



Town of Cromwell Planning and Zoning Commission

SPECIAL MEETING

7:00 P.M. TUESDAY NOVEMBER 1, 2022

COUNCIL CHAMBERS CROMWELL TOWN HALL 41 WEST STREET

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Seating of Alternates**
- 4. Approval of Agenda**
- 5. Public Comments**
- 6. Development Compliance Officer Report:**
- 7. Director of Planning and Development Report:**
- 8. New Business: Accept and Schedule New Applications:**
 - a. Application #22-39: Request for a Special Permit under Section 3.4.C.4 of the Zoning Regulations to allow for the construction of a new storage building at the Golf Course Maintenance facility at 1 Golf Course Road. PGA Tour is the Applicant and TPC of Cromwell is the Owner.
 - b. Application #22-40: Request for Site Plan Approval to allow for the construction of a new storage building at the Golf Course Maintenance facility at 1 Golf Course Road. PGA Tour is the Applicant and TPC of Cromwell is the Owner.
 - c. Application #22-41: Request to Amend the Section 5.2 of the Zoning Regulations to allow for electric car chargers to be permitted in Residential Zone District. Town of Cromwell Planning and Zoning Commission is the Applicant.
- 9. New Business:**
- 10. Public Hearings:**
 - a. Application #22-32: Request for Special Permit for Dimensional Modifications to the approved Master Plan in a Mixed-Use Development Zone District under Section 4.6.F.1 of the Zoning Regulations at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.
 - b. Application #22-33: Request for Site Plan Approval in a Mixed-Use Development Zone District to redevelop the site at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.
 - c. Application #22-34: Request for Special Permit (Flood Plain) under Section 4.2.P to permit the redevelopment of the site a portion of which is in the Flood Zone AE at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.
- 11. Commissioner's Comments:**
- 12. Approval of Minutes:**
 - a. October 6, 2022
- 13. Adjourn:**

Permit	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
		P&Z 2022 Permit Report	F:\Private\Fontaine\CANDICE DOCUMENTS\Spreadsheets Tracking\{PZC Bruce's Report 2022.xlsx}2022		
22-01	PGA Tour Event	One Golf Club Road	PGA Tour from 6/20-6/26/22	3/1/2022	Approved
22-02	Bantry Bay Ventures	N/A	App to Amend Zoning Regs	4/5/2022	Approved
22-03	Gary Dayharsh	34 Shunpike Road	Site Plan Modification Façade Renovations & Parking Lot improvements	4/19/2022	Approved
22-04	Jeff Swanson/Adelbrook Inc	60 Hickville Road	Adelbrook Proposed Splash Pad	3/15/2022	Approved
22-05	Andrew Siminow/Mary Ann & 6 West Ave, LLC	N/A	App to Amend Zoning Regulations	3/15/2022	Withdrawn
22-06	Planning and Zoning Cannabis	N/A	App to Amend Zoning Regulations	5/5/2022	Approved
22-07	P. Craig Way (Vice President, HB Nitkin)	Cromwell Sq Shopping Center -Burlington Store	Site Plan Modification- New Burlington Store	4/19/2022	Approved
22-08	Cromwell Village Associates	150 Country Squire Road - The Landon	Site Plan Modification - Planned Multi-family Residential Dev. (The Landon)	4/19/2022	Approved
22-09	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	App for Change to the Zone Map	5/5/2022	Approved
22-10	Town of Cromwell Public Works	161 Coles Road	Site Plan Modification- Snow Park	4/5/2022	Approved
22-11	Rodney Bitgood	419 Main Street	Temporary Event Permit (Car Show)	Admin Approved-event on 5/27	
23-12	Timothy & Sharon Farrell	560-562 Main Street	Garage greater than 1,000 SF	6/7/2022	Approved
22-13	Miodrag Delmic	Zoning Amendment	Text to allow electric charging stations	7/19/2022	Approved
22-14	Cromwell Little League	9 Captain James Mann	Site plan modification for lights	6/21/2022	Approved

22-15	Alvin Ravizza		150 Sebeth Drive	App for Special Permit	7/19/2022	Approved
22-16	6 West Ave, LLC Andrew Simonez		33 Berlin Road	App for Special Permit for Retail Cannabis	10/6/2022	Approved
22-17	John Paul Golino		6 River Park Drive	App for Special Permit	9/6/2022	Approved
22-18	Bantry Bay Ventures, LLC c/o Amy Souchens		5 Berlin Road	App for Special Permit to establish Adult-Use Cannabis Retailer	9/6/2022	Approved
22-19	Bantry Bay Ventures, LLC c/o Amy Souchens		5 Berlin Road	App for Site Plan Approval	9/6/2022	Approved
22-20	Bantry Bay Ventures, LLC c/o Amy Souchens		5 Berlin Road	App for Special Permit-Special Flood Hazard Area Overlay District	9/6/2022	Approved
22-21	6 West Ave, LLC Andrew Simonez		33 Berlin Road	App for Site Plan Approval	10/6/2022	Approved
22-22	Cromwell Chicken LLC c/o Jay Klein (Carmody Law)		195 West Street	App for Site Plan Approval	Pending	
22-23	Cromwell Chicken LLC c/o Jay Klein (Carmody Law)		195 West Street	App for Special Permit-Proposed to construct a fast food restaurant w/drive up	Pending	
22-24	Paramount Construction - Steve Reilly		80R Geer Street	App for Special Permit-Crushing of materials	10/6/2022	Approved
22-25	Covenant Living		52 Missionary Road	App for site plan modification - Additional Parking 4-6 stalls	10/18/2022	Approved
22-26	Magdalene Mehic & Sead Mehic		12 Summer Brook Lane	App for Special Permit - add fill to property	Pending	
22-27	Cromwell Automotive, LLC		263 Main Street	App for Special Permit - Special Flood Hazard area Overlay District	10/6/2022	Approved
22-28	Cromwell Automotive, LLC		263 Main Street	App for Site Plan Approval-Construction of 1-story steel frame accessory bldg	10/6/2022	Approved
22-29	Walmart 2299		161 Berlin Road	App for Site Plan Modification	10/6/2022	Approved
22-30	Planning and Zoning Commission		41 West Street	App for Amendment to the Zoning Regs	10/6/2022	Approved

