



## **Town of Cromwell Planning and Zoning Commission**

### ***REGULAR MEETING 7:00 P.M. TUESDAY APRIL 20, 2021 ROOM 224 CROMWELL TOWN HALL 41 WEST STREET AGENDA***

RECEIVED FOR RECORD  
Apr 14, 2021 11:47A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Development Compliance Officer Report:**
7. **Town Planner Report:**
8. **New Business: Accept and Schedule New Applications:**
9. **New Business:**
  - a. Section 8-24 Mandatory Referral for the Installation of Sidewalks in front of 243 Shunpike Road.
  - b. Section 8-24 Mandatory Referral for the Installation of Sidewalks along portions of Geer Street and Main Street.
10. **Public Hearings:**
  - a. Application #21-04: Request for a Special Permit under Section 4.2.P of the Zoning Regulations to permit the construction of a garage and a breezeway within the Floodplain at 31 River Road. Kelly A. Maher is the Applicant and the Owner.
  - b. Application #21-07: Request to create 9 lot Resubdivision in a R-25 Zone District at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner.
  - c. Application #21-09: Request for a Special Permit under Section 6.6 of the Zoning Regulations to allow for the development of a rear lot as part of a single-family resubdivision in a R-25 Zone District at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
  - a. March 2, 2021
  - b. March 16, 2021
  - c. March 30, 2021
13. **Adjourn:**



**Engineering Department  
Town of Cromwell  
Cromwell, CT**

**Memorandum**

**To:** Planning & Zoning Commission

**CC:** Stuart Popper, Town Planner

**From:** Jon Harriman, P.E.

**Date:** 4/13/2021

**Re:** 8-24 Referral - New Sidewalk – 243 Shunpike Road



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This project will link the newer sidewalks on County Line Drive with the sidewalks on Commerce Drive. Sidewalks are currently installed on Shunpike between these streets, but a sidewalk has not yet been constructed in front of 243 Shunpike.

Project funding would come from the remaining funds in the Northern Tier STEAP grant. The work would be done in the DOT ROW requiring an Encroachment Permit from District 1.

**Engineering Department  
Town of Cromwell  
Cromwell, CT**

**Memorandum**

**To:** Planning & Zoning Commission

**CC:** Stuart Popper, Town Planner

**From:** Jon Harriman, P.E.



**Date:** 4/13/2021

**Re:** 8-24 Referral - New Sidewalks – Geer Street and Main Street – Connectivity Grant

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This project will link existing sidewalks on sections of Geer Street with Main Street. The plan is for new sidewalks to be constructed on Main Street, west side, from Geer Street to Sunset Drive. New sidewalks on the south side of Geer Street would be constructed from the intersection of Court Street east to Woodside Road, and again on the south side of Geer Street from Briadon Drive to Main Street.

Sidewalk locations were selected as a part of a Safe Routes to School study. Project comes from a Community Connectivity Grant. The work on Main Street would be done in the DOT ROW requiring an Encroachment Permit from District 1.

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday April 20, 2021 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #21-04: Request for a Special Permit under Section 4.2.P of the Zoning Regulations to permit the construction of a garage and a breezeway within the Floodplain at 31 River Road. Kelly A. Maher is the Applicant and the Owner.
2. Application #21-07: Request to create 9 lot Resubdivision in a R-25 Zone District at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner.
3. Application #21-09: Request for a Special Permit under Section 6.6 of the Zoning Regulations to allow for the development of a rear lot as part of a single-family resubdivision in a R25 Zone District at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner.

At this hearing interested persons may appear and be heard and written testimony received. This application is available for public inspection in the office of the Town Planner.

Alice Kelly  
Chairman

Dated in Cromwell, Connecticut this the 6<sup>th</sup> day April of 2021.

