

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
7:00 PM THURSDAY, SEPTEMBER 20, 2018  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
AMENDED MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Chris Cambareri, Ken Slade, Paul Cordone, David Fitzgerald (alternate)

**Absent:** Ken Rozich, Nicholas Demetriades, Brian Dufresne, John Keithan (alternate)

**Also Present:** Director of Planning and Development Stuart Popper, Town Engineer Jon Harriman, Development Compliance Officer Bruce Driska, Town Council members Myron Johnson and Samantha Slade

1. **Call to Order:** The meeting was called to order by Chairman Kelly at 7 p.m.
2. **Roll Call:** The presence of the above members was noted.
3. **Seating of Alternates:** Michael Cannata made a motion to seat David Fitzgerald; Seconded by Chris Cambareri. *All in favor; motion passed.*
4. **Approval of Agenda:** Michael Cannata made a motion to approve the agenda as presented; Seconded by Paul Cordone. *All in favor; motion passed.*
5. **Public Comments:** None
6. **Development Compliance Officer Report:** Mr. Driska asked if there were any questions or comments on his report. There were none. He provided photographs to the Commission showing the progress of construction at the TPC Clubhouse. He said that the concrete was poured at the warehouse at County Line Drive and that the development was proceeding on schedule. He said that plans for the library renovation were being reviewed and that work was continuing on the ShopRite. Mr. Popper said that the roadway was out to bid, to start in the fall. They would be making improvements to Shunpike Road from the driveway to Route 372.
7. **Town Planner Report:** Mr. Popper referenced the new applications to be accepted and scheduled tonight.

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

- a. Application #18-61: Request for Site Plan approval for the façade and signage at the Marshal's Store at 45 Shunpike Road. Taylor Associates – Architect is the Applicant and HBN-CSC LLC c/o HB Nitkin Group is the Owner.

Michael Cannata made a motion to accept Application #18-61 and to schedule it as a business item for the October 2, 2018 meeting; Seconded by Chris Cambareri. *All in favor; motion passed.*

- b. Application #18-62: Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit a school for training in occupational skills at 45 Shunpike Road. HBN-CSC LLC c/o HB Nitkin Group is the Applicant and Owner.

Michael Cannata made a motion to accept Application #18-62 and to schedule a public hearing for October 16, 2018; Seconded by Chris Cambareri. *All in favor; motion passed.*

## **9. New Business:**

- a. Application #18-55: Request for Site Plan approval for the construction of a 125-room hotel at 76 Berlin Road. AVA Group is the Applicant and Cobblestone Associates, LLC is the Owner.

This application was heard as part of the public hearing for Application #18-54.

- b. Application #18-56: Request to modify the existing Subdivision at Shady Lane. Shady Lane Farm, LLC is the Applicant and Owner.

Justin Packard, Project Engineer, with the firm of Hallisey, Pearson and Cassidy Engineering Associates, Inc., presented the application. He said that he was representing Shady Lane LLC. He reviewed the property location of the subdivision, which is located between Evergreen Road and Congress Drive. It contains fifteen lots over 22 acres in the R-40 zoning district. Thirteen lots front on Shady Lane and two on Evergreen Road. He reviewed the three open spaces, A, B, and C, and said that there were three conservation easements on site.

Mr. Packard said that they were proposing to swap Lot 15 with Open Space B, making Lot 15 an open space area contiguous with Open Space A and making the current Open Space B into the new proposed Lot 15. Lot 15 on Evergreen Road is currently about .8 acres in size and contains a conservation easement. The Open Space B is about 1.5 acres and fronts on Shady Lane. He showed the new proposed Lot 15, with a schematic house layout and shaded to show the conservation

easement, which was for the protection of the wetlands to the rear of the lot. He said that all drainage from impervious coverage would run to a catch basin in Shady Lane. The benefit to the town would be that the homeowner, not the town, would have to maintain the 1,500 feet of sidewalk during snow and ice events. The newly proposed Lot 15 was also now better connected to the rest of the subdivision neighborhood and on a quieter street.

