



Town of Cromwell Planning and Zoning Commission

***REGULAR MEETING
7:00 P.M. TUESDAY OCTOBER 3, 2023
COUNCIL CHAMBERS CROMWELL TOWN HALL
41 WEST STREET***

Minutes and Record of Votes

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Nick Demetriades, Ken Rozich, Robert Donohue, Douglas Kalinowski, John Keithan

Absent: Ann Grasso, Brian Dufresne, Paul Cordone

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

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.

3. Seating of Alternates

A motion was made by Michael Cannata and seconded by John Keithan 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 Nick Demetriades to approve the agenda. All were in favor; the motion passed.

5. Development Compliance Officer Report:

Mr. Driska asked the Commissioners if they would like him to revise his report to show only current applications and the Commissioners agreed to delete the older applications from the report and only report on current applications.

6. Director of Planning and Development Report:

Mr. Popper said there is not much new business to report. He said Auto Zone will be here at the next meeting. Mr. Cannata said that Horton Brass recently closed down.

7. New Business Accept and Schedule New Applications:

- a. Application #23-34: Request for a Special Permit under Section 2.2.D.4 of the Zoning Regulations to allow for the conversion of a two family house to a three family house at 380 Main Street in the R-15 Zone District. Steven Nardiello is the Applicant and Paige L.Duprey is the Owner.

A motion was made by Michael Cannata and seconded by Robert Donohue to accept and schedule application #23-24 for a public hearing on November 9, 2026. All were in favor; the motion passed.

8. New Business:

- a. Application #23-35: Request for a Site Plan Modification for the construction of the new middle school and administrative offices in a Residence Zone District at 9 Captain James Mann Memorial Drive. The Town of Cromwell Board of Education is the Applicant and the Town of Cromwell is the Owner.

Mr. Popper asked the Commissioners for a motion to amend the agenda so the public hearing can be heard before the new business.

A motion was made by Michael Cannata and seconded by John Keithan to amend the agenda to hear the two public hearings before new business. All were in favor; the motion passed.

9. Public Hearing:

- a. Application #23-29: Request for a Special Permit under Section 3.5.C.4 of the Zoning Regulations to allow for the outside storage of trucks, trailers and construction equipment at 150 Sebethe Drive. Alvin Ravizza is the Applicant and RANDA LLC is the Owner.

Mr. Rozich read the public hearing notice dated September 20, 2023.

A motion was made by Michael Cannata and seconded by Chris Cambareri to open the public hearing for application #23-29. All were in favor; the motion passed.

Robert Gallitto said he is one of Mr. Ravizza's tenants and he is helping him with this process. He said they would like to obtain a special permit to allow semi-trucks to rent a parking space on the property. Mr. Gallitto handed Mr. Popper a list of renters that rent Mr. Ravizza's properties.

Mr. Popper read the memo from Mr. Driska dated September 27, 2023. Mr. Popper told Mr. Gallitto that they need to be informed of any changes. He said that the existing manholes need to

be identified and renters advised not to park on the manholes. He said that Mr. Palmieri has asked that bollards be installed to protect the existing fire hydrants.

Mr. Cambareri asked if each tenant has to apply for a use permit and Mr. Driska said yes, we would do that at staff level. Mr. Gallitto asked if each trucker needs to get a permit since they stay for varied lengths of time and sometimes it is only for a week or two. Mr. Driska said we can work with them on doing that. Mr. Popper said somehow, we need to keep a record of this. He suggested that each month Mr. Ravizza gives them a list of who is renting there. Chairman Kelly said we can let town staff work that out. Mr. Cannata said it should be staff level approval for all rentals with monthly updates. Mr. Gallitto said Mr. Ravizza can comply with that.

Chairman Kelly asked for any members who wanted to speak regarding this application.

Joseph Piccolello said he owns 133 and 135 Sebethe Drive for 33 years. He said he has no problems with the trucks there and actually likes it. He said there is action there at night to help deter theft. He said he had a theft there last year so he doesn't mind and they are mostly gone by the morning.

Chairman Kelly said she took pictures on Sunday and the trucks were mostly gone by Monday. She said they were neatly parked and they should keep it that way.