22-31	Cromwell Village Associates	150 Country Squire Road	Site Plan Modification - Car chargers - (The Landon)	10/18/2022	Approved
22-32	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	Special Permit - Modifications to Dimensional Elements in Approved Master Plan	Pending	
22-33	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	App for Site Plan Approval	Pending	
22-34	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	App for Special Permit-Special Flood Hazard Area Overlay District	Pending	
22-35	Susan Schein	West Street - Pierson Park	Temporary Event Permit - Trick or Trunk	Admin Approval 10/4/22	
22-36	Town of Cromwell	Library Green House	App for Site Plan Modification	Admin Approval 9/29/22	
22-37	Roswell Development, LLC	170 Evergreen Road	App for Subdivision Approval	Pending	
22-38	Dr. Thomas Sabbagh	22 Nooks Hill Road	App for Special Permit	Pending	

Application# 22-40

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
APPLICATION FOR SPECIAL PERMIT**

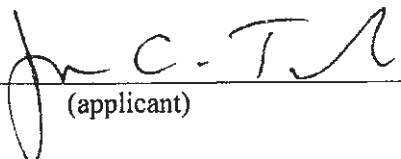
Type of Activity: Outdoor Recreation Facility (Golf Course)
(Per Section 3.4.C.4 of the Cromwell Zoning Regulations)
Street Address: 1 Golf Club Road, Cromwell, CT Zoning District: BP
Assessor's Parcel ID #: 00457800 Volume/Page: 242/84

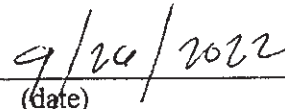
Applicant's Name: Mr. James C. Triola, PGA TOUR Design and Construction Services
Address: 1 PGA TOUR Blvd, Ponte Vedra Beach FL 32082
Telephone Number (daytime): 904-280-4882
Email Address: jamestriola@pgatourhq.com

Property Owner's Name: Tournament Players Club of Connecticut, Inc.
Address: 1 Golf Club Road, Cromwell, CT

Description of Proposed Activity:
Construction of new equipment storage building (garage) and associated
infrastructure at the existing golf course maintenance facility.
See accompanying Application materials for additional information

I certify that I have read and I am familiar with the Cromwell Zoning Regulations that pertain to this type of Special Permit activity, *and with Section 13.2.d. (Sign Posting).*


(applicant)


(date)

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: TPC River Highlands Golf Course Maintenance Facility
Street Address: 1 Golf Club Road
Volume/Page: 242/84 **PIN #:** 900457800

Applicant Name: Mr. James C. Triola, PGA TOUR Design and Construction Services
Address: 1PGA TOUR Blvd
Ponte Vedra Beach FL 32082
Telephone: 904-280-4882 (day) 904-382-2694 (evening)
Email Address: jamestriola@pgatourhq.com

Property Owner Name: Tournament Players Club of Connecticut, Inc.
Address: 1 Golf Club Road
Cromwell, CT

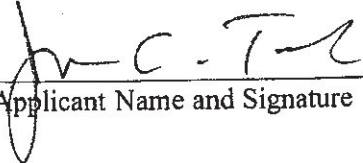
Attached:

- ☒ Application fee.
☒ Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

1. *Is any part of the site within 500' of an adjoining town?* ☐ Yes ☒ No
2. *Will this project require an Inland Wetlands Agency permit?
if yes, have you obtained it?* ☐ Yes ☒ No
☐ Yes ☐ No
3. *Will this project require a DEP Stormwater Management Permit?
if yes, have you applied for it?* ☐ Yes ☒ No
☐ Yes ☐ No
4. *Will this Project Require an STC Permit?
if yes, have you submitted a copy of the plans to the STC?* ☐ Yes ☒ No
☐ Yes ☐ No
5. *Does the parking comply with the handicapped parking
requirements as set forth in current version of the State Building Code?* ☐ Yes ☐ No

#5 Not applicable. No new parking facilities proposed as part of the project.

I hereby certify that the information presented above is correct to the best of my knowledge.


Applicant Name and Signature

9/24/2022
Date

Application# 22-41

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR AMENDMENT TO THE ZONING REGULATIONS

Name: Town of Cromwell Planning and Zoning Commission
Address: 41 West Street
Cromwell, CT 06416
Telephone: 860-632-3422 Email: spopper@cromwellet.com

A. Request to Change an Existing Regulation:

1. Current Article Number: 5.2.P

2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):

Add "Residential Zone Districts" to allow for electric chargers in Residential Zone District.

