



## Town of Cromwell Planning and Zoning Commission

### **REGULAR MEETING** **7:00 P.M. TUESDAY MARCH 7, 2023** **COUNCIL CHAMBERS CROMWELL TOWN HALL** **41 WEST STREET**

#### **Minutes and Record of Votes**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Ann Grasso, Paul Cordone, Nick Demetriades, Robert Donohue

**Absent:** Brian Dufresne, Ken Rozich, John Keithan

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

#### **1. Call to Order**

The meeting was called to order at 7:01pm by Chairman Kelly.

#### **2. Roll Call**

The presence of the above members was noted.

RECEIVED FOR RECORD  
Mar 28, 2023 11:37A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

#### **3. Seating of Alternates**

A motion was made by Michael Cannata and seconded by Paul Cordone to seat Robert Donohue as an alternate. All were in favor; the motion passed.

#### **4. Approval of Agenda**

A motion was made by Michael Cannata and seconded by Robert Donohue to amend the agenda by adding item 9c. Request to grant an extension to the Evergreen Subdivision. All were in favor; the motion passed.

#### **5. Public Comments**

Jason Klein said he is an attorney with Carmody, Torrance, Sandak and Hennessey in New Haven, CT. He said he is here to represent the PN Restaurant Group who had previously submitted an application in July of 2022 for a Popeye's at 195 West Street. He said the group has

nine Popeye's in Connecticut. He said this is a permitted use in this zone. He said there were concerns with the drive thru menu display facing West Street so we pulled the application so we could revise it.

Matthew Bersch of Dynamic Engineering said this site is located at the corner of the parking lot near the intersection. He showed a map of the area of the parking lot and said they have relocated the ordering menu to the other side of the building so it is not so visible. Mr. Bersch explained the cueing stations and circulation pattern. He said they also moved the dumpster away from the adjacent roadway and increased the landscape buffer area.

Mr. Popper told the Commissioners that the applicant will submit a new application with all of these specifications and they would like your feedback on the drive thru. Mr. Donohue asked if the drive thru was still over top of the 10 inch water feed or if that had been rectified. Mr. Bersch said that will be addressed. Mr. Cordone asked if the headlights of those waiting in the drive thru will affect the drivers on Route 3. Mr. Popper said I think they are used to lights coming that way. Ms. Grasso asked if motorists will be able to exit onto West Street and Mr. Bersch said yes. Mr. Cannata said there are no red flags that I can see. Mr. Popper said we will look forward to seeing the application. Attorney Klein said we will start working on it.

**6. Development Compliance Officer Report:**

Mr. Driska said that he has no changes from the report that is in the packages

**7. Director of Planning and Development Report:**

Mr. Popper said it's been quiet since it's winter. He said the Arbor Meadows construction continues and 80 Shunpike will start construction in the spring. He said he expects other projects to start coming in as well.

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

**9. New Business:**

- a. Application #21-32: Scheu Farm Subdivision. Request to reduce portions of the Performance Bond. Reed Builders is the Applicant and the Owner.

Mr. Popper reads Mr. Harriman's email dated February 27, 2023. He said that Mr. Harriman is recommending that the amount to release at this time is \$153,694.40 with interest.

Chairman Kelly asked Mr. Popper if there would be any funds remaining if these were released and Mr. Popper said yes, the appropriate amount would remain.

A motion was made by Michael Cannata and seconded by Ann Grasso to approve the release of \$153,694.40 plus accrued interest for application #21-32. All were in favor; the motion passed.



b. Application #22-45: Request for Site Plan Modification to construct a Texas Road House Restaurant (TRR) at 51 Shunpike Road. HBN-CSC, LLC c/o HB Nitkin is the Applicant and the Owner.

Craig Way of HB Nitkin, 230 Main Street, Greenwich, CT said they own the Cromwell Square Shopping Center and this restaurant will mark the last phase of redevelopment and it has been a labor of love. He said all of the new tenants are happy. Mr. Cannata asked about the site near Citizens Bank and Mr. Way said he would have to look at the parking regulations but possibly a small building could be built there. Chairman Kelly thanked Mr. Way on behalf of the residents. She said this has put us on the map. Mr. Popper asked Mr. Way if he had any new announcements regarding the shopping center and Mr. Way said the storefront adjacent to Sally's will be a Goldfish swim school with a 4 foot deep pool. He said it is a new concept and Goldfish has 4 or 5 sites already in Connecticut.

