



## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY AUGUST 4, 2015**  
**ROOM 224 CROMWELL TOWN HALL 41 WEST STREET**

### Minutes and Record of Votes

**Present:** Chairman Alice Kelly, Michael Cantata, Ken Slade, Rich Waters, Ken Rozich, Brian Dufresne, Chris Cambareri, Alternate Fred Hayward, Alternate Jeremy Floryan

**Absent:** Paul Cordone, Nick Demetriades

**Also Present:** Town Planner Stuart Popper, Town Engineer Jon Harriman

#### 1. Call to Order

The meeting was called to order by Chairman Kelly at 7:03pm.

#### 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 Ken Rozich to seat Jeremy Floryan and Fred Hayward as alternates. *All were in favor; the motion passed.*

#### 4. Approval of Agenda

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to approve the agenda with the amendment of adding 8 c. appoint Fred Curtin as interim, temporary ZEO and 8d. release restrictive covenants from lots 21 & 38 at Northwood Estates. *All were in favor; the motion passed.*

Mr. Popper also said that he received an email from Attorney Petrella saying that he is withdrawing the application on behalf of the Fire District so there is no public hearing tonight. He said unless a new application is received this will be removed from all future agendas.

#### 5. Public Comments - none

**6. Development Compliance Officer Report:**

**7. Town Planner Report:**

Mr. Popper said the party rental store will be in front of Wetlands tomorrow. He said I'm asking if you want to consider this application or let the staff review. He said they are looking to add a 5,000 square foot addition to the rear of the property. Mr. Popper showed the area on a map and said it will be used for storage. He said it is in the upland review area. He said I am asking if you think it needs a site plan modification. Mr. Cannata asked if the parking or landscaping will be affected and Mr. Popper said no. Chairman Kelly asked if everyone was Ok with letting staff handle and the Commissioners said yes.

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to let staff approve the addition at Edgewood Rentals. *All were in favor; the motion passed.*

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

- a. Section 8-24 Mandatory Referral to make improvements to Valor Green Park.
- b. Application # 15-33: Request for a Site Plan modification to construct improvements to Valor Green Park. The Town of Cromwell is the Applicant and the Owner.

Jon Harriman, Town Engineer said they will be proposing interior improvements to Valor Green Park. He said this park is located on the East side of Main Street south of the Seminary. He said we are generating donations for upgrades. He said Public Works will assist and add parking. He said the parking will be 2 ADA spots on Fitch Lane and 4 parallel spots on Prospect Hill Road. He said this referral isn't for the improvements. He said the work should be completed in mid-October. Mr. Waters asked if any trees will come and Mr. Harriman said no, we are not anticipating any disturbances. He said if we do we would look into a new root cutting system.

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to issue a favorable 8-24 referral for Valor Green Park. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Ken Rozich to approve application 15-33. *All were in favor; the motion passed.*

- c. Appoint Fred Curtin as interim part time temporary ZEO

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to appoint Fred Curtin as interim part time temporary ZEO. *Alice Kelly, Michael Cannata, Ken Slade, Ken Rozich, Brian Dufresne, Chris Cambareri, Fred Hayward, Jeremy Floryan approved; Rich Waters opposed. The motion passed.*

- d. Release restrictive covenants for lots 21 & 38 at Northwoods Estates

Mr. Popper said that staff has no issues with this.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to release restrictive covenants for lots 21 & 38 at Northwoods Estates based on staff recommendations. *All were in favor; the motion passed.*

**9. Old Business:**

- a. Application # 15-30: Request for a Site Plan Modification to maintain and reconstruct the TPC River Highlands Golf Course at 1 Golf Club Road. GZA Geo Environmental is the Applicant and Tournament Players Club of CT, Inc. is the Owner.

Nate Russell, Engineer at GeoEnvironmental said these modifications won't alter the character of the course just improve playing surfaces and drainage. He said sand traps will also be replaced. He said the major changes will be the retaining walls and he showed the areas on the map. Mr. Russell also said there will be cart path realignment. The work will start in the Fall and will be complete by Spring 2016. He showed the construction laydown and entrance/exits locations. He said they will try to limit disturbances around the typical pick up, drop times for school. He said they will use sani-cans for the workers. Mr. Russell said the PGA is looking to increase playability and some of the work is maintenance. He said they will limit traffic to midday to the extent that is possible. Mr. Cannata asked that they be sensitive to the neighbors and Mr. Russell said they plan to work from 7:00am – 6:00pm Monday through Saturdays with Sundays as needed. He said the golf course already has waiver to start maintenance at 6:00am.

There was a question about laydown and Mr. Russell said that is the storing of materials needed for construction. Chairman Kelly asked that they store the port a potty's away from residences as much as possible. Mr. Russell said the stop time in the Fall will be based on weather.

Mr. Hayward asked Mr. Harriman if this required bonding and Mr. Harriman said one is not warranted since it is not enough volume.

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to approve application 15-30. *All were in favor; the motion passed.*

Mr. Hayward asked if Algonquin was notified and Mr. Russell said yes, but there is limited ground disturbance activity.

- b. Application # 15-15: Request for a Site Plan modification to construct additional parking spaces at 24 Shunpike Road. Donuts Mattabasset Realty is the Applicant and Mattabassett Realty, LLC is the Owner.

Mr. Popper said this has gone before Wetland and was approved.