21-04

**Town of Cromwell  
Planning and Zoning Commission**

**APPLICATION FOR SPECIAL PERMIT  
SPECIAL FLOOD HAZARD AREA OVERLAY DISTRICT**

Description of Activity: Addition of a garage + breezeway. Foundation added. Deck  
Street Address: 31 River Rd. Zoning District: AE above garage +  
Parcel ID #: 00210700 Volume/Page: \_\_\_\_\_ breezeway.  
3 season room  
above  
garage

Applicant's Name: Kelly Maher  
Address: 31 River Rd.  
Telephone Number (daytime): 860-604-7808  
Email Address: Kellymaher977@gmail.com

Property Owner's Name: Kelly Maher  
Address: 31 River Rd.

**Description of Proposed Activity:**

Addition of a garage and breezeway. Deck above +  
3 ~~season~~ season room.  
garage 35 x 24 breezeway 8 x 8

"I have read and I am familiar with the Cromwell Zoning Regulations Article 4.2 ("Special Flood Hazard Area Overlay District"), Article 8.7 ("Special Permit Application Procedures"), Article 8.10.G ("Notification of Abutting Property Owners") and Article 8.10.H ("Public Hearing Sign Posting Requirements"). An "Impact Statement" per Section 9.4.A is attached."

Kelly A. Maher  
(signature of applicant)

2/18/2021  
(date)

Kelly A. MAHER  
(printed name of signer)

APPLICATION# 21-07

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

**APPLICATION FOR SUBDIVISION APPROVAL**

Name of Subdivision  
(if applicable): Vista Estates  
Street Address: 60 & 80 Hicksville Road  
Volume/Page: V1473 p34 & V1473 p35  
Zoning District: R-25 PIN # 00085100 & 10701400

Applicant's Name: John Zaleski  
Address: 48 Evergreen Road  
Cromwell, CT 06416  
Telephone: 860-883-4717  
Email Address: jayzaleski1@gmail.com

Owner's Name: Adelbrook Community Services, Inc. & Adelbrook, Inc.  
Address: 60 Hicksville Road  
Cromwell, CT 06416

**Attached:**

- ☒ 1. Application fee in the amount of \$ 1060<sup>00</sup>;
- ☐ 2. Copy of Inland Wetlands and Watercourses Agency Permit, if applicable; Application Submitted in approval process.
- ☐ 3. Evidence of Water Pollution Control Authority approval, if applicable; Application Submitted.
- ☒ 4. Twenty-five copies of plans prepared in accordance with Article 403 and 404 of the Cromwell Subdivision Regulations.

*Incomplete applications may be rejected at the next scheduled meeting  
of the Planning and Zoning Commission*





**Subdivision Outline  
VISTA ESTATES  
Hicksville Road & West Street**

The revised Vista Estates Subdivision is a proposed nine (9) lot residential subdivision that encompasses 14.91 acres of the 54.27 acre Adelbrook Community Services parcel. There are two (2) parcels that make up the land involved in the development #80 Hicksville Road under ownership of Adelbrook, Inc. and #60 Hicksville Road under ownership of Adelbrook Community Services, Inc. Both parcels are within an A-25 Residential Zoning District.

The property of the proposed subdivision contains an area of open grass, wooded areas, inland wetlands and Chestnut Brook. A sanitary sewer easement containing a sewer main runs from north to south through the central portion of the subdivision property. An easement for Connecticut Light & Power exists in the southern portion of the subdivision. An existing 10" water main located in Hicksville Road will provide water service for the proposed lots on Hicksville Road. An existing 12" water main located in West Street will provide water service for the lots on West Street.

The existing house (Lot 1) will remain as a frontage lot off of Hicksville Road. No site improvements other than a new sewer sanitary sewer lateral is proposed.

Each of the lots have been designed to meet the minimum bulk requirements of the R-25 zoning district.

There are eight (8) frontage lots proposed along Hicksville Road including the existing Adelbrook, Inc. property (Lot 1) with one (1) rear lot (Lot 2) and one (1) frontage lot located off West Street. All the proposed lots will be served by Town sewer and public water. A new sewer line to serve lots 1 and 3 – 8 is proposed along the frontage of Hicksville Road. Lots 2 & 9 to be service by direct connection to either the truck line that traverses the property (Lot 2) or connection to West Street (Lot 9).

All lots will range in size from the minimum of 25,000 S.F. to 4.45 acres.