B. Request to Create a New Regulation:

1. Suggested Article Number: _____

2. Zoning District(s) to be Affected by New Regulation: _____

3. Wording of New Regulation (attach if necessary):

C. Reason for Proposed Change or New Regulation:

Stuart B. Popper
(Applicant)

10/26/22
(date)

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday November 1, 2022 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #22-32: Request for Special Permit for Dimensional Modifications to the approved Master Plan in a Mixed Use Development Zone District under Section 4.6.F.1 of the Zoning Regulations at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.
2. Application #22-33: Request for Site Plan Approval in a Mixed Use Development Zone District at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.
3. Application #22-34: Request for Special Permit (Flood Plain) to permit the redevelopment of the site a portion of which is in the Flood Zone AE at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.

At this hearing interested persons may appear and be heard and written testimony received. This application is available for public inspection in the office of the Town Planner.

Alice Kelly
Chairman

Dated in Cromwell, Connecticut this the 18th day of October 2022.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SPECIAL PERMIT

Type of Activity: Modifications to Dimensional Elements in Approved Master Plan

(Per Section 4.6.F.2.1 of the Cromwell Zoning Regulations)

Street Address: 100 Berlin Road & 15R Christian Hill Road Zoning District: Mixed-Use District (MU)

Assessor's Parcel ID #: 00459100 & 11300100 Volume/Page: Vol. 1743 Pg. 66 & Vol. 1746 Pg. 281

Applicant's Name: M360 Berlin Land Holdings, LLC

Address: c/o Martin J. Kenny, Co-Manager, 755 Main Street, Suite 1245, Hartford, CT 06103

Telephone Number (daytime): 860-520-1005 ext. 700

Email Address: mkenny@lexingtonct.com

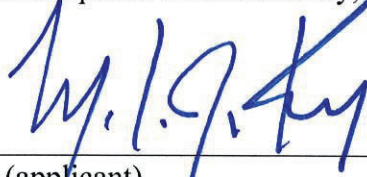
Property Owner's Name: M360 Berlin Land Holdings, LLC

Address: c/o Martin J. Kenny, Co-Manager, 755 Main Street, Suite 1245, Hartford, CT 06103

Description of Proposed Activity:

See attached project narrative.


I certify that I have read and I am familiar with the Cromwell Zoning Regulations that pertain to this type of Special Permit activity, *and with Section 13.2.d. (Sign Posting).*



(applicant)

M360 Berlin Land Holdings, LLC

By: Martin J. Kenny, Co-Manager, duly authorized



(date)

IMPACT STATEMENT PER SECTION 9.4A

1. General description of conditions including, but not limited to, environmental features, traffic, zoning character of the area and existing facilities.

The property is now zoned Mixed Use, having received approval for a Zone Change from the Cromwell Planning and Zoning Commission on May 5, 2022. The property at 100 Berlin Road presently contains the former Red Lion hotel, which has since fallen into disrepair. The property at 15R Christian Hill Road is presently undeveloped. The property is on the northerly side of Berlin Road (Route 372) and surrounded by the 91N entrance ramp to the west, commercial uses to the south and east, and single-family residences along Christian Hill Road to the north. The easterly and southerly portions of the property are within Flood Zone AE due to its proximity to both the Mattabasset River and Coles Brook.

2. The proposed activity and results of proposed action in reference to environment, traffic, zoning, character of the area, and existing facilities.

The applicant is proposing to redevelop the hotel into a mixed-use site consisting of multi-unit residential buildings, community amenity areas, townhomes, and retail/commercial spaces. This type of development is consistent with the character of the area, which includes commercial uses, such as a hotel, gas station, and large box retailer, as well as residential uses. A portion of the existing parking garage will be utilized but the hotel will be removed. The area of redevelopment is almost entirely within the previously disturbed development footprint. This project will require a permit from the Office of the State Highway Administration. The southeasterly and easterly portions of the site are within the 100' upland review area from wetlands and a wetlands permit to conduct a regulated activity was granted by the Cromwell Inland Wetlands and Watercourses Agency on September 7, 2022.

3. Alternatives and possible mitigating measures.

The site cannot continue to stay in its current state of disrepair. The proposed site plan shows that the area of redevelopment is almost entirely within the previous limits of disturbance/development. Erosion and sedimentation controls will be utilized during construction, to include a construction entrance, silt fencing, hay bales, and inlet protection.

4. The commitment of irretrievable resources.

There are no irretrievable resources being utilized for this project. A portion of 100' upland review area from wetlands is being impacted but almost all of this area of impact was previously disturbed. The Cromwell IWWC granted a permit for this regulated activity on September 7, 2022. A walking trail is proposed from the community easterly to the wetlands for the purposes of providing a means for recreation and passive enjoyment of the area.

5. The location and amount of blasting anticipated as part of this project.

6. Existing and proposed utilities and public facilities including sewers or sanitary disposal, surface drainage, water supply, fire protection and other issues of consequence. The Commission may require implementation of the information into the findings of fact or onto the Site Plan.

The property is presently serviced by public water and public sewer. The applicant has obtained capacity analysis letters from both the Cromwell Fire District and the Cromwell Water Pollution Control Authority. The water capacity letter from the Cromwell Fire District included provisions for fire protection.

