



Town of Cromwell Planning and Zoning Commission

SPECIAL MEETING
7:00 P.M. TUESDAY JULY 20, 2021
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
AMENDED 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. **Town Planner Report:**
8. **New Business: Accept and Schedule New Applications:**
 - a. Application #21-22: Request to Amend Section 3.5 Industrial District Zone Regulations to add to Section 3.5.D.4 of the Zoning Regulations "Caretaker Quarters" as a Use permitted by Special Permit in the Industrial Zone District. Edward Bartolotta is the Applicant.
 - b. Application #21-23: Request for a Site Plan Modification at 573 Main Street to allow for a new building façade and signage at the Knights of Columbus building. 573 Main Street Cromwell, LLC is the Applicant and Knights of Columbus Building Association is the Owner.
 - c. Application #21-24: Request for a Site Plan Modification at 14 Alcap Ridge to allow for parking lot expansion. Arcadis U.S. Inc. is the Applicant and 14 Alcap LLC is the Owner.
9. **New Business:**
 - a. Application #19-55: Request for Release of Bonds #1784 \$1000 and #1785 \$10,000 for Starbucks at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner. TNO Cromwell, LLC.
 - b. Section 8-24 Mandatory Referral for Sale of Town Property at 15R Christian Hill Road.
 - c. Section 8-24 Mandatory Referral for Sale of Town Property at 38 Shunpike Road.
 - d. Section 8-24 Mandatory Referral for Sale of Town Property at 91 Nooks Hill Road.
10. **Commissioner's Comments:**
11. **Approval of Minutes:**
 - a. June 15, 2021
12. **Adjourn:**

RECEIVED FOR RECORD
Jul 19, 2021 03:58P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

		P&Z 2021 Permit Report			
	Permi	Name of Applicant	Site Location	Type of Activity	Decision Date
21-01	Not used				
21-02	DFC of Cromwell	6 Piney Ridge Road	Install digital billboard in 100 year flood zone	Approved 3/2/2021	Awaiting Construct.
21-03	Sara Frawley	4 Willowbrook	Change location from 80 Shunpike Road (Use Permit)	Approved by staff 2/5/21	Business open
21-04	Kelly Maher	31 River Road	Addition of garage & breezeway	Approved 05/18/2021	Approved
21-05	Padre Foundation	463 Main Street	Residential building addition	ZBA	Awaiting Construct.
21-06	Orest Markiv	319 Main Street	Marital Arts Training (Use Permit)	Approved by staff 2/18/2021	Business open
21-07	John Zaleski	West Street & Hicksville	Subdivision Vista Estates	Approved 05/18/2021	PH Opened
21-08	John Zaleski	West Street & Hickville	Special Permit to create Lot 2	Approved 05/18/2021	PH Opened
21-09	John Zaleski	West Street & Hicksville	Special Permit to create Lot 10		App. Withdrawn
21-10	Paramount Construction	80R Geer Street	Material Storage Yard	Approved 3/16/2021	Business open
21-11	Café Fiore	134 Berlin Road	New restaurant (Use Permit)	Approved 3/2/21	Business opened
21-12	A little Imagination Cakes	322 Main Street	Bakery (Use Permit)	Approved 3/12/21	Awaiting opening

21-13	Tony's Flour Shop-Bakery	322 Main Street	(Use Permit)	Approved 4/6/21	Awaiting opening	
21-14	Bozzuto Mgmt. Company	150 Country Squire Drive	Model Apts. (Use Permit)	Approved 4/19/21	Opened	
21-15	Walk by Faith Dog Bakery	317 C Main Street	Store (Use Permit)	Approved 4/1/21	Opened	
21-16	Mias Salon	153 West Street	Hair Salon	Approved 5/17/21	Awaiting opening	
21-17	WITHDRAWN	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX	
21-18	Sean Flanagan SPT	45 Lincoln Street	Attached Garage >1000 sq ft	Scheduled 06/15	Mtg. pending	
21-19	John Zaleski	Hicksville Road	Subdiv. Modification	Scheduled 06/15	Mtg. pending	
21-20	Chicago Sam's Patio	51 Shunpike Road #14	Site Plan Modification	Scheduled 07/20		
21-21	Five Below	41 Shunpike Turnpike	Site Plan Modification (sign)	Approved 6/15/21	Awaiting install	
21-22	Edward Bartolotta	419 Main Street	Amend zoning text	Accept & Schedule		
21-23	Knights of Columbus	573 Main Street	Site Plan modification	Accept & Schedule		