Mr. Popper said that this subdivision modification application required a permit from Inland Wetlands, which they received. The permit allows for the construction of a house and associated improvements within the Upland Review Area.

Mr. Harriman said that he had no comment at this time. He would review the formal site plan. He said that the Public Works Department was in favor of the swap as far as it concerned the snow and ice removal from the sidewalks.

Chris Cambareri agreed with Mr. Harriman's comments. Paul Cordone asked if the new lot owner knew about maintaining the sidewalks and where the property line ends for maintenance. Mr. Packard said that the developer is aware of the snow and ice removal and that the lot was not yet sold to a third party. It was clarified that the entire sidewalk is along the proposed property line. Chairman Kelly asked about the conservation easement, if the treeline was being kept and if the buildable area/square meet the requirements. She was told that the easement runs on the property, that the treeline was being kept, that the buildable area was .408 acres, and that it meets the requirements of a buildable square.

Mr. Driska said that the Project Engineer has received his previous comments, noting that a minor correction had to be made prior to the filing of the Mylar.

Michael Cannata made a motion to approve Application #18-56, Request to modify the existing Subdivision at Shady Lane, Seconded by Chris Cambareri. *All in favor; motion passed.*

## **10. Public Hearings:**

Chairman Kelly read the legal notices for the public hearings scheduled for tonight.

- a. Application #18-49: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to permit private garage facilities greater than 1000 square feet at 27 Fawn Run. Bryan Zerio is the Applicant and Elaine M. Zerio is the Owner.

Michael Cannata made a motion to open the public hearing; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Mr. Popper said that the Zoning Regulations restrict garage facilities to 1,000 feet. This property was .97 acres, contained a single family home on the south side of

Fawn Run, in the R-25 district, and a freestanding 576 square foot garage was proposed.

Bryan Zerio, 27 Fawn Run, presented the application. He has a two-car garage already, and with the proposed detached garage, the total square feet would be 1,148, which is 148 square feet over the limit. He submitted the mailing receipts and presented a manufacturer's cut sheet of the proposed garage. He said that he planned to use pavers to connect to it, instead of paving a driveway area, and planned to use it for garaging cars, bicycles, and lawn equipment.

Michael Cannata made a motion to close the public hearing; Seconded by Chris Cambareri. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-49, Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to permit private garage facilities greater than 1000 square feet; Seconded by Ken Slade. *All in favor; motion passed.*

- b. Application #18-52: Request for Resubdivision at 113 Berlin Road. Ganesha Hospitality LLC is the Applicant and the Owner.

Chairman Kelly called for the opening of the public hearing.

Justin Packard, Civil Engineer with Hallisey, Pearson & Cassidy Engineering Associates, Inc., presented the application. He submitted an Affidavit regarding the public hearing sign, and the Certificate of mailing. He gave an overview of the 4.3-acre site at 113 Berlin Road, in the highway business zone, consisting of 4.3 acres, and reviewed the abutting property owners. He said that the site currently contains a 77 room 3-story Quality Inn and 66 parking spaces. There is a one-way access drive running clockwise around the property and a gravel lot to the west of the hotel. He reviewed the drainage, saying that there are a series of catch basins on the hotel site, but not on the gravel lot, and the runoff runs south, discharging to the river. He said that there is about 25,000 square feet of wetlands bordering the river to the south.

The applicant was proposing to split the lot into two lots, a 2.45-acre lot containing the Quality Inn and parking (Lot 3-2) and an 1.86-acre gravel lot (Lot 3-1). They would be adding in three street trees along the frontage. He reviewed the bulk requirements, showing that each of the new proposed lots met the requirements. Mr. Packard said that they were not proposing a building on the gravel lot at this time, but did show a schematic plan for the potential development of an 80-room hotel.