The stormwater management plan will improve water quality and reduce runoff versus the current development. Stormwater will be collected via a series of catch basins and conveyed through conduits before discharging through a hydrodynamic separator and then into the existing drainage system on Berlin Road. The stormwater management system will be subject to periodic inspection and routine maintenance. Rain gardens to be located behind townhome units #1-8 will help promote groundwater recharge.

7. Existing and proposed hours of operation for each use on the site.

Tenants for the proposed commercial/retail space have not been identified at this time, but it is likely that their operating hours will be similar to those of the commercial uses in the surrounding vicinity.

The residential community will likely institute operating hours for its amenity areas and those are yet to be determined.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: 100 Berlin Road
Street Address: 100 Berlin Road & 15R Christian Hill Road
Volume/Page: Vol. 1743 Pg. 66 & Vol. 1746 Pg. 281 **PIN #:** 00459100 & 11300100

Applicant Name: M360 Berlin Land Holdings, LLC
Address: c/o Martin J. Kenny, Co-Manager
755 Main Street, Suite 1245, Hartford, CT 06103
Telephone: 860-520-1005 ext. 700 (day) 860-930-5622 (evening)
Email Address: mkenny@lexingtonct.com

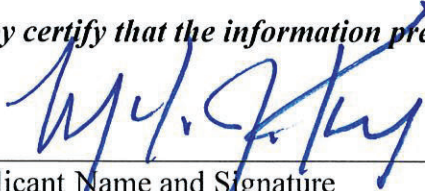
Property Owner Name: M360 Berlin Land Holdings, LLC
Address: c/o Martin J. Kenny, Co-Manager
55 Main Street, Suite 1245, Hartford, CT 06103

Attached:

- ☒ Application fee.
☒ Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

- | | | |
|--|---|-----------------------------|
| 1. <i>Is <u>any part</u> of the site within 500' of an adjoining town?</i> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. <i>Will this project require an <u>Inland Wetlands Agency permit</u>?</i>
<i>if yes, have you obtained it?</i> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. <i>Will this project require a <u>DEP Stormwater Management Permit</u>?</i>
<i>if yes, have you applied for it?</i> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. <i>Will this Project Require an <u>STC Permit</u>?</i>
<i>if yes, have you submitted a copy of the plans to the STC?</i> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. <i>Does the parking comply with the <u>handicapped parking</u> requirements as set forth in current version of the State Building Code?</i> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

I hereby certify that the information presented above is correct to the best of my knowledge.


Applicant Name and Signature

M360 Berlin Land Holdings, LLC

By: Martin J. Kenny, Co-Manager, duly authorized

9.12.22
Date

**Town of Cromwell
Planning and Zoning Commission**

**APPLICATION FOR SPECIAL PERMIT
SPECIAL FLOOD HAZARD AREA OVERLAY DISTRICT**

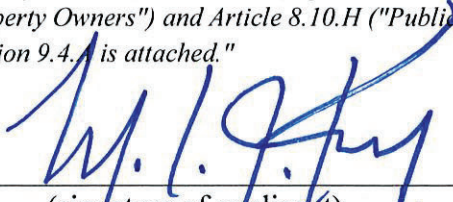
Description of Activity: Construction of mixed use development
Street Address: 100 Berlin Road / 15R Christian Hill Road Zoning District: MU (Mixed Use)
Parcel ID #: 00459100/11300100 Volume/Page: 1743/66 & 1746/281

Applicant's Name: M360 Berlin Land Holdings, LLC
Address: 755 Main Street, Unit 1245, Hartford, CT 06103, c/o Martin J. Kenny, Co-Manager
Telephone Number (daytime): 860-520-1005 ext 700
Email Address: mkenny@lexingtonct.com

Property Owner's Name: same as applicant
Address: _____

Description of Proposed Activity:
Redevelopment of site into mixed use, consisting of residential multi-unit
buildings, townhomes, amenity areas, and commercial/retail space.
A portion of the redevelopment area is within Flood Zone AE.

"I have read and I am familiar with the Cromwell Zoning Regulations Article 4.2 ("Special Flood Hazard Area Overlay District"), Article 8.7 ("Special Permit Application Procedures"), Article 8.10.G ("Notification of Abutting Property Owners") and Article 8.10.H ("Public Hearing Sign Posting Requirements"). An "Impact Statement" per Section 9.4. is attached."


(signature of applicant)

9.13.22
(date)

Martin J. Kenny
(printed name of signer)

4.2.R (General Standards) for developments in a Special Flood Hazard Area (SFHA)

1. New construction, substantial improvements, and structures that have sustained substantial damage shall be constructed using methods and practices that minimize flood damage.

No buildings or other improvements, other than the reconstruction of the site access drive, will be constructed within the Special Flood Hazard Area.

2. New construction, substantial improvements, and structures that have sustained substantial damage shall be constructed with materials and utility equipment resistant to flood damage.

No buildings will be constructed within the Special Flood Hazard Area.

3. New construction, substantial improvements, and structures that have sustained substantial damage shall be anchored to prevent location, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

No buildings will be constructed within the Special Flood Hazard Area.

4. New construction, substantial improvements, and structures that have sustained substantial damage cannot be constructed or located entirely or partially overwater.

No buildings or other improvements are being constructed over water.