Stormwater management areas are proposed for Lots 2 – 9 to attenuate the increase in stormwater runoff due to the change in surface coverage (from grass and grass/woods to proposed house, sidewalks & driveways). The stormwater management areas have been designed as either an excavated

LRC Engineering & Surveying, DPC  
LRC Engineering & Surveying, LLC  
LRC Environmental Services, Inc.

Connecticut SBE Certified

160 West Street, Suite E  
Cromwell, CT 06416  
Tel: (860) 635-2877  
Fax: (860) 635-4226

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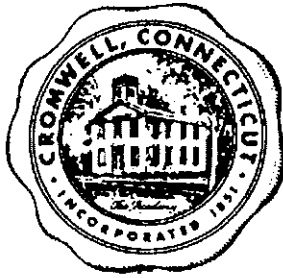
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depression or an underground chamber system consisting of Advanced Drainage Systems, Inc. (ADS) SC-310 Stormtech Chambers.



## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development  
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*  
Date: April 14, 2021  
Re: **Plan Review, PZC Application #21-07, and 21-09**  
**Proposed Nine Lot Subdivision & One Rear Lot at 60 & 80 Hicksville Road**

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As my previous comments have been addressed I have no further comments.

Application# 21-09

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
*APPLICATION FOR SPECIAL PERMIT***

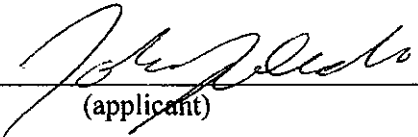
Type of Activity: Creation of Rear Lot (10) in Proposed Subdivision Vista Estates  
(Per Section 6.6 Rear Lots of the Cromwell Zoning Regulations)  
Street Address: 60 & 80 Hicksville Road Zoning District: R-25  
Assessor's Parcel ID #: 00085100 & 10701400 Volume/Page: 1473-34 & 1473-35

Applicant's Name: John Zaleski  
Address: 48 Evergreen Road, Cromwell, CT 06416  
Telephone Number (daytime): 860-883-4717  
Email Address: jayzaleski1@gmail.com

Property Owner's Name: Adelbrook Community Services, Inc. & Adelbrook, Inc.  
Address: 60 Hicksville Road, Cromwell, CT 06416

Description of Proposed Activity:  
Creation of rear lot in the proposed 10 Lot Vista Estates Subdivision.  
Rear lot to be located on the south side of West Street.  
\_\_\_\_\_

I certify that I have read and I am familiar with the Cromwell Zoning Regulations that pertain to this type of Special Permit activity, *and with Section 13.2.d. (Sign Posting).*

  
(applicant)

2-22-21  
(date)



**Special Permit  
VISTA ESTATES  
Hicksville Road & West Street**

The revised Vista Estates Subdivision has one rear lot (1) that requires the authorization of a Special Permit per section 6.6 (Rear Lots) of the Cromwell Zoning Regulations, effective date of August 25, 2015. The lot is proposed off of Hicksville road between proposed lots 1 & 3.

Lot 2 meets the following General Requirements (6.6.C) of the Cromwell Zoning Regulations:

1. *No lot shall be divided into more than two (2) rear lots- **Lot 2 is the only proposed rear lot in the nine (9) lot subdivision.***
2. *Each Rear lot shall have double the minimum front yard setback required for that zone, measured from the lot line which intersects the accessway and is perpendicular to the accessway- **Subdivision is located in an R-25 Residential Zoning District with a minimum front yard setback of 40 feet, 83.8 feet is proposed.***
3. *Each rear lot shall have double the minimum lot size required for that zone- **Subdivision is located in an R-25 Residential Zoning District with a minimum lot area of 25,000 S.F., 189,213 S.F. is proposed not including the accessway.***
4. *Each rear lot shall contain a "buildable square" of not less than the minimum lot size for that zone. "Buildable square" is an area of roughly equal length and width which contains no wetlands or watercourses as defined in the Connecticut General Statutes Section 22a-38, as amended, and no slopes greater than 33 percent- **A buildable square of 149.52'x 167.21' containing 25,000 S.F. with no inland wetlands or slopes over 33% is located in the northwest corner of the lot behind proposed Lot 1.***
5. *No portion of the lot between the street and the lot line which intersects the accessway shall be counted toward the minimum lot size- **The proposed accessway contains 4,609 S.F. and the Lot contains 189,213 S.F. for a total of 193,822 S.F.***
6. *Each rear lot in a Residential District shall have an accessway which has a continuous width of at least 20 feet, which is owned in fee simple by the owner of the rear lot, and which has frontage on a street- **The accessway to Lot 2 is proposed as 25 feet in width for its entire length and has frontage on Hicksville Road.***