Application# 21-22

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR AMENDMENT TO THE ZONING REGULATIONS

Name: Ed Bartolotta
Address: 1 Old Main St
Cromwell
Telephone: 860 250 0221 Email: Ed B@CromwellGroups.com

A. Request to Change an Existing Regulation:

1. Current Article Number: 3.5.D.4

2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):
Add "Caretakers quarters"

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:

CARETAKERS QUARTERS

Ed Bartolotta
(Applicant)

7/6/21
(date)

21-23

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: 573 Main Street, Cromwell Site Plan Modification
Street Address: 573 Main Street, Cromwell, CT 06416
Volume/Page: 32-214 **PIN #:** 00260100

Applicant Name: 573 Main Street Cromwell, LLC
Address: c/o JLN Contracting
510 Christian Lane, Berlin, CT 06037

Telephone: 860-829-8820 (day) 860-237-2919 (evening)
Email Address: jay@jlncontracting.com


Property Owner Name: Knights of Columbus Building Association
Address: 573 Main Street
Cromwell, CT 06416

Attached:

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

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

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


Jay B. Stuart, Manager
Applicant Name and Signature

7/13/21
Date

573 Main Street Cromwell LLC
c/o JLN Contracting
510 Christian Lane
Berlin, CT 06037

July 13, 2021

To Whom It May Concern:

Applicant is requesting approval from the Planning & Zoning Commission for site plan modification for the property located at 573 Main Street, Cromwell.

The property consists of an approximately 4,000 SF 1-story structure on 0.32 acres of land in an R-15 district which currently houses the Knights of Columbus organization.

The proposed use will be for professional business offices for JLN Contracting (JLN), a local commercial general contractor and construction manager currently located in Berlin, CT. JLN was formed in 2010 and works throughout New England on various industrial, retail & commercial, financial, automotive, restaurant, medical, aviation, manufacturing, office and warehouse construction projects.

Being a general contractor and construction manager, all of JLN's work is subcontracted, and JLN does not own any construction equipment. The property will be fully renovated into approximately 3,000 square feet of office space and 772 square feet of storage space on the first floor, and the basement will be designed for storage as well. JLN does not propose any outdoor storage. The entire exterior of the building will be refurbished and shall include design and materials complimentary to the residential area where the building is located. New landscaping will also be installed. The applicant will submit building plans at a later date.

JLN's work hours are limited to weekdays, from 7AM to 5PM. JLN does not have office hours on the weekends. The office is closed on all major holidays. JLN's current team consists of 6 employees who will work from this location, including the owner of the company, the general manager, a project manager, an estimator, and administrative personnel. The only deliveries received at the office are office supplies. The site plan provided shows the office use bulk table and includes the required number of parking spaces for professional & commercial office use, including handicapped spaces. The plan also includes the proposed front entry canopy. JLN does not conduct any off-hours events or activities, either at night or on the weekends.

We feel that the intended proposed professional & commercial office use, along with the anticipated enhancements & renovations of this property will enhance the look and value of this property and the surrounding neighborhood properties. These minor adjustments to the existing site plan will assist with the layout for the new offices and will not adversely affect the property or surrounding areas.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN *Modification*

Name of Project: Environmental Remediation - ERD Remedy
Street Address: 14 Alcap Ridge, Cromwell
Volume/Page: 1463/219 **PIN #:** 325200

Applicant Name: Arcadis U.S., Inc.
Address: 213 Court Street, Suite 700
Middletown, CT 06457
Telephone: 860-533-9902 (day) 860-982-1069 (evening)
Email Address: david.selger@arcadis.com

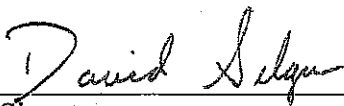
Property Owner Name: 14 Alcap LLC
Address: 9 Lakeview Estates
Middlefield, CT 06455

Attached:

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

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

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

David Selger  7/13/2021
 Applicant Name and Signature Date



Stuart Popper
Director of Planning and Development
Town of Cromwell
Town Hall, 2d Floor
41 West St.
Cromwell, CT 06416

Arcadis U.S., Inc.
213 Court Street
Suite 700
Middletown
Connecticut 06457
Phone: 860 503 1500
Fax: 860 346 2853
www.arcadis.com

Date: 7/13/2021
Our Ref: 30080514
Subject: Site Plan Modification Application
14 Alcap Road, Cromwell, CT

