

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM THURSDAY, MAY 5, 2022
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Ann Grasso, Robert Donohue
Brian Dufresne and Nick Demetriades

Absent: Ken Rozich, John Keithan, Paul Cordone and Chris Cambareri.

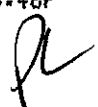
Also present: Director of Planning and Development Stuart Popper and Zoning Enforcement
Officer Bruce Driska

1. **Call to Order:** The meeting was called to order by Chairman Alice Kelly at 7:04 PM.

2. **Roll Call:**

The presence of the above members was noted.

RECEIVED FOR RECORD
May 25, 2022 03:48P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT



3. **Seating of Alternates:**

Michael Cannata made a motion to seat Robert Donahue as an alternate; Seconded by
Ann Grasso. *All in favor, Motion passed.*

4. **Approval of Agenda:**

Mr. Popper said he would like to amend the agenda to add Application #22-12: Request
for a Special Permit to construct a garage over 1,000 square feet at 560-562 Main Street.
Tim Farrell is the applicant and the owner.

Michael Cannata made a motion to approve the amended agenda. Seconded by Brian
Dufresne. *All in favor, Motion passed*

5. **Public Comments:**

There were no public comments

6. **Development Compliance Officer Report:**

Mr. Driska summarized his report to the commission. He said the TPC tour event is
currently under construction and the Bantry Bay inland wetlands application was
approved last evening by the IWWA. Mr. Driska said we are waiting for work to start the
on the façade improvements and parking modifications at the Crossroads shopping
center. He said he expects construction on the Adelbrook splash pad and Burlington
Store to start soon.

7. Director of Planning and Development Report:

Mr. Popper said he will put together a list of new businesses that do not require formal approval by the commission and distribute it to the commission in a timely manner. He said a tattoo shop is opening in the former Johnson real estate building. Mr. Popper said the draft Affordable Housing Plan that was prepared by the RiverCOG and their consultants is completed and he will be sending this out the draft copy of the plan to the commission via email. He would like to have a discussion and adoption of the plan at our next meeting. Nick Demetriades said there is additional information about the plan on the RiverCOG website and he will provide Mr. Popper with the link.

Chairman Kelly asked Mr. Popper to include the link to the website provided by Mr. Demetriades with the affordable housing plan.

8. New Business: Accept and Schedule New Applications:

Mr. Popper asked the commission to accept and schedule for the June 7, 2022 meeting as a public hearing item the following: Application #22-12: Request for a Special Permit to construct a garage over 1,000 square feet at 560-562 Main Street. Tim Farrell is the Applicant and the Owner.

Michael Cannata made a motion to accept and schedule for the June 7, 2022 meeting: Application #22-12: Request for a Special Permit to construct a garage over 1,000 square feet at 560-562 Main Street. Tim Farrell is the applicant and the owner. Seconded by Robert Donohue. *All in favor, Motion passed.*

9. New Business:

- a. Section 8-24 Mandatory Referral for the Planning, design, acquisition, construction, furnishing and equipping of a new middle school and central offices at 6 Captain Mann Memorial Drive.

Ms. Rosanna Glynn, Chairman of the Middle School Building Committee introduced herself and Mr. Edward Widofski associate architect at Tecton Architects at 34 Sequassen Street, Suite 200 Hartford. Mr. Widofski gave a brief presentation on the proposed new middle school and central office project. The commission members and Mr. Widofski discussed the proposed project, location of the new building, parking and access to the site. Chairman Kelly reminded the commission members that this is only the 8-24 referral and if the project is funded and goes forward there will be a formal site plan application submitted to the commission for their review and approval.

Michael Cannata made a motion to issues a positive review and read the following motion into the record. Seconded by Brian Dufresne. *All in favor, motion passed.*

The motion was as follows,

RESOLVED, that the Planning and Zoning commission of the Town of Cromwell

approves the following projects pursuant to Section 8-24 of the General Statutes of Connecticut:

Planning, design, acquisition, construction, furnishing and equipping of new middle school and central offices to be located at 6 Captain Mann Memorial Drive, including site modifications anticipated to include creation of an outdoor amphitheater, outdoor reading and lecture area, and parking improvements;

provided that this resolution is for approval of conceptual plans only. The projects are subject to and shall comply with all applicable laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals.

10. Public Hearing:

a. Application #22-09: Request to Amend the Zoning Map from Highway Business Zone District and Residential-40 Zone District to Mixed-Use Zone District at 100 Berlin Road and 15R Christian Hill Road. M360 Berlin Land Holdings, LLC is the Applicant and the Owner.

Mike Cannata read the Legal Notice.