Mr. Packard reviewed the proposed changes to the existing hotel site, namely the expanded parking area to the east, the two way access drive, and expanded landscaped islands. He said that 157 parking spaces were required and 163 were

proposed. This schematic development would require a parking easement in favor of Lot 3-1 and an access easement in favor of Lot 3-2. Mr. Packard said that this hotel development was just a schematic to show development potential, but that any development would improve the site as far as its visual appearance and in terms of drainage.

Mr. Harriman said that he had no comment on the subdivision plan. Chairman Kelly reiterated that they were just discussing splitting the lot. Mr. Popper said that the applicant just had to show that something fit on the newly created lot and that they could meet parking and setback requirements and provide utilities. He said the property owner cannot sell the lot until it is a freestanding lot. He said that there might not even be a problem with parking, depending on the development proposed.

Michael Cannata made a motion to close the public hearing; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-52, Request for Resubdivision at 113 Berlin Road; Seconded by Paul Cordone. *All in favor; motion passed.*

Chairman Kelly asked Mr. Popper to purchase two laser pointers for use at future meetings.

- c. Application #18-54: Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit the construction of a 125 room hotel at 76 Berlin Road. AVA Group is the Applicant and Cobblestone Associates, LLC is the Owner.

Michael Cannata made a motion to open the public hearing for Application #18-54 and Application #18-55, Seconded by Paul Cordone. *All in favor; motion passed.*

Brandon Handfield, Professional Engineer with Yantic River Consultants, LLC, in Lebanon, Connecticut, introduced the applicant, Ajesh Patel from AVA Group, and submitted the Certificate of Mailing and Affidavit.

Mr. Patel provided background on AVA Development Group, saying they are hospitality developers based in New Jersey. He said that Marriott was working to increase its supply in Connecticut and they had been studying the markets for about eighteen months. He said that a Springhill Suites was proposed, which was an upper tier suites product. It would have 125 rooms as well as an indoor pool, gym, breakfast area, and nighttime lounge available to hotel guests only. He showed a rendering of the design, with blue and beige coloring and an EFIS (stucco-type) façade.

Mr. Popper asked how the site was selected. Mr. Patel said that they look at demand generators and that this site is to attract Monday through Thursday business travelers. He said that there were not any conference facilities nearby, but lots of corporate parks. Business travelers tend to want suites. They were not proposing any banquet facilities, but there would be a small boardroom.

Mr. Cannata asked Mr. Driska if the comments in his memo had been addressed and was told yes. Mr. Handfield said that the revised plans addressed all staff comments and submitted a letter in response.

Mr. Handfield began by reviewing the site location at 76 Berlin Road and abutting properties via an aerial photograph. He said it was 4 acres in size, with a stabilized riprap wall to the rear. He reviewed the main driveway and traffic controls as well as the right in/right out closer to the daycare to the west. He said all utilities were present at the site.

A 20,000 square foot, 4-story, 125-room hotel was proposed. The site would follow the existing retaining wall for the most part, but they planned to go into the slope about 18 horizontal feet (12 vertical feet) in the development of the rear accessway. They had contacted a geotechnical engineer to oversee that part of the development. There was a brief discussion regarding the concerns of impacting the slope and Mr. Handfield said that they had already contacted the original engineer, Max Welti.

Mr. Handfield said that that they would be providing a connection to the day care via a 24-foot driveway. Mr. Cannata asked Mr. Popper to review the original approvals regarding the accessway for the daycare to ensure that the intentions of the original conditions will be met. Mr. Handfield summarized the Traffic Impact Statement by saying that there will not be any noticeable impact on the surrounding area. He said that they needed an administrative decision from OSTA to modify their permit because of this change of use. He showed the proposed location of the monument sign and said that there would be an addition to the pylon sign.