Mr. Driska said he has a problem with the junk items there so it's important to know that I expect compliance with removing the burnt out, crashed vehicles. He said the town will be enforcing this. Mr. Gallitto said some of the people who rent there do not consider those items junk. Mr. Popper asked if they are registered vehicles and Mr. Gallitto said no, but they are items people would like to restore one day. Mr. Popper said I understand, but junkyards are not allowed and those vehicles are beyond being restored. He said the situation has gotten pretty bad and it is a large site containing a lot of junk. Mr. Popper said Mr. Ravizza has advised the town to contact his tenants so that is how we are moving forward. Chairman Kelly asked if they could build a container for them. Mr. Driska said this parcel abuts residential areas and they are the ones who contacted us about this since it is an eye sore. He said our regulations classify it as junk and it has to be in a building. Mr. Gallitto asked if a shipping container would be sufficient and Chairman Kelly said no. Mr. Gallitto said but this is the industrial zone and Mr. Driska said but it abuts residential and you abided by certain regulations when permits were issued. He said I suggest a one year permit review as a condition of approval.

Mr. Marek Duk, 5 Kelly Lane, Cromwell said I pay \$14,000 in taxes and I shouldn't have to look at a junkyard. He said it is very noisy on Sundays as well. He said that you need a permit from the DMV to open a junkyard.

Chairman Kelly said it is difficult when residential backs up to industrial. Mr. Gallitto said I took pictures from the site and you can't see the residential area. He said Mr. Ravizza pays \$80,000 in taxes and needs to recoup some of that money by rentals. Mr. Gallitto said you can't take away the industrial zone. Chairman Kelly said we aren't saying that but it does need to stay neat and vehicles need to stay inside. Mr. Gallitto said we will help Mr. Ravizza clean up when we are slow this winter. Mr. Cambareri said you are good a tenant and I appreciate how you

maintain your lot.

Mr. Driska said I advised any complaints of noise not within normal operating procedures to be addressed with the Cromwell Police Department. He said we will address the junk.

A motion was made by Michael Cannata and seconded by Chris Cambareri to close the public hearing for application #23-39. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve application #23-29 with the memos from Bruce Driska dated September 27, 2023, Joe Palmieri dated September 25, 2023 and Daniel Parisi dated September 28, 2023 be adhered to, all rentals must be approved by town staff with monthly updates and a one year staff level review at time of renewal. All were in favor; the motion passed

b. Application #23-31: Request for a Special Permit under Section 7.5.A of the Zoning Regulations to permit a restaurant with the sale of alcoholic beverages at 546 Main Street in the Local Business Zone District.

A motion was made by Michael Cannata and seconded by Chris Cambareri to open the public hearing for application #23-31. All were in favor; the motion passed.

Mr. Jeffrey Bausch, an Attorney with Updike, Kelly and Spellacy said this restaurant is located in the former site of the Well Tavern and it is in the Local Business Zone district. He said the intent is for it to remain a restaurant with some renovations. Chairman Kelly asked if there would be any changes to the building.

Mr. Robert Begen, 3 Geer Street, Cromwell said he is planning on restoring the building inside and out and hopes to bring it back to life. He said it will be a restaurant that serves alcoholic beverages. Mr. Driska handed out the site plan and staff comments. Mr. Popper said that they are proposing 43 seats so they require 7 parking spots. He said they are 3 short so the owner of the Asian Market agreed to provide him with parking.

Mr. Popper read the staff comments and said the agreement with the Asian Market should be for a minimum of 10 spaces and should be filed with the land records prior to a CO being issued. He said the agreement will be an easement on the land record. Mr. Begen said there is a handicapped spot in the back and I am going to try to install a walkway from the spots in the parking lot to the back door. He said there is a 4 foot wall there but he is unsure who the owner of the wall is. Mr. Rozich said an alternate idea would be to block off the path from the parking lot to the back door and instead maintain the parking lot and have people walk around the front. Mr. Begen asked if he could remove the guardrail in front of the building and Mr. Popper said that it is on private property. Mr. Cannata said it has been there a long time.

