to schedule a public hearing for June 1, 2022. Seconded by Joe Corlis. *All in favor, motion passed.*

The members of the public addressed the agency asking if the application, plans and associated reports can be placed on the web site for everyone to download and review. Mr. Popper said all the information will be available on the town website on the Inland Wetlands and Watercourses Agency page on or before this Friday. He also said, people are welcome to come into the Planning and Development office to look at the hard copies of all the information Monday through Friday from 8:30AM to 4:00PM.

#### **10. New Business:**

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 at the previous IWWA meeting in April, it was determined that these activities were insignificant because they are all within the upland review area and a public hearing was not required.

Mr. Thomas J. Daly, engineer and manager of Civil and Structural Engineering from SLR International Corporation in Cheshire Ct. said he is here on behalf of Bantry Bay Ventures LLC, regarding the application with activities proposed within the 100-foot upland review area at 5 Berlin Road. He said the wetlands were mapped by Meghan Raymond, soil scientist from SLR International Corporation. Mr. Daly noted that the site abuts the Mattabassett River and the site and the surrounding neighborhood is located within the 100-year flood plain.

Mr. Daly said they are proposing a 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 explained that after receiving staff comments the plans were revised to include a 1:1 floodplain storage compensation for the proposed project. Mr. Daly said as a result of the changes, the area of Upland Review impacted by this project has increased from 43,170 sf (0.99 acres) to 73,786 sf (1.69 acres). He noted that no direct wetlands impacts are proposed. Mr. Daly described how the flood storage compensation areas will work and the proposed landscaping for those areas.

Mr. Popper asked Mr. Daly to describe the activities within the 100-foot buffer as they relate to the site plan. Mr. Daly said the proposed one-story building is 5,000 square feet and the site will contain 31 parking spaces. He indicated on the plans that a small portion of building, and about half the parking lot is located in the upland review area as were the flood storage compensation areas. Mr. Daly described the drainage at the site and the proposed underground chamber system.

Mr. Popper said all the requested staff modifications have been addressed and staff has

no other comments on the plans.

William Yeske made a motion to approve 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. Seconded by Peter Omicioli. *All in favor, motion passed.*

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

Peter Omicioli nominated Stacy Dabrowski as Vice Chairman. *All in favor, motion passed.*

**12. Adjourn:**

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

Respectfully submitted,

A handwritten signature in cursive script that reads "Candice Fontaine". The signature is written in black ink and is positioned above the printed name and title.

Candice Fontaine  
Recording Clerk