Mr. Popper asked if there was a timetable for the existing building and Mr. Way said Ruby Tuesday will vacate at the end of the month. Chairman Kelly said she had dinner there and was told the last day would be March 19th. Mr. Way said they had been successful but this concept hasn't done well in a while. He said we will demolish the building and have utilities ready for Texas Roadhouse Restaurant (TRR). Mr. Way said the site will be ready for TRR in about 90 days from when they access the site. He said the Goldfish school might be ready at the end of the year.

Greg Lachik of Alfred Benesh & Company said they will demolish the existing building and will construct a slightly larger TRR at 51 Shunpike Road. He said it will be an 8,000 square foot building and showed the building on the screen. He said they will install new pavement and additional handicap spots. Mr. Lachik said there will be a new loading dock area and new landscaping. He said there will be a reduction in the total impervious areas. He said there will be a covered patio area for patrons while they are waiting for a table. Mr. Lachik said they will have 101 parking spaces but since they are part of the shopping center parking lot they are actually 124 spots over the required number of 106 so a slight reduction of the parking spaces is still considered ok with no significant impact. He said they will tie into the drainage. Mr. Lachik said they will relocate one light pole but all the others will remain as is. He said he expects this to be a very contained construction site and the plans have been reviewed by town staff with all comments from them addressed accordingly.

Jillian Janovsky, of Greenberg Farrow Architecture, said that her company is the national prototype engineer. She showed the building on the screen and said it is a fiber cement siding with a brick veneer at the base. Ms. Janovsky said there is LED lighting at the top but it is very minimal and just makes the top of the building pop. She said the signs shown are actually slightly smaller to meet the zoning requirements. Ms. Janovsky said there will be a separate door for pick up and a window that could be available if we ever had to restrict access indoors. She said there is a dumpster enclosure and an alleyway that matches the building. Chairman Kelly asked about the flags and if the Texas flag was the same height as the US flag and Ms. Janovsky said it is not higher and the flags have up lighting which is required by law since the flags don't come down at night.



Mr. Cordone asked if the loading area was near the roadway in the shopping center and Mrs. Janovsky said the dumpster pick up and food deliveries will be early in the morning. She said there will be 4 dumpsters in the enclosure and it will look seamless from the rest of the building.

Chairman Kelly asked how many seats are in the restaurant and Ms. Janovsky said 290 seats and the patio area is for waiting not dining. Chairman Kelly said since the restaurant opens at 3:00pm there is no lunch service and Ms. Janovsky said lunch is only available on the weekends.

Mr. Popper said we are very excited for this project and said the application has been reviewed numerous times by staff and all of them have signed off on it. He thanked the applicant's team for their efforts. Mr. Demetriades said there was one condition from Mr. Harriman in a memo dated March 1st regarding a long term maintenance plan for the parking lot and stormwater infrastructure.

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve application #22-45 with the condition from Mr. Harriman in a memo dated March 1, 2023 regarding a long term maintenance plan for the parking lot and stormwater infrastructure that the owner shall file annually once it is updated to the Town Engineer and Zoning Officer. The report shall detail the annual maintenance in accordance with the plan by January 31st of the following year. All were in favor; the motion passed.

Mr. Cannata asked Mr. Janovsky about an expected opening date and she said not sure as construction does take a while but she knows it will not be ready by the fall.

- 9c. Mr. Popper asked the Commission to grant an extension of the filing of the mylars for Evergreen subdivision for 180 days.

A motion was made by Michael Cannata and seconded by Robert Donohue to grant an extension of the filing of the mylars for the Evergreen Subdivision for 180 days from today. All were in favor; the motion passed.

**10. Public Hearings:**

- b. Application #23-04: Request for a Special Permit for the Travelers Championship at TPC River Highlands at 1 Golf Club Road. Greater Hartford Community Foundation is the Applicant and TPC of CT Inc. is the Owner

Chairman Kelly reads the public hearing dated February 23, 2023.

A motion was made by Michael Cannata and seconded by Robert Donohue to open the public hearing for application #23-04

Attorney David DeBassio with Hinckley Allen in Hartford, CT, representing the Greater Hartford Community Foundation said the tournament has been a massive success and it is now designated as a PGA tour designated event. He said all of the net proceeds continue to go the charity. Attorney DeBassio said this year's event will have an elevated purse.

Kevin Harrington of the Greater Hartford Community Foundation in Hartford, CT said the event will take place from June 19th to June 25, 2023 with fans permitted from Wednesday through Friday that week. He said they will have 3 admission gates and not many parking changes. He said they haven't received approval from Woodside Elementary yet but they hope to use the lot for the ADA lot and said I don't anticipate any issues. Mr. Harrington showed the construction summary and said they plan to start construction earlier than past years but they will still fall within a 10 week timeline. He said the only revisions to the previous conditions are the date changes to reflect the current year.

