

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
7:00 PM TUESDAY, JULY 20, 2021  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, John Keithan, Chris Cambareri, Nick Demetriades, Paul Cordone, Robert Donohue (alternate), and Ann Grasso (alternate)

**Absent:** Brian Dufresne, Jeremy Floryan and Ken Rozich

**Also, Present:** Director of Planning and Development Stuart Popper and Recording Clerk Michelle Armetta

**1. Call to Order:**

The meeting was called to order by Chairman Alice Kelly at 7:07 PM.

**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 Paul Cordone. *All in favor, Motion passed.*

**4. Approval of Agenda:**

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

**5. Public Comments:**

None.

**6. Development Compliance Officer Report:**

Mr. Driska was not present at the meeting. Mr. Popper asked the Commission if they had any comments or questions about Bruce's report that he could relate to Mr. Driska or general questions about any development projects that are ongoing.

Commissioner Nick Demetriades asked Mr. Popper to give an update about the run-off issue that occurred at the condominium development on Country Squire (the former Nike site). Mr. Popper said staff has spent a lot of time and a lot of attention has been paid to the situation over the last two weeks since that initial rainstorm. He said it is being worked on by staff, including Development Compliance Officer and Town Engineer as well as assistance from the fire and police departments.

Mr. Popper said unfortunately, there were several private homes that were flooded. He said that the developer has been advised as to what is expected they do to remedy this situation so that this does not occur again. Mr. Popper said that there were some failures at the Nike site, but nobody was really prepared for the amount of water that was received in such a short period of time. Chris Cambareri remarked that the flood maps have been accurate.

Mr. Demetriades ask what lessons could be learned for Planning and Zoning. Mr. Popper replied that many of these failures occur at properties built many years ago. He noted that private owned detention basins should be maintained, but some are not. Mr. Popper said that sometimes the agreements to maintain basins are not followed due to expense. He noted that since he and Mr. Harriman have been here (2012) staff has encouraged developers to use the best management practices in these basins and the submission of annual maintenance reports have been required. Chairman Alice Kelly suggested formally advising developments to maintain basins. Mr. Popper said that he would talk to Compliance Officer Bruce Driska and Town Engineer Jon Harriman about sending letters regarding maintaining detention basins. He said that currently, any size development must show Low Impact Development improvements and it is required as part of the application submission.

#### **7. Town Planner Report:**

Mr. Popper said development continues at the Nike site and they renting out various kinds of units. He noted that CO's have been issued for about 50 apartments. Mr. Popper said that construction of new homes is moving at a brisk pace at the Carrier development on Field Road. He said Nitkin are having discussions with possible new tenants at the ShopRite shopping center. Mr. Popper said there are ongoing discussions between a developer and property owners on Geer Street regarding the possible development of some of the Gardener properties. He said he is hoping to make some announcements in the fall of regarding new businesses that are moving into town.

Mr. Popper commented that the town has been very fortunate and development has been steady. He said it was remarkable that Cromwell did not lose any restaurants during the pandemic. Mr. Popper said the Commission and the State of Connecticut helped by allowing the restaurants to do outside dining and whatever they needed to do to stay open. Chris Cambareri commented that it was a huge help, and every town was looking at Cromwell as an example. The Commission thanked Mr. Popper and his staff for the seamless implementation.

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 #21-22: Request to Amend Section 3.5 Industrial District Zone Regulations to add 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.

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-22 for Public Hearing on September 7, 2021. Seconded by Robert Donohue. *All in favor, motion passed.*

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.

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-23 to be heard this evening. Seconded by Chris Cambareri. *All in favor, motion passed.*

c. Application #21-24: Request for 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.

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-24 to be heard this evening. Seconded by Chris Cambareri. *All in favor, motion passed.*

**9. New Business:**

a. Application #19-55: Request for Release of Bonds #1784 \$1,000 and #1785 \$10,000 for Starbucks at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner.

Vice Chairman Michael Cannata made a motion to approve Application #19-55: Request for Release of Bonds #1784 \$1,000 and #1785 \$10,000 with accrued interest. Seconded by Bob Donohue. *All in favor; motion passed.*

b. Section 8-24 Mandatory Referral for Sale of Town Property at 15R Christian Hill Road. Mr. Popper explained that this property was acquired by the town through taxes. He said the potential buyer is abutting neighbor and noted that the property has limited development potential.

Vice Chairman Michael Cannata made a motion for positive referral for 15R Christian Hill Road. Seconded by Chris Cambareri. *All in favor; motion passed.*

c. Section 8-24 Mandatory Referral for Sale of Town Property at 38 Shunpike Road. Mr. Popper said that this property is deep valley off Route 9 and contains wetlands and is in the 100-year flood zone. He said the owner of the adjacent shopping center is the potential buyer.

Vice Chairman Michael Cannata made a motion for positive referral for 38 Shunpike Road. Seconded by Chris Cambareri. *All in favor; motion passed.*

d. Section 8-24 Mandatory Referral for Sale of Town Property at 91 Nooks Hill Road. Potential buyer for this property is owner of 89 Nooks Hill Road. Mr. Popper noted that this property at one time was part of 89 Nooks Hill Road and the buyer is the current of owner of 89 Nooks Hill Road.