He reviewed the detail sheet to show the proposed traffic circulation – two way along the north and east and one way in the back in a westerly and southerly direction. 115 parking spaces were proposed, leaving them eight spaces short. They had reached a shared parking agreement for eight spaces with the adjacent Liberty Bank. A draft easement had been prepared and was being reviewed by staff and legal. These shared spaces are immediately adjacent to the site and the sidewalks were extended for connectivity. He pointed out the fire lanes in the back and along the easterly curb, adjacent to the sprinkler connection.

He said that the underground detention system was in good shape and looked almost new. They were proposing to tie into it and what they were proposing was similar to what was previously approved. There would be the same amount of impervious coverage. He showed the existing sewer, water, electric and gas lines

and the proposed connections. He said that they would not need to go into Berlin Road to tie in.

Mr. Handfield showed the landscaping plan prepared by Kevin Grindle, which had been revised per Mr. Popper's comments. Additional trees were added to reach the 1 tree per 50 feet of frontage requirement. There were three different types of trees proposed, which were a mix of flowering and foliage, and foundation plantings covering more than 50%. He asked for a waiver of the intermittent islands at four locations in order to accommodate the fire lands, because they could not plant on top of the subsurface detention system, and because of light restrictions.

He said that the plans meet the 2002 guidelines for erosion control. He showed the overall renderings and elevations, which showed the buildings as 55 feet in height, the typical floor plans and layouts, and photos of the interior. He ended his presentation by showing the lighting plan prepared by Apex Lighting Solutions. The lights were pole mounted, no more than 20 feet high, and focused downward, to match the lighting already at the plaza. There were some sidewalk bollards proposed to illuminate the pedestrian walkways. He said that the lights were evenly spread to minimize the number of fixtures proposed.

The hearing was opened up to Commissioner comments. Michael Cannata said he was in favor but had concerns about how tight the site was. He asked about the plan for snow removal as they were already short on parking and the fire lanes had to be maintained free of snow at all times. He did not want there to be large piles of snow taking up parking spaces. The applicant said he was not concerned about that because of the typically low occupancy rate during winter. Michael Cannata said that the parking requirements need to be met, regardless of occupancy. Chris Cambareri said that there are ways for a landscaping company to properly manage the snow. The applicant agreed that they could remove the snow within a timely manner. Michael Cannata said that the timeliness would be determined by the Zoning Enforcement Officer.

Mr. Popper suggested that the island over the detention basin be converted to a parking space, since it was not going to be landscaped, and the applicant agreed to make that change.

The hearing was opened to public comment.

John Donovan, 41 Coles Road, said he owned the daycare at 80 Berlin Road. He was concerned about his clients leaving the daycare and traveling through the hotel lot in order to make a left hand turn when cars might be backing out of spaces at the hotel. He asked if there was any way they could allow left hand turns. He wanted to make sure that the accessway was maintained for emergency vehicles, snowplows and trash removal.

Robert Pellows, 6 Coles Road, asked how high the hotel would be and what the view would be like from his house. He also wanted to know about employee parking.

Mr. Handfield reviewed the elevations, saying that the hotel would rise to about 50 feet from the top of the hill at Country Squire. He said that the wooded buffer area was staying.

Theresa Cote, 6A Coles Road, agreed with Mr. Pellows, saying that she was concerned about seeing the hotel and being impacted by the proposed lighting.

Mo Islam, 2122 Cromwell Hills Drive, asked about the timeline for starting and completing the project. He asked how this version of a Marriott was selected and why the lounge would be limited to hotel patrons only.

Mr. Handfield said that they would be connecting to the daycare's driveway and that he would review the conditions of that connection. He reviewed the elevations, saying that the hotel is 55 feet and at elevation 31, so it would top out at 86 feet, with the top of the slope at 130. He said that if the resident could see Liberty Bank from their house, they would be able to see the hotel. He said that all light fixtures will be shining downward and not on adjacent properties. He said that they were full cut off fixtures. He expected construction to finish by 2020.