5. Electrical, heating, ventilation, plumbing, air conditioning equipment, HVAC ductwork, and other service facilities, or any machinery or utility equipment or connections servicing a structure shall be elevated to or above the base flood elevation (BFE) to prevent water from entering or accumulating within the components during conditions of flooding. This includes, but is not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation ductwork, washer and dryer hook-ups, electrical junction boxes and circuit breaker boxes.

No buildings will be constructed within the Special Flood Hazard Area. Therefore, no electrical, heating, ventilation, plumbing or other service facilities or utility equipment will be located in the Special Flood Hazard Area.

6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

Not applicable, as there is no building proposed to be built in the Special Flood Hazard Area.

7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

Not applicable, as there is no building proposed to be built in the Special Flood Hazard Area.

8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

Not applicable, as the on-site waste disposal system is not being located in the Special Flood Hazard Area. There will be a new sanitary sewer main that will connect to the existing sewer main that is within the Flood Hazard Area. All piping and manholes will be watertight.

9. Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad or be securely anchored with tie-down straps to prevent floatation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for infiltration of flood water.

There are no underground or aboveground oil or propane tanks are proposed to be located in the Special Flood Hazard Area.

10. In any portion of a watercourse that is altered or relocated, the flood carrying capacity must be maintained. Notify adjacent communities and the Connecticut Department of Environmental Protection (DEEP), Inland Water Resources Division prior to any alteration or relocation of a watercourse.

There are no watercourses being altered as part of this project.

11. If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

No portion of any of the proposed buildings are being proposed to be built within the Special Flood Hazard Area.

12. If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e. V zone is more restrictive than A zone; structure must be built to the highest BFE). The structure includes any attached garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches

that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone).

No portion of any of the proposed buildings are being proposed to be built within the Special Flood Hazard Area.

13. Compensatory Storage. The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in the footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

The site will be regraded to mitigate for the filling required for the construction of the proposed building. A breakdown of the Compensatory Storage Mitigation is as follows:

Gross Volume of Fill below the 100-year flood elevation 25.2 = 21.0 cubic yards

Gross Volume of Cuts below the 100-year flood 25.2 = 27.0 cubic yards

Net Volume of Flood Storage Capacity below the 100-year flood elevation 25.2 = 6.0 cubic yards of increased flood storage

14. Equal Conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

Because there will be a slight increase in flood storage capacity after the project is completed, there will not be any resultant increase in flood elevations.

**Engineering Department
Town of Cromwell
Cromwell, CT**



Memorandum

To: Stuart Popper – Town Planner

CC: Planning & Zoning Commission

From: Jon Harriman – Town Engineer

Date: 10/25/2022

Re: Application # 22-32, 22-33 & 22-34 – 100 Berlin Road

I have reviewed the plan entitled: "Site Plan/Special Permit Application, For: 100 Berlin Road – Proposed Mixed Used Development, Cromwell" dated revised through July 2022.

I have reviewed the plans and drainage report. The application appears to meet the Town's requirements for stormwater management for quantity and quality. The applicants engineer has completed the LID checklist, and has proposed a series of rain gardens in that respect. The plans appear to be missing a destination for the water bars shown in the erosion control plans. I suggest that be addressed, and would also suggest a phasing plan for the development.

The site accesses a State Road via an existing curb cut, the emergency access in the rear to Christian Hill Road will remain. Site drainage discharges to the State drainage system in Berlin Road. The Berlin Road connection and drainage connection are subject to review by CTDOT.

The floodplain activity shown on the plans is very limited. The plans show a connection of a walking trail to the sewer easement. I assume the walking trail will match grade and won't constitute a filling of the floodplain. I would suggest the applicant clarify that in the presentation to the Commission.

In compliance with Cromwell's CTDEEP MS4 permit requirements, attached to this memo is the Town's notification to contractors regarding CTDEEP storm water permitting requirements that may be relevant to this project.

Town of Cromwell

Stormwater Permit Information for Developers and Contractors

If your project disturbs more than one acre of land, regardless of phasing, you are responsible for the requirements of the Connecticut Department of Energy & Environmental Protection (DEEP) *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities* ("Construction Stormwater General Permit").

If your project is greater than 5 acres, you are required to submit a registration for the Construction Stormwater General Permit at least 60 days prior to the planned commencement of the construction activity. A copy of your Stormwater Pollution Control Plan shall be provided to the Town upon request.

If your project is between one and five acres, you must adhere to the erosion and sediment control land use regulations of the Town of Cromwell which can be found in the Zoning Regulations and Inland Wetland and Watercourses Regulations, as well as the Connecticut Guidelines for Soil Erosion and Sediment Control and the Connecticut Stormwater Quality Manual. No registration or plan review and certification is required for such construction activity provided a Town of Cromwell land-use commission (i.e. Planning, Zoning, or Inland Wetland) reviews and issues a written approval of the proposed erosion and sediment control measures, pursuant to the requirements of section 22a-329 of the Connecticut General Statutes.

At the completion of a construction project registered pursuant to the "Registration Requirements" of the Construction Stormwater General Permit, a Notice of Termination must be filed with the commissioner. A project shall be considered complete after all post-construction measures are installed, cleaned and functioning and the site has been stabilized for at least three months following the cessation of construction activities. A site is considered stabilized when there is no active erosion or sedimentation present and no disturbed areas remain exposed for all phases.

