

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY MARCH 17, 2020
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Jeremy Floryan, and Nicholas Demetriades.

Absent: Paul Cordone, Ken Rozich, Brian Dufresne, John Keithan, Mo Islam, and Kenneth Slade.

Also Present: Director of Planning and Development Stuart Popper, and Development Compliance Officer Bruce Driska.

1. Call to Order:

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

2. Roll Call:

The presence of the above members was noted.

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Mar 31, 2020 02:28P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

3. Seating of Alternates:

None.

4. Approval of Agenda:

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

5. Public Comments:

There were no comments from the public.

6. Development Compliance Officer Report:

Mr. Driska reviewed his PZC Permit report and asked anyone had any questions regarding the report. He said that the work on the previously approved modifications to the site plan at 120 County Line Drive have begun. Mr. Driska said the stormwater storage areas are being reconfigured, work on the interior has started and the driveway access and parking lot will be next. He said that the foundation is done and the steel for the new DPW and Sewer building on County Line Drive was delivered today.

Mr. Driska read a letter into the record from the owner of the Energy Zone Fitness at 199 Shunpike Road regarding the positive use of feather flags. The Commission members agreed that it is an issue that will need to be discussed during the updating of Sign Regulations.

7. Town Planner Report:

Mr. Popper provided updates on the following projects in Town. He noted that the expansion at Covenant Village and the new Marriott are both moving forward quickly while the new Starbucks is not.

Mr. Popper said due to the current circumstances which may impact our future meetings he is asking the Commission to accept the request to grant Application #20-10, DFC of Cromwell LLC a 65-day extension since the next public hearing is still tentative.

Michael Cannata made the motion to accept the request of DFC for a 65-day extension of time, seconded by Jeremy Floryan. *All in favor; motion passed.*

8. New Business: Accept and Schedule New Applications:

Mr. Popper requested that the Commission accept and schedule the following applications:

- a. Application #20-19: Request for Site Plan Modification at 328 Main Street for a new sign. Mr. Popper asked that the Commission accept and schedule the application to be heard this evening.

Michael Cannata made the motion to accept and schedule Application #20-19 for this evening March 17, 2020; seconded by Chris Cambareri. *All in favor; motion passed.*

- b. Application #20-20: Request to amend the zoning map for 241 & 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.

Michael Cannata made the motion to accept and schedule Application #20-20 on April 21, 2020 for a public hearing; seconded by Jeremy Floryan. *All in favor; motion passed.*

- c. Section 8-24 Mandatory Referral to purchase 112 square feet of privately-owned property at the northeast corner of 617 Main Street.

Michael Cannata made the motion to accept and schedule an 8-24 discussion for 617 Main Street for this evening March 17, 2020; seconded by Jeremy Floryan. *All in favor; motion passed.*

9. New Business:

- a. Application #20-01: Request for Site Plan Modification – Erosion Control Bond Reduction at 120 County Line Drive. Scannell Properties #315 LLC is the Applicant and the Owner.

Mr. Popper asked the commission to reduce the original bond to \$40,150.00. He asked the commission to specify in the motion that the total amount to be reduced is \$11,038.00 plus any accrued interest.

Michael Cannata made the motion to reduce the erosion control bond at 120 County Line Drive Scannell Properties by the amount of \$11,038.00 plus accrued interest. seconded by Chris Cambareri. *All in favor; motion passed.*

- b. Application #20-19: Request for Site Plan Modification at 328 Main Street for a new sign.

Mr. Popper noted the location of the Peaceful Chaos Yoga Studio and handed out copies of the sign design. Mr. Driska stated that the sign application complies with the requirements of the zoning regulations.

Michael Cannata made the motion to approve Application #20-19, seconded by Chris Cambareri. *All in favor; motion passed.*

- c. Section 8-24 Mandatory Referral to purchase 112 square feet of privately-owned property at the northeast corner of 617 Main Street.

Mr. Popper explained that the Town will need to acquire the 112 square feet of privately-owned property at the northeast corner of 617 Main Street for the expansion of sidewalks north on Main Street. He said that the appraised value of the property is \$7,000. Mr. Popper asked the commission for a recommendation on this; it will need to go to the Town Council to be voted upon.

Michael Cannata made the motion to issue a positive 8-24 report for 617 Main Street, seconded by Jeremy Floryan. *All in favor; motion passed.*

10. Public Hearing:

Chairman Kelly read the legal notice into the record.

- a. Application #20-03: Request for a special permit under Section 6.6 of the Zoning Regulations to create a Rear Lot at 43 Shadow Lane. John Hagel is the Applicant and Michael Lanteri is the Owner.
- b. Application #20-04: Request for to create a Three Lot Resubdivision at 43 Shadow Lane. John Hagel is the Applicant and Michael Lanteri is the Owner.

Michael Cannata made the motion to open the public hearings seconded by Jeremy Floryan. *All in favor; motion passed.*

Mr. Jim Cassidy Project Engineer with Hallisey, Pearson & Cassidy Engineering Associates at 630 Main Street in Cromwell said he was here presenting on behalf of John Hagel the applicant this evening. He said that he would like to present both applications together.