Dear Mr. Popper,

Arcadis U.S., Inc. (Arcadis) will be performing remediation at the above referenced site on behalf of Safeway Products, Inc. (Safeway). Safeway is a former owner of the site. The remediation will follow the remedial design and scope of work presented in a Full-Scale Remedy Work Plan (Work Plan) that was submitted to, and approved by, the Connecticut Department of Energy and Environmental Protection (CTDEEP) earlier this year. The remedial activities will include soil excavation and the installation of a remediation system that will inject organic carbon reagent into the ground to remediate volatile organic compounds in soil and groundwater via enhanced reductive dechlorination (ERD). Four ERD injection events will be conducted over a period of 4 to 8 years and each injection event will require 6 to 8 weeks to complete. The attached figure (Drawing C-6) depicts the layout of the remediation system.

While much of the components of the system will be underground, a mobile trailer will be used to inject the reagent. Once the components of the remediation system are installed, the trailer will be temporarily staged on-site for 6 to 8 weeks during each injection event. The trailer will be stored off-site between injection events. To minimize impacts to site operations and tenants, the trailer will be positioned off the existing parking lot at the location shown on Drawing C-6. The trailer area will be paved to facilitate trailer access, however the trailer area is not intended to be used for regular parking spaces.

Arcadis requests a review of our Site Plan Modification Application and placement on the agenda for the upcoming Planning and Development meeting on July 20th.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: Chicago Sam's Patio
Street Address: 51 Shunpike Rd. #14
Volume/Page: _____ PIN #: _____

Applicant Name: Michael Bezrudczyk
Address: 555 Asylum Ave #404
Hartford, CT 06105

Telephone: 860-727-0751 (day) _____ (evening)

Email Address: Archimage@Comcast.net

Property Owner Name: H.B. Nitkin
Address: 230 Mason St
Greenwich, CT 06830

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

M. Bezrudczyk
Applicant Name and Signature

6/11/21
Date

Popper, Stuart

From: Ray Saracco <rsaracco@cromwellfd.com>
Sent: Tuesday, July 13, 2021 1:39 PM
To: Popper, Stuart
Cc: Harold Holmes
Subject: Patio At Chicago Sams

Stuart,

It was a pleasure speaking with you. The Fire Departments recommendations for the patio at 51 Shunpike Road #14 are:

- Remove all seating and tables from the sidewalk adjacent to the building. (As seen in the plan). This is actually a fire code violation, 2018 Connecticut Fire and Prevention Code-**14.4.1 Maintenance**. Means of egress and primary means of egress shall be continuously maintained free of all obstructions or impediments to full instant use in the case of fire or other emergencies.

- The Fire Department must test to see if the ladder truck is capable of accessing the roof line from the new fire lane, in which will be located adjacent to the new patio.

- Create a new fire lane adjacent to the new patio.

Please contact me with any questions.

Stay safe!

Best,

Ray Saracco

Ray Saracco
Fire Marshal
Cromwell Fire District
1 West Street
Cromwell, CT 06416
Phone: 860-635-3188 x1022
Fax: 860-613-2406
E-Mail: rsaracco@cromwellfd.com
www.cromwellfd.com



Popper, Stuart

From: Chief Lamontagne
Sent: Monday, June 14, 2021 12:14 PM
To: Popper, Stuart
Subject: 21-20

Stuart,

I have reviewed the plans for Chicago Sam's to have a permanent outdoor area with roll up folding doors. During the pandemic I understood the necessity of adding outside dining, but I cannot support this plan.

I have a great concern over the noise that will be coming out of the roll up doors and the increased volume of traffic (people) going in and out the doors to service the guests. In addition, I do not believe the plans give an adequate representation of the where the permanent area being requested is located.

Since Jan. 1, 2020 the Cromwell Police have responded to 8 noise complaints originating from Chicago Sam's. While all of the complaints were not sustained I believe noise complaints will only increase with this plan. In the 31 years of being a police officer in the Town of Cromwell the neighbors have complained about the noise coming from Chicago Sam's and as well as the previous establishments. To move part of the establishment outdoors will only increase the volume of complaints of noise.

I do not agree with the plan of making this a permanent area as my concern for the neighbors quality of life is heightened.

Denise Lamontagne

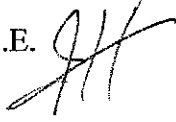
Chief of Police
Cromwell Police Department
860-635-2256 x.7843
860-613-2934 fax

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

Memorandum

To: Planning & Zoning Commission

CC: Stuart Popper, Town Planner

From: Jon Harriman, P.E. 