Vice Chairman Michael Cannata made a motion for positive referral for 38 Shunpike Road. Seconded by Bob Donohue. *All in favor; motion passed.*

e. Application #21-24: Request for 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.

Mr. David Selger, Principal Engineer for Arcadis U.S., Inc., 213 Court St., Middletown, addressed the Commission. Mr. Selger explained that Arcadis will be performing remediation at 14 Alcap Ridge on behalf of Safeway Products, Inc. Safeway is a former owner of the site. He explained that the remediation will follow the remedial design and scope of work presented in a Full-Scale Remedy Work Plan that was submitted to, and approved by, the Connecticut Department of Energy and Environmental Protection (CTDEEP) earlier this year. Mr. Selger said the remedial activities will include soil excavation and 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 dichlorination (ERD). He said four ERD injection events will be conducted over 4 to 8 years and each injection event will require 6 to 8 weeks to complete. Mr. Selger showed a depiction of the layout of the remediation system. He explained that while much of the components of the system will be underground, a mobile trailer will be used to inject the reagent. Mr. Selger said once the components of the remediation system are installed, the trailer will be temporarily staged on-site for 6 to 8 weeks during the injection event. He said that the trailer will be stored off-site between injection event and to minimize impacts on the site operations and tenants, the trailer will be positioned off the existing parking lot. Mr. Selger noted the location and said that the trailer area will be paved to facilitate trailer access; however, the trailer area is not intended to be used for regular parking spaces. He said Arcadis is, therefore, requesting approval from the Planning and Zoning Commission for Site Plan Modification at 14 Alcap Ridge to allow for parking lot expansion.

The Commission members and Mr. Selger discussed the history of the building, past tenants, current tenants and the science behind the procedure.

Vice Chairman Michael Cannata made a motion to approve Application #21-24 Request for Site Plan Modification at 14 Alcap Ridge to allow for parking lot expansion. Seconded by Paul Cordone. *All in favor, motion passed.*

f. 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.

Mr. Jim Cassidy, Owner and Principal Engineer at Hallisey, Pearson & Cassidy, 630 Main Street, Cromwell addressed Commission. Mr. Cassidy, representing JLN Contracting, explained that the existing .32-acre lot is in the R-15 Residential Zone District on the west side of Main Street and the south side of Oakwood Manor. He said the site contains the existing 3,796 square foot Knights of Columbus building. Mr. Cassidy noted that the building has been used for a variety of uses over the years including fraternal organization and private parties, which are nonconforming to the existing R-15 Residential Zone District.

Mr. Cassidy explained that the Applicant, JLN Contracting, wishes to purchase, renovate, and use the existing building located at 573 Main Street as professional offices. He said

JLN Contracting is a local commercial general contractor currently located on Christian Lane in Berlin. Mr. Cassidy said JLN has six full-time employees who will utilize this location as their main office and JLN's business hours are weekdays from 7:00 am to 5:00 pm and closed on weekends and holidays. He said JLN is a subcontractor, and, as such, does not own any construction equipment and the only deliveries received at the property would be office supplies.

Mr. Cassidy said the Applicant received approval from the Zoning Board of Appeals on July 13, 2021, for Application #21-12 Request for a Special Permit under Section 7.1.A.2 of the Zoning Regulations to allow for a change from one non-conforming use to another and Application #21-13 Request for Variance from Section 2.2.B Bulk Requirements of the Zoning Regulations (Front Yard Setback) to allow for the construction of front step overhang

Mr. Cassidy said the Applicant is requesting a site plan modification to allow for a new building façade and signage. He explained that the property will be fully renovated into approximately 3,100 SF of office space and 700 SF of storage space on the first floor and the basement will be designed for storage as well and there will be no outdoor storage. Mr. Cassidy pointed out on the site plan the required parking spaces for office use, including handicapped spaces off to the north side of the building and the proposed front entry canopy. Mr. Cassidy showed a before and after rendering of the building and site.

Mr. Cassidy concluded his presentation and asked the Commission for questions and comments. Mr. Cassidy also explained that the overhead door shown, which is where the kitchen is currently located, will be used for storage and the dormers will be for aesthetic purposes only.

Mr. Stuart Popper told the Commission that town staff have reviewed and have no comments. Mr. Popper also commented that this building has been around for quite a while and for sale for many years and, from his perspective, this is an ideal use for this non-conforming use so close to a residential neighborhood. Chris Cambareri agreed, and Vice Chairman Michael Cannata commented that they did a good job. Mr. Cassidy also showed the Commission a drawing of the proposed monument signage and explained that it would be similar to the sign located at 630 Main Street. Mr. Cassidy said JLN plans to move to this location in January 2022.

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

#### **10. Commissioner's Comments:**

Nick Demetriades advised the Commission that he will be sending an email regarding the final Regional Plan of Conservation and Development.

#### **11. Approval of Minutes:**

a. June 15, 2021

Vice Chairman Michael Cannata made a motion to approve the minutes of June 15, 2021;  
Seconded by Bob Donohue. *All in favor; motion passed*

**12. Adjourn:**

Vice Chairman Michael Cannata made the motion to adjourn at 8:05 PM. *All in favor,  
motion passed.*

Respectfully submitted,

Handwritten signature of Michelle L. Armetta in cursive script, followed by the initials "SBL" in a stylized, bold font.

Michelle L. Armetta  
Recording Clerk