More information can be obtained by calling the DEEP at 860-424-3000 or visiting their Construction Stormwater General Permit webpage at:

http://www.ct.gov/deep/cwp/view.asp?a=2721&q=558612&DEEPNav_GID=1654



TOWN OF CROMWELL
HEALTH DEPARTMENT
Nathaniel White Building
41 West Street, Cromwell, CT 06416

TO: Stuart B. Popper
Director of Planning and Development

FR: Salvatore Nesci
Public Health Coordinator

Date: October 25, 2022

RE: 22-32 100 Berlin Road & 15 R Christian Hill Road-Application for Special Permit
22-33 100 Berlin Road & 15 R Christian Hill Road-Application for Site Plan Approval
22-34 100 Berlin Road & 15 R Christian Hill Road-Application for Special Permit
Special Flood Hazard Area Overlay District

The Health Department has no comment at this time regarding the above referenced applications for consideration (See Attached). The Health Department shall need to conduct thorough plan reviews in the event any future use of the site is deemed regulated by Town Health Ordinance, Connecticut Public Health Code, USDA, FDA or any other law/regulation as related to public health. Prior plan review and issuance of license to operate by the Health Department for the Town of Cromwell shall take place prior to any such facility opening its business to the public.

Please contact me if I can be of any further assistance.

Enc. Request for Comments Memo Dated 9/29/22. Rec. 10/25/22



MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*
Date: October 25, 2022
Re: **Application # 22-32, 100 Berlin Road & 15 R Christian Hill Road --
*Special Permit***
**Application #22-33, 100 Berlin Road & 15 R Christian Hill Road --
*Site Plan Approval***
**Application #22-34, 100 Berlin Road & 15 R Christian Hill Road --
*Special Permit Special Flood Hazard Area Overlay District***

COMMENTS

I have reviewed the plan for the above Applications and have the following comments:

With the objective of minimizing sediment travel onto CT Rte. 372 the Applicant shall design and propose-

1. An aggressive Rock/Stone Anti Track Pad (vehicle tracking pad) to be installed
2. Shaker Rack to be installed
3. Wheel Washer/Wash Rack to be onsite for standby use as needed

Fontaine, Candice

From: Joe Palmieri <jpalmieri@cromwellfd.com>
Sent: Tuesday, October 25, 2022 10:59 AM
To: Fontaine, Candice
Cc: Popper, Stuart
Subject: RE: Zoning Approval Comments Needed - 100 Berlin Road

Candice,

I found it and reviewed it. The Water Division has no comments at this time. We will have more input as more details are provided. As far as service locations , water meter locations, valve locations and any other necessary water components.

Thank you.

Joseph A Palmieri
Water Operations Manager
Cromwell Fire District
1 West Street
Cromwell, CT 06416
Phone: 860-635-4420 x1000
Fax: 860-632-0413
E-Mail:



From: Fontaine, Candice <cfontaine@cromwellct.com>
Sent: Tuesday, October 25, 2022 10:34 AM
To: Joe Palmieri <jpalmieri@cromwellfd.com>; Harriman, Jon <jharriman@cromwellct.com>; Chief Lamontagne <Chief.Lamontagne@cromwellpd.com>; Jason Brade <jbrade@cromwellfd.com>; Driska, Bruce <bdriska@cromwellct.com>; Peck, Rich <rpeck@cromwellct.com>
Cc: Popper, Stuart <spopper@cromwellct.com>
Subject: RE: Zoning Approval Comments Needed - 100 Berlin Road

Thanks for pointing that out, others were able to open the attachment.

Please let me know if you have any issues opening this attachment.

Thanks.

Candice Fontaine
Planning and Development
Administrative Secretary
Town of Cromwell
41 West Street
Cromwell, CT 06416

Fontaine, Candice

From: Chief Lamontagne
Sent: Tuesday, October 25, 2022 2:44 PM
To: Fontaine, Candice
Cc: Popper, Stuart
Subject: RE: 100 Berlin Road

Stuart,

I have reviewed the plans for 100 Berlin Road. I have several comments:

- I concur that a left turn lane into 100 Berlin Road is necessary. I'm concerned with vehicles exiting the Quality Inn turning left (west) onto Rte. 372 and how the additional traffic/lane is going to impact these drivers attempting to travel west.
- I'm concerned about the parking. We have another apartment building in town, who probably used the same parking generation manual, and they have insufficient parking spots. Is the parking generation manual taking into consideration guests and workers/staff who will be using the parking spaces. I have never reviewed the "Parking Generation Manual", but in real life experiences I seldom see a two person household with less than 2 vehicles, and if there is a family (multi-bedroom) with driving aged children there are at least 3 vehicles.

Denise Lamontagne

Chief of Police
Cromwell Police Department
860-635-2256 x.7843
860-613-2934 fax

CONFIDENTIAL INFORMATION: The information contained in this e-mail is confidential and protected from general disclosure. If the recipient or the reader of this e-mail is not the intended recipient, or person responsible to receive this e-mail, you are requested to delete this e-mail immediately and do not disseminate or distribute or copy. If you have received this e-mail by mistake, please notify us immediately by replying to the message so that we can take appropriate action immediately and see to it that this mistake is rectified.