Mr. Popper said that once Mr. Begen decides the best route from the parking lot to the entrance then he can come to staff for approval. He asked Mr. Begen what type of liquor license he is applying for and Attorney Bausch said to permit a restaurant with the sale of alcoholic beverages.

Chairman Kelly asked for any members of the public who wanted to speak regarding this application. No one came forward.

A motion was made by Michael Cannata and seconded by John Keithan to close the public hearing for application 23-31. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to approve application #23-31 with the condition that a minimum of 10 spaces be rented from the adjoining property and the applicant will provide safe access from the leased area to the restaurant. All were in favor; the motion passed.

Chairman Kelly called a break at 8:00pm to change the recording tape.

Chairman Kelly called the meeting back to order at 8:05pm.

At this time, new business Application #23-35 was heard. Request for a Site Plan Modification for the construction of the new middle school and administrative offices in a Residence Zone District at 9 Captain James Mann Memorial Drive. The Town of Cromwell Board of Education is the Applicant and the Town of Cromwell is the Owner.

Ms. Rosanna Glynn told the Commissioners that they were told to go back to find additional options for the entrance to the construction site. She said they were able to identify the secondary entrance left to the current middle school entrance on Geer Street as good solution and proposed it be a gated entrance. Ms. Glynn said on September 14th, Town Engineer Jon Harriman sent me an email saying it was ok to move the entrance 700 feet north on Geer Street to Herbert Porter Road. She said we had no issue with this as it was safer for the children. Ms. Glynn said the town did have concerns with the road itself and didn't think it could sustain the traffic. She said we agreed to fix or replace the road as needed at the end of the project because managing the traffic on Geer Street all year long would have been problematic. Ms. Glynn said she later received an email from Mr. Popper and he said a meeting had been held by town staff and it was decided that the construction entrance would be on Geer Street. She said there was no representation from the Building Committee or from the hired construction professionals at this meeting.

Mr. Tom DiMauro, Newfield Construction said it is not viable to use the same entrance as the school for the construction entrance. Ms. Glynn said if you don't approve the Herbert Porter Road entrance then we will have to go back to the drawing board. She said I worry about children walking on the Geer Street entrance.

Mr. Rozich said the original site plan request was under the direction of the Town Engineer and now it has changed based on the town staff comments.

Mr. Cannata said if there was not any representation from the Building Committee or construction team than that is not playing nice. He said Newfield Construction's plan is a huge improvement over the previous plan. Mr. Cannata told Ms. Glynn that this should be tabled while the building committee goes back to the town staff. Ms. Glynn said we have never built on

existing property before and this is the safest option for the children. She said I do not know what perpetuated the change from Friday's email especially without notifying us that something was wrong. Ms. Glynn said they are losing \$100,000 per week while this gets worked out.

Mr. Rozich said some of the conditions listed on the notes from the town staff meeting on September 29, 2023 do not make sense and I would like to hear why the staff came up with this list. He said I'm not sure either plan works so you both may have to compromise. Ms. Glynn said I would love to know why they changed their minds. Chairman Kelly said that Mr. Popper sent you a certified letter so don't say you don't know why. Mr. Cannata said I can't go against the staff. Mr. Popper said I will offer to set up a meeting as soon as possible with the building committee and town staff. Ms. Glynn asked him to include Dr. Macri as well.

Mr. Popper asked Ms. Glynn to let him know who the 24/7 contact person is for all matters during construction and for now the point person for all planning matters.

The Commission members discussed the proposed accesses to the site. The Commission members recommended that the town staff and school building committee and their consultants meet again to iron out their differences and agree on the access to the site.

10. Commissioner's Comments:

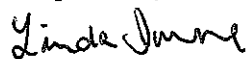
11. Minutes:

- a. May 4, 2023 - tabled
- b. July 18, 2023 - tabled
- c. August 15, 2023 - tabled

12. Adjourn:

A motion was made by Michael Cannata and seconded by Chris Cambareri to adjourn at 8:34pm. All were in favor; the motion passed.

Respectfully submitted,



Linda Imme
Recording Clerk