Jim Sakonchick, Engineer with Kratzert, Jones and Associates said the original plan was approval for another building in addition to the Dunkin Donuts. He said the owners have decided not to build another building but expand the existing use. He said they will use old entrance and

arrange it so larger vehicles can park and easily leave the area. He said we will repave existing pavement and pave where the building was. He said we will reconfigure the existing drive-thru and parking spaces. Mr. Popper said that Mr. Hayward has some landscaping concerns. Mr. Hayward said the upgraded tree type and calipers meets the request. Mr. Sakanochick said that some islands will have light fixtures. Mr. Hayward said you have listed some incorrect rhododendron species. Mr. Sakanochick said we will accommodate any conditions of approval you might make in your motion.

There was a discussion on entrances and exits wide enough for trailers. Mr. Cambareri asked if the new entrance was close to the traffic lights and if the Police Chief signed off on it. Mr. Popper said yes, he did sign off on it. Chairman Kelly said she finds the parking spaces in front very dangerous and she doesn't know why it was ever approved like that. She said when people back out of the handicap spaces they pulling into incoming traffic. There was discussion on some possible alternatives.

Mr. Popper read a memo from the Town Engineer saying he would like the storm water management system cleaned and maintained with a report due by January 31 of the following year. Mr. Sakanochick said they agree.

There was a discussion on how the parking lot would be constructed and Mr. Harriman said the town has no specifications on how parking lots are constructed.

A **motion** was made by Michael Cannata and **seconded** by Ken Rozich to approve application 15-15 subject to a report submitted by January 16, 2016 for the cleaning and maintenance of the storm water management system and to the landscaping plan being reviewed by Mr. Popper with assistance from Mr. Hayward. *All were in favor; the motion passed.*

Jon Harriman left the meeting.

A recess was called at 8:04pm and the meeting was called back to order at 8:11pm.

#### 10. Public Hearing:

- a. Application #15-24: Request for a Special Permit to install a public safety antenna at 179 Shunpike Road. Aecom is the Applicant and the Cromwell Fire District is the Owner. **Withdrawn**
- b. Application #15-25: Request to amend the Zoning Regulations to create a new Regulation to permit multifamily housing in the Residential Zones. Diane Whitney C/O Pullman Comely is the Applicant.

Mr. Cambareri recused himself from application 15-25.

Attorney Diane Whitney said they are looking for an amendment to permit additional housing alternates. She said this float zone will allow alternatives for housing in Cromwell. She said if

this zone was approved an application would have to come forward to apply this new zone to a particular area. She said you currently have similar zones in your regulations including Active Adult housing zone, Institutional and Mixed use. There was a discussion on requirements and how the proposal would be consistent with the current development. She said this would attract empty nesters, young professionals. She said the housing is not meant to be affordable or low income. She said the infrastructure would be built to town standards. She said the process would be to present a conceptual plan with an application to place the zone on a property. Then the applicant would come back for a special use and site plan application for a public hearing.

There was a discussion on the handout. Mr. Cannata asked what the word surrounding meant in sections 4.7.E. Attorney Whitney said my thought was to leave that to your decision making as you might prefer to make that decision. There was a discussion surrounding other terms that might be used. Mr. Rozich said general vicinity might work and Mr. Popper said fine. Attorney Whitney said that they will change it in all places.

Jim Cassidy, Hallisey, Pearson and Cassidy said that any road systems would be built to town specifications. He also discussed some other sites that he had listed at the last meeting as possible candidates for the new zone.

Mr. Cannata asked what the legal standing was as far as offsite improvements were concerned in any conditions they might impose. He asked if we could we require intersections improvements. Chairman Kelly said state statutes say the Commission can't approve or deny an application due to offsite improvements. Attorney Whitney said this is a hotly debated issue and they can deny if it impairs safety and welfare of the residents. Mr. Rozich said you can address it a public hearing and deny the application if they choose not to address the issues. Attorney Whitney said many developers will choose to work with the Town Planner and address any issues.

Mr. Dufresne confirmed it had to be like housing and Attorney Whitney said yes. He asked if it can be mandated section 8 housing and Mr. Rozich said that is always up to the landlord. Mr. Dufresne said that Rocky Hill is using these zones and asked if there was any proof to the economic growth. Attorney Whitney said yes, people are looking for this type of housing and there is a demand for it.

Mr. Popper said that on page 4 traffic is missing in granting special permit allowances. He said we many need to change the wording of the regulations. Chairman Kelly also asked what does substantial justice done mean. Attorney Whitney said these are your regulations and she wasn't sure. She said she would work with Mr. Popper on adding traffic safety to the clause.

Mr. Popper said that any members not here will need to listen to the tapes they missed so they can vote at the next meeting. He said they will extend the public hearing to August 18th to allow for this. Mr. Rozich said he needs the July 7<sup>th</sup> tape.

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to continue to the public hearing for application 15-25 until August 18, 2015. *All were in favor; the motion passed.*

- c. Application #15-26: Request to amend the Zoning Regulations to add single family house and accessory uses to the Section 3.1, Downtown Cromwell District of the Zoning Regulations. Town of Cromwell Planning and Zoning Commission is the Applicant.

Mr. Popper said that we reviewed this at our last meeting.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 15-26. *All were in favor; the motion passed.*

**11. Approval of Minutes:**  
**a. July 7, 2015**

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve the minutes of July 7, 2015. *All were in favor; the motion passed.*

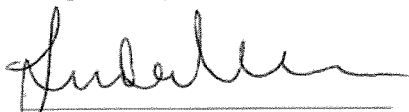
**12. Commissioner's Comments:**

Fred Hayward said his house is for sale and he will be leaving the Commission. He said Dave Fitzgerald is here and is looking to fill this position.

**13. Adjourn**

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to adjourn at 9:00pm. *All were in favor; the motion passed.*

Respectfully Submitted,



Linda Imme  
Recording Clerk