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7. *Each rear lot in an Industrial District shall have an accessway which has a continuous width of at least 30 feet, which is owned in fee simple by the owner of the rear lot, and which has frontage on a street-*  
**The subdivision is located in an R-25 Residential Zoning District.**
8. *Each rear lot shall comply with all other lot and building requirements for the zone in which it is located-*  
**The proposed rear lot meets all other zoning requirements, including side & rear building setbacks, maximum building height and maximum building coverage.**
9. *No two (2) rear lots shall frontage on the same street any closer to each other than the minimum lot width for that zone, except that two contiguous rear lots may be approved sharing a common driveway, and the application for such rear lots shall include an Agreement specifying that the owners of said driveway will share responsibility for its maintenance-*  
**Only one rear lot is proposed for the subdivision.**
10. *The Planning and Zoning Commission may require that slope rights on an adjacent frontage lot be provided to accommodate driveway construction, and that a proposed rear lot share a common driveway with an adjacent frontage lot where appropriate-*  
**So noted.**
11. *The owner of the proposed rear lot shall obtain a Special Permit before submitting an application for subdivision approval of a proposed rear lot-*  
**So noted, however a joint application for subdivision has filed simultaneously. (Section 6.6.E-4.)**

#### 6.6.D Special Consideration.

As required in Section 6.6.D the rear lot enables the following benefit to the Town:

- The rear area behind proposed lots 3-5 can support additional rear lot with access via a short cul-de-sac road. By only proposing one rear lot, the need for a new road, storm drainage and a stormwater management area that would burden the town is eliminated. Additionally, a new sanitary sewer is proposed that will benefit the existing parcels located on the west side of Hicksville Road.
- By limiting the number of rear lot's to just one and the remaining frontage lots (4 – 8) are able to be 1.4 to 2.0 times the minimum lot size for an R-25 zone.

## Popper, Stuart

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**From:** Chief Lamontagne  
**Sent:** Monday, March 01, 2021 3:06 PM  
**To:** Popper, Stuart  
**Subject:** 21-07,21-08,21-09

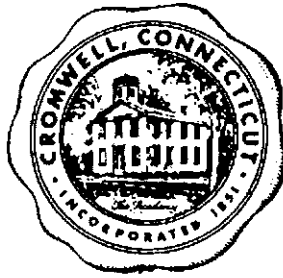
Stuart,

In reviewing the plans submitted it appears to show a driveway coming directly out onto West Street. Unless a traffic study is completed I would oppose any driveway coming out onto West Street in that area. However, if all driveways are on Hicksville Road I have no objections or comments.

*Denise Lamontagne*

Chief of Police  
Cromwell Police Department  
860-635-2256 x.7843  
860-613-2934 fax





## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development  
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*  
Date: April 14, 2021  
Re: **Plan Review, PZC Application #21-07, and 21-09**  
**Proposed Nine Lot Subdivision & One Rear Lot at 60 & 80 Hicksville Road**

---

As my previous comments have been addressed I have no further comments.

