***TOWN OF CROMWELL***

***PLANNING AND ZONING COMMISSION***

***REGULAR MEETING***

***7:00 PM TUESDAY OCTOBER 1, 2019***

***ROOM 224 CROMWELL TOWN HALL 41 WEST STREET***

***MINUTES***

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Chris Cambareri, Nick Demetriades, Brian Dufresne, Jeremy Floryan Ken Rozich, and John Keithan.

**Absent:** Mo Islam and Kenneth Slade

**Also Present:** Director of Planning and Zoning Stuart Popper, Development Compliance Officer Bruce Driska, and Commission Clerk Sherry McGuire

1. **Call to Order:**

The meeting was called to order by Chairman Alice Kelly at 7:02 PM.

1. **Roll Call:**

The presence of the above members was noted.

1. **Seating of Alternates:**

Michael Cannata made a motion to seat Jeremy Floryan and Brian Dufresne as alternates; Seconded by Chris Cambareri. *All in favor; motion passed.*

Brian Dufresne entered the meeting at 7:07 PM.

1. **Approval of Agenda:**

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

Mr. Popper asked if Application # 19-48: Site Plan Modification to add a new Sign on Building, 326F Main Street. Cailyn Musinki is the Applicant and the Owner.

Mr. Popper asked the Commission to consider 10. New Business: b. Application # 19-42 and c. Application # 19-45 before 9. Executive Session. Michael Cannata made a motion to amend the agenda; Seconded by Jeremy Floryan. *All in favor; motion passed.*

1. **Public Comments:**

Rich Waters, 84 South Street, stated that he was impressed with the cleanup at 49 River Road. He said he was concerned about the conditions at 101 South Street, the number of animals, the quantity of stuff in the yard, around the structures and the overall bad appearance of the property. Bruce Driska noted that the current conditions at the property do not warrant blight status so there are limited opportunities for enforcement at this time.

1. **Development Compliance Officer Report:**

Mr. Driska handed out the Development Compliance Officer Report and asked if there were any questions.

The Commission members and Mr. Driska discussed the Report.

1. **Town Planner Report:**

Mr. Popper said that the construction continues at the site of the new Marriott Hotel at 76 Berlin Road and at the expansion of Covenant Village.

1. **New Business: Accept and Schedule New Applications:**

**a.** Application #19-47: Request to Amend the Zoning Regulations to add to Section 3.6 a Commercial Billboard Zone District. DFC of Cromwell LLC is the Applicant.

Michael Cannata made a motion to Accept and Schedule New Application #19-47: Request to Amend the Zoning Regulations to add to Section 3.6 a Commercial Billboard Zone District. DFC of Cromwell LLC is the Applicant on November 19th, 2019 for a public hearing; Seconded by Jeremy Floryan. *All in favor; motion passed.*

**b.** Application # 19-48: Site Plan Modification to add a new Sign on Building, 326F Main Street. Cailyn Musinki is the Applicant and the Owner.

Michael Cannata made a motion to Accept and Schedule New Application # 19-48: Site Plan Modification to add a new Sign on Building, 326F Main Street. Cailyn Musinki is the Applicant on October 15, 2019; Seconded by Nicholas Demetriades. *All in favor; motion passed.*

**9. New Business:**

**a.** Application #19-42: Site Plan Modification to add new wall sign for Fed Ex Office on the Walmart Store facade at 161 Berlin Road. Arnco Sign Company Inc. is the Applicant and Infinity Cromwell Property LTD Partnership is the Owner.

Eric Merliss of the Arnco Sign Company made a brief presentation for Application #19-42. He explained that Walmart is adding a Fed Ex office inside the store and is proposing to add a new wall sign for the Fed Ex office. They are seeking approval for a new 18.33 square foot wall sign. The sign will be an illuminated sign using LED lighting.

The Commission members, Mr. Merliss and the staff discussed the nature of the LED sign and the level of brightness or lumens. The Commission members expressed concern as maintaining the brightness of the sign or the level of lumens. Michael Cannata made a motion to approve Application #19-42: Site Plan Modification to add new wall sign for Fed Ex Office on the Walmart Store facade at 161 Berlin Road with the condition that the applicant work with staff to maintain appropriate levels of lumens for the sign; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Nicholas Demetraides abstained from this motion.

**b.** Application #19-45: Request for Site Plan Approval for a new Ice Cream Shop at 562 Main Street. Timothy Farrell is the Applicant and Brent H. and Kimberly A. Robbins are the Owners.

Tim Farrell, 13 Grace Lane presented his application. Mr. Farrell said the 1.06 acre site is located in the Residential -15 Zone District on the east side of Main Street and the south side of Shadow Lane. He explained that the site contains an existing 1,704 square foot single family house and three car garage and the 1,164 square foot former Beauty Salon. Mr. Farrell said we are proposing to remodel the former salon into an ice cream shop and install landscaping along Shadow Lane, a new access drive of Main Street, new parking spaces, and a screened dumpster.

The Commission members, staff and Mr. Farrell discussed the history of the site, the neighborhood and the existing buildings and the proposed parking lot layout. Mr. Popper pointed out the outstanding staff comments which requested revisions to the submitted site plan. He said the revisions include: a request for a plan showing the proposed handicapped access ramp to the building, a new location for the handicapped parking space and the location of the dumpster. Michael Cannata made a motion to approve with conditions Application #19-45: Request for Site Plan Approval for a new Ice Cream Shop at 562 Main Street with the conditions including a revised site plan showing the proposed handicapped access ramp to the building, a new location for the handicapped parking space and the location of the dumpster. Seconded by Paul Cordone. *All in favor; motion passed.*

**10. Executive Session:**

Michael Cannata made a motion to go into Executive Session to Discuss Pending Litigation “JPG Partners, LLC. v. Cromwell Planning and Zoning Commission LND HHD CV 18-6091023-S” involving Application # 17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner, with the board members, Bruce Driska, and Stuart Popper; Seconded by Nicholas Demetriades. *All in favor; motion passed.*

Michael Cannata made a motion to close the Executive Session with no action of the Application #17-22; Seconded by John Keithan. *All in favor.*

**11. Old Business:**

Discussion and Possible Action of Proposed Settlement for “JPG Partners, LLC v. Cromwell Planning and Zoning Commission LND HHD CV18-6091023-S” involving Application # 17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner was discussed in the Executive Session.

**12. Commissioner’s Comments:**

Chris Cambareri and John Keithan updated the Commission on their efforts to update and improve the sign regulations. The Commission members discussed some of the regulation changes put forth in the proposed update. Mr. Popper said it would be helpful to incorporate the proposed amendments into the actual regulations and present that at a future date to the Commission in a draft format.

**13. Approval of Minutes:**

* 1. September 17, 2019-

Michael Cannata made a motion to approve the amended minutes; Seconded by John Keithan. *All in favor; motion passed.*

Note that Michael Cannata excused himself because of family relations from the Public Hearing: Application #19-41, on page 3, item number 12.

**14. Adjourned:**

Michael Cannata made a motion to adjourn the meeting; Seconded by Jeremy Floryan. *All in favor; motion passed.* Meeting adjourned at 8:20 PM.

Respectfully Submitted,

Sherry-Rose McGuire