Mike Cannata made a motion to open the Public Hearing. Seconded by Robert Donohue. *All in favor, Motion passed.*

Attorney Peter Alter, with Alter & Pearson LLC, at 701 Hebron Ave in Glastonbury said he and Attorney Meghan Hope represent the applicants and the owner of the of the former Lord Cromwell site at 100 Berlin Road. He submitted for the record the evidence certificate of mailing required by regulations and an affidavit of posting the signs on the property to Mr. Popper.

Attorney Alter introduced the developer Lexington Partner LLC and the principals of the firm. He said Lexington Partners has extensive experience in building and operating successful mixed-use developments in the Greater Hartford area. Attorney Alter presented an overview of on mixed-use developments that they have created. He noted that The Tannery in Glastonbury has 250 apartment units and 6,000 square foot restaurant and amenities. Attorney Alter said The Borden in Wethersfield has 150 apartment units, 13,165 square feet of commercial space, a 108-seat restaurant and other amenities. He introduced InnoConn Construction the company that would construct the project and M360 Advisors the financial firm working on the project.

Attorney Alter then introduced the Design Team for the project which includes: Tecton Architects (Architecture), Freeman Companies (Land Planning), Hallisey, Pearson & Cassidy (Civil Engineers & Land Surveyors), Davison Environmental (Environmental), Fuss & O'Neill (Traffic), MEP (DME)

PES (Structural Engineers) and Goman+York (Property Adviser). He discussed the background and experience of the design team.

Attorney Alter summarized the approval process for the development of the site. He noted that it is a two-step process which includes tonight's application for the Zoning Map Amendment and the Master Plan and the next steps which will include the Special Permit, Site Plan and Flood Zone Special Permit Applications.

Attorney Alter described the site and the constraints. He noted that the long and narrow site lends itself to a mixed-use development and the expected uses will include commercial/retail, residential apartments and residential town houses. Attorney Alter discussed how the project complies with the Plan of Conservation and Development in relationship to the planning and priorities sections of the POCD.

Attorney Alter presented an overview of the existing site conditions and the issues at the site which includes damage caused by vandalism and theft of materials in the building. He also noted the deteriorating condition of the building with mold and collapsed ceilings. Attorney Alter then introduced the members of the design team and asked them each to give a brief overview of their component of the plan.

Mr. Grant Losapio, Landscape Architect, with Freeman Companies at 36 John Street in Hartford discussed the master plan which calls for a commercial gateway on Berlin Road, the multi-family residential in the center of the site, the central amenity building and the townhouses on the north adjacent to Christian Hill Road. He also described in detail the components of the master plan program which includes 31,000 commercial/retail square feet (16,000 Medical, 9,000 Retail, and 6,000 Restaurant). Mr. Losapio, said the residential component includes 260 Rental multi-family units, 20 Townhouses each with a private garage and 12,750 square feet of amenities. He said the plans include 487 parking spaces (on grade) and 259 covered spaces (112 at in the existing parking structure, 127 at new structure and 20 in the townhouse garages).

Mr. Don Poland, PhD, AICP, Planner with Gorman & York at 1137 Main Street in East Hartford said he would be discussing the municipal fiscal impact of the proposed mixed-use project on the Town of Cromwell. He said to better understand the impact we need to look at the changing landscape in hospitality, retail and residential development. Mr. Poland then discussed the ongoing changes taking place in the demographics of the town's population, the housing types and the school district enrollments. He reviewed the fiscal impact of the existing versus proposed development. Mr. Poland summarized how the project is compatible with Town Plan of Conservation and Development and the Comprehensive Plan of Zoning.

Mr. Jim Cassidy, PE, Civil Engineer, Hallisey, Pearson & Cassidy at 630 Main Street, Suite 200 Hartford CT. discussed the site components including utility availability, storm water drainage, sewer capacity and water service. He noted with the new development there will be a 28,407 square foot reduction in impervious surface area and a slight increase in sewer flows (15,835 GPD). Mr. Cassidy said according to the Water

District there is about 160' of hydraulic head which will provide more than adequate water pressure to the site.

Mr. Mark Vertucci, PE, PTOE, Traffic Engineer, Fuss & O'Neill at 146 Hartford Road in Manchester said the site has excellent access with close proximity to I-91 and Route 9. He explained that the traffic study indicates that there will be no intersection LOS reductions, the sight lines exceed DOT requirements and they expect no significant impact to the surrounding roadways. Mr. Vertucci said they will be working with OSTA and DOT District 1 as the project moves forward. He noted that the parking analysis indicates that there will be ample parking on site. Mr. Vertucci said the plans call for 487 parking spaces provided, 405 parking spaces for peak shared demand and an 82-parking space surplus. He noted that all but the 40 town home parking spaces are shared.