Mr. Patel said that this Marriott was chosen for territory and proximity as they cannot have the same products within certain distances. They are restricting the lounge to patrons only as they do not want to manage a fulltime restaurant and bar. Their focus is on Monday through Thursday, and not weekend operations.

Mr. Popper read a letter of support dated September 14, 2018 from the Middlesex Chamber of Commerce, saying that this proposal would compliment the existing commercial activity along Route 372 and have a positive impact on the grand list. The letter was signed by Jay Polke and Rodney Bitgood.

Mr. Popper asked about employee parking with the anticipated average shift of 12 employees. Mr. Patel said that there was a smaller crew at night, when the hotel was the most crowded and bigger crews during the day when the hotel was the least crowded. Mr. Popper suggested that they continue negotiations with Liberty Bank, if possible, for an additional 8 shared parking spaces.

Robert Pellows, 6 Coles Road, was concerned about parking shortages during the overlaps of shifts. Michael Cannata said that there wasn't a major influx in the hotel industry and that workers are spread out in coming and going.

Chris Cambareri said that this hotel use was one of the quieter uses in the Highway Business Zone as originally bars and restaurants were proposed for this site.

Mr. Popper asked the applicant to review the traffic striping and signaling proposed at the site. Mr. Handfield reviewed the circulations, the stop signs, and other traffic slowing and calming measures. There was some discussion between the Commission and Mr. Popper regarding reviewing the conditions on the original approvals as it pertains to the accessway and Mr. Popper said that if there are easements on the land records then they must continue to be honored.

Mr. Popper said that the issues raised by him, Mr. Driska and Mr. Harriman had all been complied with. There were two outstanding matters as contained in the Police Chief's memo dated August 8, 2018 and the Fire Marshal's memo dated August 31, 2018.

Teresa Cote, 6A Coles Road, raised concerns over the slope and possible blasting and wanted a guarantee that nothing bad would happen to the rock wall. She also asked about the affect on property values. Michael Cannata said that the same firm and family as the original engineer was working on the modification, that the plans would be reviewed by both the building and engineering departments, and the public records would be open for inspection. He said he was reassured by these measures. He said that blasting requires a permit from the Fire Marshal and pre and post blasting surveys are conducted. Michael Cannata said that the applicant is proposing the type of use allowed in the Highway Business zone. He said that the access to the daycare must remain open during construction.

Michael Cannata made a motion to close the public hearing; Seconded by Paul Cordone. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-54, Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit the construction of a 125 room hotel at 76 Berlin Road, with the following conditions: That the islands required in the parking lot be waived, that the easements for cross access between 76 Berlin Road and 80 Berlin Road be either verified or created, that snow removal be handled in a timely removal so that it doesn't occupy or impinge upon parking spaces, that the applicant work on extending the parking stalls shared with Liberty Bank, if necessary, and that the conditions of the Fire Marshal's letter dated August 31, 2018 be complied with and satisfied, and that the conditions of the Police Chief's letter dated August 8, 2018 letter be complied with and satisfied. The motion was seconded by Paul Cordone. *All in favor; motion passed.*

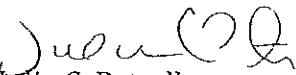
Michael Cannata made a motion to approve Application #18-55, Request for a Site Plan approval for the construction of a 125 room hotel at 76 Berlin Road, with the same conditions of approval at Application #18-54; Seconded by Chris Cambareri. *All in favor; motion passed.*

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

- a. September 4, 2018: no action taken

- 12. Commissioner's Comments:** Mo Islam introduced himself to the Commission, saying he had been a resident for the past thirteen years and worked at Pratt and Whitney as a mechanical engineer. He was interested in Cromwell's growth and looked forward to contributing to the board. He was welcomed by the Commission.
- 13. Adjourn:** Michael Cannata made a motion to adjourn; Seconded by Paul Cordone. Meeting adjourned at 9:22 p.m.

Respectfully submitted,

  
Julie C. Petrella  
Recording Clerk