Mr. Cassidy said the 5.71-acre site contains an existing single-family house and outbuildings on the east side of Shadow Lane in the R-25 Zone District. He explained that the applicant is proposing to create a three lot resubdivision. Mr. Cassidy said the resubdivision will contain lot #2 a 4.38-acre rear lot and two front lots. He noted that Front Lot #1 is 28,426 square foot or .6 acres and front lot #3 is 25,749 square feet or .65 acres and all three lots will contain single family homes. Mr. Cassidy said Lot 2 will be a rear lot and that it meets all of the General Requirements outlined in Section 6.6.C. of the Zoning Regulations as follows:

The required front yard setback is 40' the rear lot has an 80' front yard setback; the minimum lot area in the R-25 zone is 25,000 square feet Lot 2 will be 186,960 square feet, exclusive of the access right-of-way. Lot 2 has a 25,000 square foot "buildable square" and has a 20' access right-of-way, to be owned in fee simple, that fronts on Shadow Lane. The proposed rear lot meets all of the bulk requirements for the R-25 zoning district.

Mr. Cassidy explained how the lot meets the requirement of the both the Subdivision and Zoning Regulations with the following explanations:

The use of the rear lot in this subdivision negates the necessity of constructing a short Town Road to access this small development; the subdivision has been designed to minimize impacts to the Upland Review Area and to avoid altogether any impacts on the wetlands located to the rear of the property. He noted that the proposed resubdivision had received a permit from the Inland Wetlands Watercourses Agency for activities within the Upland Review Area at the Agency's February 5, 2020 meeting.

He continued with his presentation on compliance with the Subdivision and Zoning regulations:

The proposed use of the site for residential single-family use is in accordance with the R-25 zoning district in which it is located. The proposed site at 43 Shadow Lane is adequately sized to support this use and there is access to the site from Shadow Lane. There are no proposed design elements at this time. The surrounding area is mostly developed as other single-family residences and this development will not hinder or discourage development or impair the value of the surrounding properties. No exposed artificial lights, colored lights of any nature, flashing lights, loudspeakers or other noisemaking devices are associated with this type of use. The residential use will not impact traffic circulation. There are no parking areas, other than driveways, being proposed and no screening is necessary. Shadow Lane can adequately accommodate this new development. Public water and other utilities are available. The applicant has been granted a waiver from connecting to public sewer and the lots will be serviced by on-site septic systems. The site, being off of Shadow Lane, will be easily accessible by fire apparatus and police protection. The developer has a proven track record of providing quality residential developments in the Town of Cromwell.

Mr. Cassidy and the Commission members discussed the history and topography of the site and sand and gravel operations at the site and the surrounding properties.

Chairman Kelly opened the public hearing to the members of the public. Mr. Gavin Andrade, resident at 47 Shadow Lane, came forward to ask about the timeframe of the project and what time they will start and stop during the day.

Mr. Cassidy answered saying this could be anywhere from a 6 month to a year-long process for construction. He noted that this will depend on whether all three houses are constructed at the same time or if they are built on individual time frames. Mr. Cassidy the hours of operation for house construction will be from about 7am to 5pm during the week.

Chairman Kelly asked if there were any staff comments. Mr. Popper said Sal Nesci the Public Health Director provided the results of the soil testing at all 3 proposed lots, and noted that they meet the requirements and public health code for the support of onsite subsurface sewage disposal systems.

Mr. Popper read a memo dated January 28, 2020 from Town Engineer Jon Harriman. He would like to see confirmation that the proposed driveways will have proper site lines. As conditions of approval, Mr. Harriman suggests the following. 1. The removal of the existing septic system shall be completed to the satisfaction of the Health Department. 2. The as-builts shall confirm that any tree trimming, tree removal or earth work required to generate proper site lines has been completed. 3. The developer shall complete all road cuts for site utilities prior to the Town of Cromwell repaving Shadow Lane. The Town is contemplating repaving the road during this coming construction season. The Town shall provide the developer with a minimum of 30 days' notice prior to the start of the work.

There were no further questions or comments.

Michael Cannata made the motion to close the public hearings, seconded by Chris Cambareri. *All in favor, motion passed.*

Michael Cannata made the motion to approve Application #20-03, seconded by Chris Cambareri. *All in favor, motion passed.*

Michael Cannata made the motion to approve Application #20-04 with the conditions outlined in the memo dated 2/14/2020 from Town Engineer Jon Harriman, seconded by Chris Cambareri. *All in favor, motion passed.*

11. Commissioner Comments:

There were none.

12. Approval of Minutes:

a. January 21, 2020

No action taken.

b. March 4, 2020

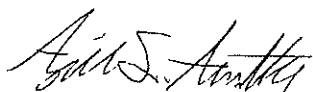
No action taken.

13. Adjourn:

Michael Cannata made a motion to adjourn the meeting. *All in favor; motion passed.*

Meeting adjourned at 8:08 PM.

Respectfully submitted,



April Armetta
Recording Clerk