

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
7:00 PM TUESDAY OCTOBER 20, 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, Nicholas Demetriades, Paul Cordone, Brian Dufresne, Ken Rozich, John Keithan (alternate) and Ann Grasso (alternate).

**Absent:** 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 Alice Kelly at 7:03 PM.

**2. Roll Call:**

The presence of the above members was noted.

RECEIVED FOR RECORD  
Nov 04, 2020 02:27P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT *JD*

**3. Seating of Alternates:**

A motion was made by Vice Chairman Michael Cannata to seat Ann Grasso and John Keithan as alternates. Motion seconded by Mr. Nicholas Demetriades. *All in favor, Motion passed.*

**4. Approval of Agenda:**

Mr. Stuart Popper, Director of Planning and Development, asked the Commission to add two items under 9: New Business.

- a. The first is the Northwoods Subdivision Tree Bond Release in the amount of \$13,046.96 (plus interest).
- b. The second is 100 County Line Drive Release of Bond #1779 in the amount of \$12,265 (plus interest).

Vice Chairman Michael Cannata made the motion to approve the agenda as amended; Seconded by Mr. Brian Dufresne. *All in favor, motion passed.*

**5. Public Comments:**

None

**6. Development Compliance Officer Report:**

Mr. Bruce Driska summarized the status of a number of items addressed at the last meeting. He said he continues to monitor the erosion control efforts at the Cromwell

Village project on Country Squire Drive. Mr. Driska said he had issued additional citations for failure to comply with their site plan and special permit as it relates erosion and sedimentation control and vehicles tracking mud off the site. He said a meeting was held with the contractor, developer and the consulting engineer from Milone & MacBroom and he was confident that issues will be resolved. Mr. Driska said he will continue to visit the site multiple times during the day.

Mr. Driska said the second item was the clothing collection bin located at the SBC Plaza on the corner of Coles Road and Shunpike. He said the ongoing problem is the dumping of inappropriate items. Mr. Driska said the clothing charity has been unresponsive to multiple contact attempts and he reached out to the property owner who stated he would try to contact the owner of the clothing bin. The Commission members discussed sending the property owner a certified letter stating the Commission's plan to have the bin removed.

**7. Town Planner Report:**

Mr. Popper said construction on the Starbucks is moving along. He said work continues on the new homes at Arbor Meadows and on Shady Lane. Mr. Popper said there is no new news on Friendly's or on the Red Lion.

Mr. Popper said he spoke with Mr. Julius Neto regarding the fire district radio antenna, and Mr. Neto indicated that they were considering using a flagpole in the center island. He said he asked Mr. Neto for information on the flagpole including the location and details as to how the antenna was going to be attached to the flagpole or if the antenna was going to be hidden in the flagpole. Mr. Popper said that information has yet to be received.

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

None

**9. New Business:**

1. Northwoods Subdivision Tree Bond Release Recommendation: Mr. Driska said he has completed an inspection of the landscaping requirements for Northwoods Subdivision and recommends the release of the remainder of the bond in the amount of \$13,046.96 (plus interest). Also attached to the memo was a document signed by the property owner of 34 Bucks Crossing requesting no trees be planted on said property. The Commission discussed this request and ultimately decided the request would be approved but going forward future subdivisions will be required to do plantings before the Certificate of Occupancy is issued for individual homes.

Vice Chairman Michael Cannata made a motion to approve the release of the bond. Seconded by Mr. Chris Cambareri. *All in favor, motion passed.*

2. 100 County Line Drive Bond Release Recommendation: Mr. Driska said he has completed an inspection of the new DPW/WPC site and recommends the release of

Bond #1770 in the amount of \$12,265 (plus interest). Chairman Alice Kelly recuses herself from voting.

Vice Chairman Michael Cannata made a motion to approve the release of the bond. Seconded by Chris Cambareri. *All in favor, motion passed.*

**10. Public Hearing:**

Ken Rozich read the legal notice into the record.

- a. Application #20-47: Request for a Special Permit under Section 3.6.C of the Zoning Regulations to allow for the installation of digital billboards at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner. *Tabled until November 5, 2020.*
- b. Application #20-48: Request for a Special Permit under Section 3.6.C of the Zoning Regulations to allow for the installation of digital billboards at 6 Piney Ridge Road. DFC of Cromwell LLC is the Applicant and the Owner.

Vice Chairman Michael Cannata made a motion to open the public hearing for Application #20-48; Seconded by Mr. Jeremy Floryan. *All in favor; motion passed.*

Attorney Dennis Ceneviva representing Owner Dominick DeMartino distributed a large volume of paperwork associated with the presentation. The Commission members determined that due to the very large volume of information that was just received, they cannot possibly vote on Application #20-48 at this time. The Commission members decided that since the presenters and public were present, the Applicant can make the presentation.

Attorney Ceneviva began the discussion. He introduced Mr. Wayne Violette, Landscape Architect for BL Companies.

Mr. Violette walked the Commission and public through a handful of slides to illustrate what is part of the special permit. He reviewed the site plan and landscaping plan. Mr. Violette explained that approximately 150 feet of trees will be cleared along Route 9 to allow visibility. He pointed out the two locations of the billboards with a 750-foot spacing from one another and several viewpoints were shown from South Street. The Commission members noted that the views were shown from the front of the properties, but the Commission would like to see views from the back of each of the properties. Mr. Violette explained that there are plans for supplemental buffering with the planting of three to four-foot Eastern White Pines 8 to 10 feet apart along the property lines. He also presented a video of what drivers on Routes 9 Northbound and Southbound would be seeing.