Date: 6/21/2021

Re: 21-20, 51 Shunpike Road Site Plan Modification

I have received the Patio Plan dated March 29, 2021 by Archimage Group. The plan shows a reconfigured parking lot layout adjacent to a permanent patio. The plan is accompanied by an existing conditions plan dated June 15, 2017 by Westcott and Mapes.

There is not enough information provided to evaluate drainage. The existing or proposed drainage is not shown and there are no contours to determine the direction of surface water runoff. I have reviewed the Town GIS and it appears that surface runoff sheet flows from the building (Payless/Radio Shack) to the existing island and is meant to run through a leakoff in that island. Drainage continues north to a catch basin in the parking lot. It is possible that this could be made to work in the field when the island is moved, but there isn't enough information submitted to show that it will.

If reworking the island is done correctly the possibility of standing water exists.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM TUESDAY, JUNE 15, 2021
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, John Keithan, Jeremy Floryan, Robert Donohue (alternate), and Ann Grasso (alternate)

Absent: Chris Cambareri, Nick Demetriades, Paul Cordone, Brian Dufresne, and Ken Rozich

Also, Present: Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, and Recording Clerk Michelle Armetta

1. Call to Order:

The meeting was called to order by Chairman Alice Kelly.

RECEIVED - TOWN RECORD
JUL 02, 2021 01:26P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

A motion was made by Vice Chairman Michael Cannata to seat Robert Donohue and Ann Grasso as alternates. Seconded by Jeremy Floryan. *All in favor, Motion passed.*

4. Approval of Agenda:

Director of Planning and Development Stuart Popper asked the Commission to add the following items under #8 – Accept and Schedule New Applications.

a. Application #21-20: Request for Site Plan Modification at Chicago Sam's (Building façade and patio) at 51 Shunpike Road.

b. Application #22-21: Request for Site Plan Modification for new Signage for Five Below at 51 Shunpike Road.

Vice Chairman Michael Cannata made a motion to approve the agenda as amended. Seconded by Jeremy Floryan. *All in favor; Motion passed.*

5. Public Comments:

None.

6. Development Compliance Officer Report:

Development Compliance Officer Bruce Driska addressed the Commission and asked if anyone had questions on the attached report. Ann Grasso pointed out that Application #21-13 should be "Flour", not "Flower." Mr. Driska said the development on Country

Squire should be applying for a CO by the end of the month and the leasing office is open. He noted that there is still a lot of work to be done. Mr. Driska said Covenant Living is occupied and has some finishing work to be done. Ann Grasso offered a brief update on the sidewalks and paving. Mr. Driska said he is working with Walmart to correct existing site plan violations including dead landscaping and faded stop bars, arrows, and crosswalks. He noted that the parking lot painting has been completed and landscaping issues should be resolved by the end of the week.

Mr. Driska said violations for unregistered motor vehicles and junk occurring at two properties: 37 Coles Road a fine of \$100 per day has been incurred as of May 27, 2021 and at 222 Shunpike Road, a fine of \$100 per day has been incurred as of May 17, 2021. He said there is a hearing scheduled for the Shunpike Road property July 13, 2021.

Mr. Driska asked the Commission if there were any other questions. There were none and the Commission thanked Mr. Driska for his report.

7. Town Planner Report:

Mr. Popper said it appears the online auction of the Red Lion did not work out and the two mortgage holders will likely work together to sell the property to a developer. He said it could be a large-scale project with a variety of uses to blend in with the surrounding area. Mr. Popper said he met with bank representatives and eventually they will come to a Planning and Zoning Commission meeting to do an informal presentation of a concept plan. Robert Donohue asked for an update on police reports regarding break-ins and theft of copper pipes. Mr. Popper said he did not know the details on the the police activity. Mr. Donohue noted that the absence of plumbing makes the sprinkler system unusable.

Mr. Popper said Café Fiore is doing well, and Café Luna continues to have outdoor dining. He said the limited edition of the TPC is starting next week. Chairman Kelly pointed out that they are advertising on television for volunteers.

Mr. Popper said conversations continue with the property owners on Geer Street regarding potential development. He said he has heard from some of the neighbors that they have been contacted. Mr. Popper The national chain, Five Below is going into the ShopRite Plaza in the vacant Subway, Payless, and No Anchovies locations. He said currently the closest Five Below is in Plainville.

Vice Chairman Michael Cannata asked about Barb's Pizza and said they were closing the West Hartford location to focus on the Cromwell location. Mr. Popper said they still need their CO and sign off from the Health Department.