From: Fontaine, Candice
Sent: Tuesday, October 25, 2022 1:50 PM
To: Chief Lamontagne <Chief.Lamontagne@cromwellpd.com>
Cc: Popper, Stuart <spopper@cromwellct.com>
Subject: 100 Berlin Road

Good afternoon.

I have attached documents for 100 Berlin Road.
Please cc me with any comments.

Thank you.

Fontaine, Candice

From: Egan, John
Sent: Monday, October 17, 2022 6:27 PM
To: Popper, Stuart
Cc: Driska, Bruce; Fontaine, Candice; Smigel, John
Subject: 22-32 100 Berlin Road & 15R Christian Hill Road -Special Permit Application, 22-33 100 Berlin Road & 15R Christian Hill Road - Site Plan Approval Application, 22-34 100 Berlin Road & Christian Hill Road Special Permit Special Flood Hazard Overlay

The Building Department has performed a plan review on the above referenced applications and have observed the following.

- 1 A plan showing the construction details of the retaining walls shall be submitted and approved by the Building Department prior to construction.
- 2 Clarification of the number, types and size of accessible parking spaces shall be submitted and approved with regard to the following.
 - a) The International Residential Code Section R320.6 residential parking is required to be 2% = 1 Van space for residential townhouse units if they don't have dedicated parking for each unit or have additional parking for guests .
 - b) Accessible parking spaces in the existing garage do not appear to meet International Building Code 1106.1.1 and CGS 14-253a requiring parking spaces to be as near as possible to building entrance.
 - c) The van accessible parking space at the dog walk area should be counted as an additional parking space as it does not serve a building.
 - d) The parking plan shows 390 spaces for the multifamily residential use, this would require 8 accessible parking spaces as per table 1106.1
 - e) The International Building Code section 1106.1 states -Where more than one parking facility is provided on a site the number of parking spaces required to be accessible shall be calculated separately, this shall be shown on the site plan calculations.
 - f) The van accessible parking signage on sheet 23 of 25 contains additional language. The sign shall read "Reserved Parking, Permit Required, Violators Will Be Fined Minimum of \$250, Van Accessible.
 - g) The accessible van space shall be 8' wide plus an 8' wide access isle for a total of 16', other accessible parking spaces shall be 10' wide plus a 5' wide access isle for a total of 15'.
- 3 Bollards or other suitable crash protection shall be provided for EV charging stations as required by code.

Sincerely, John Egan
Chief Building Official

Popper, Stuart

From: Peck, Rich
Sent: Thursday, October 13, 2022 3:27 PM
To: Popper, Stuart
Subject: 22-33, 100 Berlin Road & 15R Christian Hill Road- Application for Site Plan Approval

Stuart,

Sanitary sewers are available and have the capacity to handle flows from the proposed mixed use site of 280 units and various commercial buildings at 100 Berlin Road.

The developer will be required to come before the CWPCA to make a presentation, get approval for sewer construction, and enter into a Developers Permit Agreement.

Sincerely,

Richard A. Peck
Sewer Administrator, CWPCA
Town of Cromwell
860-632-3430
rpeck@cromwellct.com

Cromwell Fire District

Office of the Fire Marshal

Harold Holmes
Fire Marshal
Office: 860-635-3188
Cell: 860-306-6534
hholmes@cromwellfd.com



Collin Whalen
Deputy Fire Marshal
Office: 860-635-3188
Cell: 860-876-6358
cwhalen@cromwellfd.com

October 13, 2022

Re: Application 22-33 Lord Cromwell project.

After reviewing the site plans for application 22-33 I have noticed a few items that will need attention.