Attorney Ceneviva next introduced Mr. Ilidio Vincente, Director of Business Development, for Media Resources, the manufacturer of the digital screens. Mr. Vincente

is an expert in light levels for digital billboards and he explained the technology to the Commission and Public. He explained that not only do their light sensors brighten or dim the LEDs to account for the outside light, but there are louvers that block the light from the sides, top and bottom. Mr. Vicente noted that the only clear view of the billboard is by looking at it straight on. He presented a drone video of actual billboards in place and demonstrated the light-blocking technology. Mr. Vicente also showed a physical example of a digital billboard, but it did not have working light sensors.

Vice Chairman Michael Cannata asked Mr. Vicente to address light reflection from snow. Mr. Vicente explained that there is minimal reflection from the billboards.

Attorney Ceneviva introduced Mr. John LoMonte, Real Estate Appraiser and Consultant. Mr. LoMonte prepared a Real Estate Market Study a copy of which was distributed presented to Mr. Popper. Mr. LoMonte said the study addressed the impact on property values due to the installation of the two proposed billboards. He said other characteristics of the property were taken into consideration such as the Route 9 corridor, railroad track corridor, and the location of Mattabassett Sewer Treatment Plant. Mr. LoMonte stated the following: "It's my professional opinion and knowledge of the market, that if two double-faced electronic billboard signs, located roughly 750 linear feet apart from each other along Route 9 right-of-way corridor, will not impact in any way negative the subject's market area, either immediate or extended."

The Commission thanked the gentlemen for their presentations. The Commission member and the Owner, Mr. Dominick DeMartino discussed the issue of the billboards initially being presented as single-sided, and now they are being presented at two-sided v-shaped billboards. The Commission members recalled the commercial billboard district only permitted single-faced billboards and until this application they had no realization that Mr. DeMartino was seeking to install two double-sided/v-shaped digital billboards. Mr. DeMartino argued that several times over the past two years, he is disclosed his intent. Mr. DeMartino pointed out the exhibits that were distributed to the Commission earlier in the evening show the V-shape the two-faced billboards and their proposed locations.

Mr. DeMartino noted that he is employing cutting edge technology for these billboards at an increased expense to mitigate light pollution, and planting trees and perhaps even erecting a fence to appeal to the neighbors. Mr. DeMartino stated "I really work hard to try to resolve issues with the neighbors. I met with my neighbors and walked their properties. He noted the he also met with the Commission and I walked the property with them."

Chairman Kelly reminded Mr. DeMartino that the Commission specifically asked if the neighbors would be looking at a "brown or black" back of billboard. She said it was not presented as a "V" shape.

Attorney Ceneviva thanked the Commission for their time this evening and closed the presentation. He would expect to be tabling the application to review all the documents

that have been submitted and will be communicating with Mr. Popper over the next few weeks.

The Public Hearing was then opened for Public Comments:

Mr. Terry Marks, of River Road, distributed handouts of his presentation to the Commission, including information from Scenic America. Mr. Marks' concerns included property value and safety. He has concerns about the effects of light pollution on wildlife. Mr. Popper asked if it he could make copies of the 5-page letter Mr. Marks submitted and forward to Commission Members rather than reading it into the records. Mr. Marks agreed with Mr. Popper. The Commission thanked Mr. Marks.

Ms. Laura Hall, 35 River Road. Ms. Hall submitted 15 letters (petitions) to Mr. Popper. Mr. Popper will distribute copies to the Commission. He briefly summarized the letters. Concerns included decreased property value, nighttime glare from billboards, encouragement of distracted driving, light pollution of night sky, impact on hiking trails, and impact on wildlife. Also submitted was a letter from the President of Scenic America regarding negative impacts of digital billboards. The Commission thanked Ms. Hall.

Last to speak was Mr. James Demetriades, Skyview Drive. Mr. Demetriades requested a copy of all information provided to the Commission tonight, as it did not go out with the packet. Mr. Demetriades had questions regarding the sureties regarding not only the sight line issues, but also the light pollution issues, and the effect that wildlife conservation area. Mr. Demetriades also had a question for Mr. DeMartino regarding his rental property and his comment that he may have to reduce the rent, leading Mr. Demetriades to believe that there will be financial impact on his property from the installation of the digital billboards. The Commission thanked Mr. Demetriades.

The Commission asked the applicant to look over all of the questions that have come from the public and all and to be able to answer them at the continuation of this public hearing in November.

Vice Chairman Michael Cannata made a motion to continue the Public Hearing on Thursday, November 5 at 7:00 p.m. in Room 224. Seconded by Nicholas Demetriades. *All in favor, motion passed.*

**11. Commissioner Comments:**

Mr. Nicholas Demetriades stated that he has a River COG meeting next Tuesday. They are going to be discussing again affordable housing updates and existing conditions. The Commission does not have any updates on our housing. The second issue is a couple weeks ago, Mr. Demetriades presented hazards mitigation. He has not received any feedback from the Commission.

Mr. Demetriades sent Mr. Popper an email with several of links regarding housing and several other things being proposed in the legislature from the next session. Mr. Popper

agreed to forward to the Commission. Mr. Demetriades also plans to reach out to Mr. Popper and his staff regarding the hazardous mitigation plan as there were several questions.

**12. Approval of Minutes:**

None

**13. Adjourn:**

Vice Chairman Michael Cannata made the motion to adjourn at 9:53 PM. *All in favor, motion passed.*

Respectfully submitted,

A handwritten signature in cursive script that reads "Michelle L. Armetta" followed by a stylized flourish or set of initials.

Michelle L. Armetta  
Recording Clerk