Mr. Popper asked the Commission if there were any other questions. There were none and the Commission thanked Mr. Popper for his report.

8. New Business: Accept and Schedule New Applications:

- a. Application #21-19: Request to modify the resubdivision in an R-25 Zone District at 60 to 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-19 to be heard tonight; Seconded by John Keithan. *All in favor; motion passed.*

- b. Application #21-20: Request for Site Plan Modification at Chicago Sam's (Building façade and patio) at 51 Shunpike Road. Archimage Group is the Applicant and HBN-CSC LLC C/O HBNITKIN Group is the Owner

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-20 to be heard on July 20, 2021; Seconded by John Keithan. *All in favor; motion passed.*

- c. Application #22-21: Request for Site Plan Modification for new Signage for Five Below at 51 Shunpike Road. CT Sign Service is the Applicant and HBN-CSC LLC C/O HBNITKIN Group is the Owner

Vice Chairman Michael Cannata made a motion to accept and schedule Applications #21-21 to be heard tonight; Seconded by Robert Donohue. *All in favor; motion passed.*

9. New Business:

- a. Application #21-19: Request to modify the resubdivision in a R-25 Zone District at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner.

Mr. John Wagenblatt, Principal at LRC Group, 160 West Street, Cromwell, addressed the Commission. Mr. Wagenblatt was joined by the Applicant, Mr. Jay Zaleski, and Mr. Rich Reynolds, a Project Engineer from LRC Group. Mr. Wagenblatt explained that on May 18, 2021, Vista Estates Resubdivision was approved under Application #21-07 as an 8-lot subdivision. He said at that time, the Special Permit for rear Lot 2 was denied under Application #21-09. Mr. Wagenblatt said the former rear Lot 2 had 278 feet of road frontage along West Street and a 25-wide access along Hicksville Road between Lots 1 and 3.

Mr. Wagenblatt explained that the proposed revision will eliminate the 25-foot access off Hicksville Road and that area will be added to Vista Estates Lot 3. He said this would increase the area of Lot 3 by 4,606 square feet to a revised total lot area of 30,132 square feet. The new Lot 2 (the former rear lot) will retain the 278 feet of frontage along West Street and the proposed access will be via a 20-foot-wide easement over the southerly portion of the revised Lot 3 adjacent to Vista Estates Lot 4. Mr. Wagenblatt said in order accommodate that change, the proposed improvements on Lot 3 need to shift approximately 20 feet to the north of the lot.

He said by revising Lot 2 to a frontage lot (West Street), this will allow the proposed building to be moved to the west closer to Hicksville Road. Mr. Wagenblatt explained the proposed house on Lot 2 will be higher up the slope closer to Hicksville Road and thus the driveway will be shorter in length with a maximum slope of 5.8%. Mr. Wagenblatt noted that the revised Lot 2 will meet the minimum bulk requirements of the R-25 zoning district.

Mr. Wagenblatt explained that a stormwater management area is proposed for Lot 2 to attenuate the increase in stormwater runoff due to the change in surface coverage (from grass and grass/woods to proposed house, sidewalks, and driveways). He said the stormwater management area has been designed as an excavated depression at the bottom of the slope and Lot 2 is proposed as an underground chamber system consisting of Advantage Drainage Systems, Inc. (ADS) SC-310 Stormtech Chambers.

Mr. Wagenblatt said that Vista Estates had received approval from the Inland Wetlands and Watercourses Agency for Application #21-03 at their April 7, 2021 meeting. He also pointed out that Vista Estates received approval for the extension and construction of a proposed sanitary sewer along Hicksville Road at the March 8, 2021, meeting of the Cromwell Water Pollution Control Authority.

Mr. Popper said that in an email dated June 7, 2021, Chief of Police Denise Lamontagne stated that she had received the revised plans for Lot 2 and has no comments regarding the driveway to this residence. He said that in a memo dated June 8, 2021, Mr. Driska stated that after reviewing Application #21-19, he has no comments no comments.

Mr. Popper said, Town Engineer Jon Harriman stated in an email dated June 8, 2021 stated: As designed, this plan relies on overland flow of drainage from lots 3 and lot 1 onto lot 2. Drainage runs over the front yard and around the house (lot 2) and down toward the pond which I believe is only sized for lot 2. He noted that these concerns have been addressed by the Applicant.

Mr. Wagenblatt asked the Commission if they had any questions. Vice Chairman Mike Cannata commented that the changes are absolutely on target and a huge improvement and thanked the LRC Group and the Applicant. Chairman Alice Kelly also commented that the decrease in the driveway grade from 12% to 5.8% is much better and the swale is a good addition. She told them they did a good job.