Mr. Ernest Nepomucen, Senior Designer at Tecton Architects at 34 Sequassen St Suite 200 in Hartford discussed the site characteristics noting that the biggest challenges are the presence of the wetlands and the flood plain, the narrowness of the site, the sloping topography of the site and the limited frontage of the site. Mr. Nepomucen also spoke about the opportunities at the site characteristics which include, accessibility, the ability to layer the site from active to intimate. He described components of the project from the mixed use development adjacent to Berlin Road, the multi-family residential neighborhood in the middle and the low scale residential in the rear of the site. Mr. Nepomucen gave an overview of the design concepts of each component including the park like area to be developed on 15R Christian Hill Road.

Attorney Alter summarized the application and discussed the two-step zoning process. He thanked the commission members.

Mr. Popper explained that the application this evening is for the zone change and the approval of the master plan. He noted that the information discussed this evening was to present the concept behind the master plan. Mr. Popper explained that if the zone change and the master plan are approved the applicant will then be submitting a detailed site plan, flood plain and special permit applications. He said when the commission hears those applications at that time we will have detailed presentations and discussions on everything from landscaping to traffic, to the colors and design of the buildings. Mr. Popper asked that the commission members and the public limit their comments to the conceptual nature of the application and plans.

Chairman Kelly asked the commission members if they had any questions. Nick Demetriades and the applicant's representatives discussed the compatibility of the proposal with the Plan of Conservation and Development.

Chairman Kelly asked if anyone from the public would like to come forward and comment in favor or in opposition to the application. Ann Halibozek at 7 Christian Hill Road said she would like it to put on the record that she is in favor of this project because it will improve the area and it will hopefully improve the property values.

Chairman Kelly asked if anyone else from the public would like to come forward to comment on the application and there were no other speakers. She also asked if any of the commission members had any other questions or comments and there were no other comments or questions.

Michael Cannata made a motion to close the public hearing. Seconded by Nick Demetriades. *All in favor, Motion passed*

Michael Cannata made a motion to approve Application #22-09: Request to Amend the Zoning Map from Highway Business Zone District and Residential-40 Zone District to Mixed-Use Zone District at 100 Berlin Road and 15R Christian Hill Road. M360 Berlin Land Holdings, LLC is the Applicant and the Owner. Seconded by Brian Dufresne. *All favor, Motion passed*

b. Application #22-06: Request to amend the Zoning Regulations to add Section 6.11 to allow for the retail sales of cannabis and cannabis related products in the Highway Business Zone District and to amend Section 3.5.C.4 to allow for the cultivation of cannabis in the Industrial Zone District. The Town of Cromwell Planning and Zoning Commission is the Applicant.

Mike Cannata recused himself at 9:08pm.

Robert Donohue made a motion to open the Public Hearing. Seconded by Brian Dufresne. *All in favor, motion passed.*

Mr. Popper explained to the commission that at the previous meeting we had discussed the idea of limiting the location of the retail/hybrid/medical cannabis store to a free standing building with no other tenants in the building. He said with that in mind he had drafted this proposed addition to the regulations, "No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana dispensary facility shall be located within the same building, structure, or portion thereof that is occupied with any other tenant or use." Mr. Popper and the commission members discussed the free-standing building requirement and the commission members were in agreement that this was an appropriate requirement.

Mr. Popper said at the previous meeting we had discussed the 100' set back from other various uses. The commission members and Mr. Popper discussed the set back and The commission discussed this and came to a decision for 100-foot setback requirement and the commission members were in agreement that this was an appropriate requirement.

Brian Dufresne made a motion to close the Public Hearing. Seconded by Robert Donohue. *All in favor, motion passed.*

Robert Donohue made a motion to amend the zoning regulations to add Section 6.11 to allow for the retail sales of cannabis and cannabis related products in the Highway Business Zone District and to amend Section 3.5.C.4 to allow for the cultivation of cannabis in the Industrial Zone District. Seconded by Brian Dufresne. *All in favor, motion passed.*

Mike Cannata returned to the commission at 9:32PM

11. Commissioner's Comments:

Nick Demetriades reminded the commission to go onto the RiverCOG website to read about the affordable housing plan. He said he will send the link to Mr. Popper to distribute to the commission members.

12. Approval of Minutes:

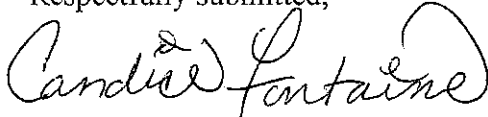
a. April 19, 2022

Minutes were not approved due to a lack of quorum.

13. Adjourn:

Mike Cannata made a motion to adjourn at 9:35 PM. *All in favor, motion passed.*

Respectfully submitted,

A handwritten signature in black ink that reads "Candice Fontaine". The signature is written in a cursive, flowing style.

Candice Fontaine
Recording Clerk