

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY JANUARY 21, 2020
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Mo Islam and Paul Cordone.

Absent: Chris Cambareri, Nicholas Demetriades, Brian Dufresne, John Keithan, and Kenneth Slade.

Also Present: Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, Councilman James Demetriades

1. Call to Order:

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


2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

None.

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4. Approval of Agenda:

Michael Cannata made the motion to approve the agenda; Seconded by Mo Islam.
All in favor; motion passed.

5. Public Comments:

There were no comments from the public.

6. Development Compliance Officer Report:

Development Compliance Officer Bruce Driska provided a summary of several current projects and asked if there were any other questions. There were no questions for the Development Compliance Officer.

7. Town Planner Report:

Mr. Popper provided an update on the Marriott Hotel under construction as well as providing information regarding several other projects.

8. New Business: Accept and Schedule New Applications:

There were none.

9. New Business:

a. Application #19-59: Request for Site Plan Modification to permit a Donation Bin at 15 Court Street. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner.

Mr. Popper informed Commission members Application #19-59 has been withdrawn.

b. Application #19-60: Request for Site Plan Modification to permit a Donation Bin at 30 Woodside Road. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner.

Mr. Popper informed Commission members Application #19-60 has been withdrawn.

c. Application #19-54: Request for Site Plan Approval to install a walk-up ATM at 26 Shunpike Road. Bank of America is the Applicant and Montgomery Development Group LLC is the Owner.

Mr. Popper asked that Application #19-54 be heard together with Application #19-53.

Mr. Cannata made the motion to combine Application #19-54 with Public Hearing Application # 19-53; Seconded by Paul Cordone. *All in favor; motion passed.*

10. Public Hearing:

a. Application # 19-53: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures at 26 Shunpike Road.

Mr. Cannata made the motion to open the Public Hearing for Application # 19-53; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Mr. Jake Modestow, P.E., Stonefield Engineering, Boston MA presented the proposal for a stand-alone ATM and 24' high light fixtures to the Commission. He explained the location of the existing site, the office building and parking lot. Mr. Modestow described size and location of the proposed walk up ATM, the improvements to be made in the parking lot and the 24' high light fixtures to be installed for security.

Mr. Cannata cited Development Compliance Officer Bruce Driska's December 16, 2019 memorandum which stated stand-alone ATM's are not provided for as permitted uses in the Highway Business Zone.

Mr. Islam inquired if the proposed stand-alone ATM had "real time" capabilities allowing customer interaction with a Bank of America host and was informed by Mr. Modestow that it did not.

Chairman Kelly and Mr. Floryan expressed their opinions that the proposed stand-alone ATM is an accessory use lacking a principal use.

The Commission members and Mr. Modestow continued to discuss Section 3.3.C.3 of the Zoning Regulations, "Office Related Uses" under which "ATM, walk-up" was listed. Mr. Modestow stated that the current mode of banking is moving away from brick and mortar buildings to automated teller machines as proposed for this site and that the ATM is in essence a bank.

The Commission members concluded at this time since there was no office the proposed ATM was related to and therefore it was not a permitted use. Mr. George Flevotomos, Property Owner, addressed the Commissions comments regarding the proposal of a stand-alone ATM and his opinion as to whether or not it needed a bank office to be related to.

Councilman Demetriades asked Mr. Modestow if the proposed 24-ft tall light fixtures would produce light pollution and spillover onto abutting properties. Mr. Modestow replied stating that full cutoff shields would prevent light spillover.

Mr. Flevotomos and Mr. Modestow momentarily caucused. Upon their return they withdrew Application # 19-53: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures and Application #19-54: Request for Site Plan Approval to install a walk-up ATM at 26 Shunpike Road.

Mr. Cannata made a motion to close the Public Hearing Application; Seconded by Paul Cordone. *All in favor; motion passed.*

11. Commissioner Comments:

There were none.

12. Approval of Minutes:

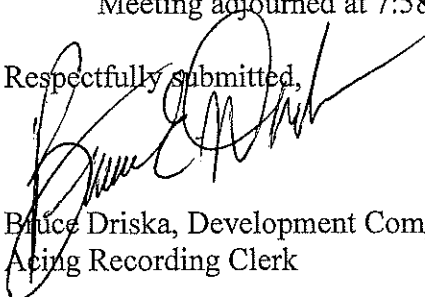
- a. November 7, 2019
- b. November 19, 2019
- c. January 7, 2020

There was no action taken.

13. Adjourn:

Michael Cannata made a motion to adjourn the meeting with all in favor; motion passed. Meeting adjourned at 7:58 PM.

Respectfully submitted,


Bruce Driska, Development Compliance Officer
Acting Recording Clerk