Vice Chairman Michael Cannata made a motion to approve Application #21-19.
Seconded by Ann Grasso. *All in favor; Motion passed.*

- b. Application #22-21: Request for Site Plan Modification for new Signage for Five Below at 51 Shunpike Road. CT Sign Service is the Applicant and HBN-CSC LLC C/O HBNITKIN Group is the Owner

Mr. Popper said the applicant, Mr. Hemming from CT Sign Services could not be

present this evening due to a conflict with another meeting. Mr. Popper said he offered to present it to the Commission rather than wait for the July meeting. He said the Five Below store is going into the space formerly occupied by Payless, Subway, and No Anchovies restaurant in the ShopRite Center. Mr. Popper said the store will have two frontages one on the ShopRite side and one on the former No Anchovies side. He explained that both signs meet the size requirements of the Zoning Regulations. Mr. Popper provided the Commission members with color copies of the plans. He said the sign will be lighted at night just as the other signs in the shopping center. Mr. Popper said a sign for Five Below would also be added to the shopping center pylon sign. He said that in a memo dated June 15, 2021, Mr. Driska said the proposed signage improvements for Five Below retail store meet all zoning requirements.

Vice Chairman Michael Cannata made a motion to approve Application #21-21. Seconded by Jeremy Floryan. *All in favor; Motion passed.*

10. Public Hearings:

Chairman Alice Kelly read the Legal Notice into the record.

- a. Application #21-18: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to allow for combined garage facilities not to exceed 1,600 square feet at 45 Lincoln Road. Sean Flanigan is the Applicant and Owner.

Vice Chairman Michael Cannata made a motion to open Public Hearing for Application #21-18; Seconded by Robert Donohue. *All in favor; motion passed.*

Mr. Popper explained to the Commission according to Section 2.7.A.4. of the Zoning Regulations, the total combined private garage facilities in connection with a single-family dwelling may not exceed 1,000 square feet in area except by Special Permit in which total garage facilities on a conforming lot may exceed 1,000 square feet but shall not exceed 1,600 square feet. He said the site plan provided by Sean Flanigan shows the proposed breezeway, studio, single car garage and barn in the back. Mr. Popper said with the addition of this attached garage Mr. Flanigan will be up to about 1,500 square feet and, therefore, needs a Special Permit.

Mr. Sean Flanigan, 45 Lincoln Street, addressed the Commission and described the proposed addition and changes to the house. Mr. Flanigan explained that he is proposing a garage and studio on the left side of the house. He said the existing garage will be removed, along with basically everything on the left side of the house. Mr. Flanigan said the new garage door will be facing the road, as would a dormer above the door. He said once construction is complete, the entire house will be resided. He said the existing shrubbery, including arborvitaes will remain, but the tree in front of the house will need to be removed to move the driveway over.

Mr. Popper reported that the staff reviewed this application and there were no comments by any of the staff except by Mr. Driska. Mr. Driska asked that prior to

construction starting that the appropriate erosion control be established.

Vice Chairman Michael Cannata made a motion to close Public Hearing for Application #21-18; Seconded by Robert Donohue. *All in favor; motion passed.*

Vice Chairman Michael Cannata made a motion to approve Application #21-18 with conditions set forth in Mr. Driska's memo of June 14, 2021. Seconded by Robert Donohue. *All in favor; Motion passed.*

11. Commissioner's Comments:

Vice Chairman Michael Cannata had a suggestion for Mr. Popper. Mr. Cannata suggested that whenever there is an application that may have a questionable proposal, it may be appropriate to have the applicant come in and give the Commission an idea of their plan. He said the Commission can give them any positive or negative feedback regarding the plan. Mr. Cannata feels that in the case of the rear lot in the resubdivision on Hicksville Road, it could have saved time. Mr. Popper agreed that this was a good suggestion.

Mr. Popper advised the Commission that there is nothing yet pending and the next meeting would be July 20, 2021.

12. Approval of Minutes:

a. May 18, 2021

Vice Chairman Michael Cannata made a motion to approve the minutes of May 18, 2021; Seconded by Ann Grasso. *All in favor; motion passed. (Jeremy Floryan abstained.)*

13. Adjourn:

Vice Chairman Michael Cannata made the motion to adjourn at 7:51 PM. *All in favor, motion passed.*

Respectfully submitted,

 *Michelle L. Armetta* ^{SLP}

Michelle L. Armetta
Recording Clerk