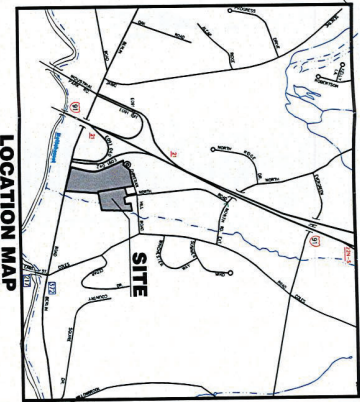
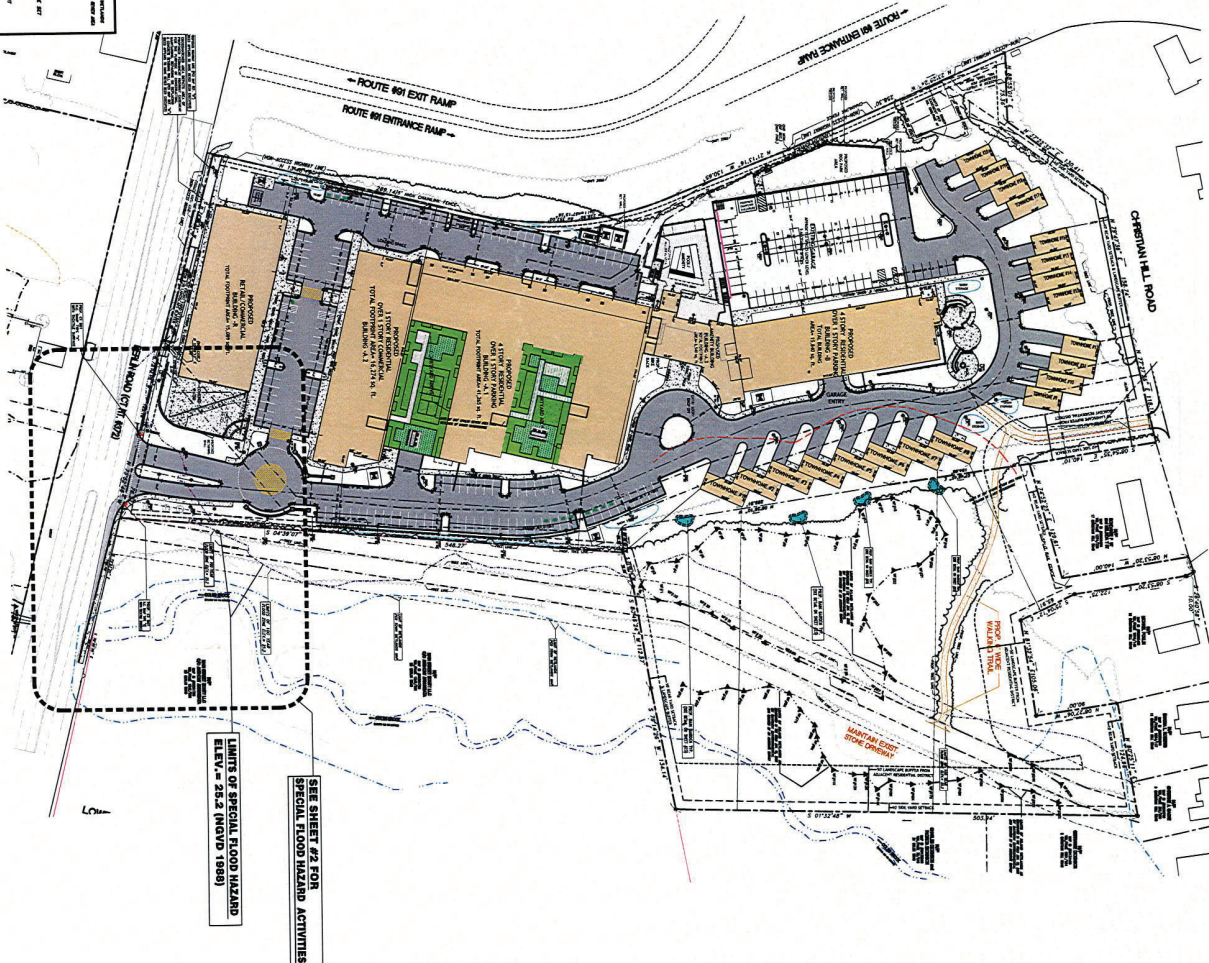
- Hydrants and their locations will need to be approved by the AHJ and the Water division
- Entrance from 372 is shown as 15 feet wide. D1.2.3.5.1.1 Fire apparatus access roads shall have an unobstructed width of not less than 20 feet. This applies to all roadways, fire lanes, parking lots, or a combination thereof.
- Christian hill road emergency access also needs to be increased from 18 feet to 20 feet. Perhaps a multi-purpose hiking, biking trail.
- D1.2.3.5.2 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be an all-weather driving surface. Plans show packed gravel and cover with loam. How will this be plowed and maintained in inclement weather.
- The parking garage will have to be used for access to that side of the building and is it rated for 34 tons the weight of the ladder truck that may need to be used from that location and is it only one level now.
- I know there is no mention just yet, but the garages will have a dry sprinkler system and standpipes.

These are the items that I have found so far and if you have any questions, please feel free to reach out to me at any time.

Harold Holmes
Fire Marshal
Cromwell Fire District

1 West Street, Cromwell, CT 06416

Phone: (860) 635-3188 Fax: (860) 613-2406 Email: FMO@CromwellFD.com



INVOICE

- [illegible]

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON:

THIS DOCUMENT AND COPIES THEREOF ARE VALID ONLY IF THEY BEAR THE
SIGNATURE AND EMOSESSED SEAL OF THE DESIGNATED LICENSED PROFESSIONAL.
UNDESIGNED ALTERATIONS TO THIS PLAN RENDER THE DECLARATION HEREON NULL AND VOID.
VALID ONLY ON MAPS BEARING EMOSESSED SURVEYOR'S SEAL

Paul A. Halstead
PAUL A. HALSTEAD, LS
LIC. NO. 7761
DATE: AUGUST 6, 2013



SPECIAL FLOOD HAZARD AREA MITIGATION PLAN - INDEX MAP
PROPOSED MIXED USE DEVELOPMENT
100 BERLIN ROAD
PREPARED FOR:
M360 BERLIN LAND HOLDINGS, LLC
PROPERTY LOCATED AT:
100 BERLIN ROAD (RT. 372) & 15R CHRISTIAN HILL ROAD
CROMWELL, CONNECTICUT



HALLISEY, PEARSON & CASSIDY
CIVIL ENGINEERS & LAND SURVEYORS
630 MAIN STREET, UNIT #1A
CROMWELL, CONNECTICUT 06416
PHONE: (860)-529-6812, FAX: (860)-721-7709

SCALE: 1"= 60'	CHECKED BY: JPC
DATE: SEPT. 13, 2022	DRAWN BY: JMP
JOB No.: 3308	ACAD FILE: 3308-BROCK
SHEET: 1 OF 2	
REVISIONS:	