Chairman Kelly said the 5:00am start time beginning June 12th is an amendment. Mr. Harrington said no, it has always been a 5:00am start time. Mr. Popper handed out the approval letter from 2022 to the Commissioners. Mr. Demetriades asked why they have to have a 5:00am start time until July 1st and Mr. Harrington said it is unlikely they will need to start at that time until July 1st but I am hesitant to change it. Mr. Cambareri said it would be good to pay attention to that this year. Mr. Demetriades asked that they use consideration on this.

Mr. Donohue said a resident reached out to me regarding gate 5/6. Mr. Harrington said those gates will be relocated but still on Field Road. He said it will just be reengineered, not eliminated.

Chairman Kelly asked for any public comments.

Brian Waldmiller of 48 Field Road, Cromwell, CT said he commends the Travelers and asked if the Competitions Committee requested moving 5/6 or were there concerns from the town or residents. He asked if they were moving the entrance into the premises and would they allow retry by fans.

Don Heizman 50 Field Road, Cromwell, CT said they should have quiet signage outside the gate to show that golfers are right there in play.

John Schmalz, 4 Northbridge, Cromwell, CT read points of his memo to the Commissioners and said the crowd barricades, lack of DOT pavement markings and ornamental planting makes pedestrian movements unsafe. He said that Mr. Harrington has his memo outlining concerns and possible solutions.

Brian Waldmiller, 48 Field Road, Cromwell asked if they had plans for litter control outside of the fencing area.

A break was called at 8:18pm to change the recording tape.

Chairman Kelly called the meeting back to order at 8:21pm.

Attorney David DeBassio said we are always looking at what is safer for our patrons. He said we can't commit to moving the barriers but we will look at the options. He said the shrubbery issue is not new and they are groomed by the TPC. He said we are renting the facility for the tournament and are guided by the Police and Fire Department along with EMT's. Attorney



DeBassio said we will have a conversation with the TPC. Mr. Cannata asked if the residents could approach the TPC and ask them to remove the shrubbery. Attorney DeBassio said I haven't seen the homeowner's regulation but I would say probably. Mr. Cannata told Mr. Schmaltz to ask the TPC about that. Mr. Schmaltz said the homeowners can make that request but the barricades and paint lines are my bigger concern.

Mr. Cambareri said the Travelers should work with the police on this.

Attorney DeBassio said as far as litter control we will make it a priority and ask for more diligence in this area.

Chairman Kelly asked about the port a potty near the neighbors and Mr. Harrington said we should be able to get to Glenwood Terrace sooner. He said that we have talked to the resident there and can usually accommodate her concerns with easy fixes. Mr. Cordone said I thank you for that.

A motion was made by Michael Cannata and seconded by Chris Cambareri to close the public hearing for applications #23-04. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve application #23-04 with the same conditions of the previous approval letter dated March 17, 2022 with the appropriate date changes to accommodate the year 2023. All were in favor; the motion passed.

**11. Commissioner's Comments:**

**12. Approval of Minutes:**

**a. December 6, 2022**

A motion was made by Michael Cannata and seconded by Robert Donohue to approve the minutes of December 6, 2022. Chairman Kelly, Michael Cannata, Ann Grasso, Chris Cambareri, Robert Donohue approved; Paul Cordone and Nick Demetraides abstained. All were in favor; the motion passed.

**b. January 17, 2023**

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve the minutes of January 17, 2023. Chairman Kelly, Michael Cannata, Paul Cordone, Chris Cambareri, Robert Donohue approved; Ann Grass and Nick Demetraides abstained. All were in favor; the motion passed.

**c. February 7, 2023**

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve the minutes of February 7, 2023. Chairman Kelly, Michael Cannata, Ann Grasso, Chris Cambareri,

Robert Donohue approved; Paul Cordone and Nick Demetraides abstained. All were in favor; the motion passed.

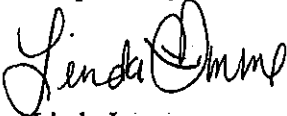
d. February 21, 2023

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve the minutes of February 21, 2023. Chairman Kelly, Michael Cannata, Ann Grasso, Paul Cordone, Chris Cambareri approved; Robert Donohue and Nick Demetraides abstained. All were in favor; the motion passed.

**13. Adjourn:**

A motion was made by Michael Cannata and seconded by Paul Cordone to adjourn at 8:35pm. All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Linda Imme".

Linda Imme  
Recording Clerk