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION**

**SPECIAL MEETING  
7:00 PM TUESDAY, MARCH 30, 2021  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Nick Demetriades, Paul Cordone, John Keithan, Jeremy Floryan, Ann Grasso (alternate) and Robert Donohue (alternate)

**Absent:** Ken Rozich and Brian Dufresne,

**Also, Present:** Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska and Recording Clerk Michelle Armetta

**1. Call to Order:**

The meeting was called to order by Chairman Alice Kelly at 7:01 p.m.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates:**

A motion was made by Vice Chairman Michael Cannata to seat Robert Donohue and Ann Grasso as alternates. Seconded by Paul Cordone. *All in favor, Motion passed.*

**4. Approval of Agenda:**

Vice Chairman Michael Cannata made a motion to approve the agenda as presented. Seconded by Nick Demetriades. *All in favor; Motion passed.*

**5. Public Comments:**

None

**6. Development Compliance Officer Report:**

Mr. Driska said the Arbor Meadows housing project continues to go forward at a very rapid pace. He noted that the infrastructure is being installed with water and sewer lines going into the southwest corner of the property and the project is currently in Phase Three.

Mr. Driska said Cromwell Village continues to forge ahead at a rapid pace and he encouraged the Commission to take a look.

Chairman Alice Kelly asked Mr. Driska about the parking area for Café Fiore. Mr. Driska responded that the owners of Café Fiore are resurfacing the area but there will not be any

increase nor decrease to the parking area. He said it is not known when the establishment will open for business.

Mr. Driska reported that there is a new business in the building behind Mitchell's, facing the new community parking lot. He said it is a dog biscuit baking company, Walk by Faith, where they not only produce dog treats, but also use it as a distributions center for many grocery stores.

Mr. Driska asked the Commission if there were any other questions. There were none and Chairman Kelly thanked Mr. Driska for his report.

## **7. Town Planner Report:**

Director of Planning and Development Stuart Popper addressed the Commission and started off by reminding the Commission that due to the Board of Finance Public Hearing on April 6, 2021, the Planning and Zoning Commission meeting scheduled for that date is cancelled. He said the next regular meeting will be April 20, 2021.

Mr. Popper reported that there will be a Public Hearing for the Hicksville Road Resubdivision at the April 20th meeting. He noted that this is the Adelbrook property located north of Missionary Road with one lot off West Street. Mr. Popper explained that the public will be allowed to attend the meeting but the number of people in the hearing room will be limited to observe the 6-foot rule. He said a monitor may be set up downstairs to allow people to watch from the lobby and come up to the hearing room to address the Commission with questions or concerns about the project.

Mr. Popper advised the Commission that there is a new application to accept and schedule tonight for the Travelers TPC Tournament. He said at this point in time, they are not exactly sure how many spectators will be attending the tournament, but the Commission should have that information before April 20th. Vice Chairman Michael Cannata reported seeing the tournament advertised on television as a "spectator event."

Mr. Popper said as I mentioned at the last meeting there is a new tenant in the former Tea Roses location which is a custom cake bakery. He said there are ongoing discussions with several businesses regarding vacancies in the ShopRite Plaza. Mr. Popper said some new tenants are expected to be announced later this spring.

Mr. Popper also reported that the property on which Stop & Shop is located sold for \$23 million and the town is looking forward to working with the new owners.

Vice Chairman Michael Cannata asked why the Public Hearing signs were removed from the Adelbrook property. Mr. Popper explained that the signs were for an Inland Wetlands Public Hearing and since the developers changed the design of their application, they no longer have a wetlands impact, all the activities are within the upland review area. He said the Inland Wetlands Agency deemed the activities to be insignificant and therefore no public hearing was required.

Mr. Popper also reported that there have been discussions with one of the banks that is a mortgage holder for the Red Lion. He explained that there are two mortgages: one on the land and one on the building. He said the banks are open to discussions with developers which is good news and hopefully there will be something to report.

Mr. Popper said Covenant Living is expected to have a grand opening later in April for the new facility. Commissioner Ann Grasso reported that Sections B and C are occupied.

Mr. Popper reported that negotiations did not work out with the Summit Group who were the preferred developer for 60 and 61 River Road. He explained that the Redevelopment Agency authorized town staff to go back out with the RFP that was previously advertised. Mr. Popper said the goal is to have a public-private partnership on the river side and hopefully on the land side the developer would be interested in purchasing that parcel.

Mr. Popper said the new fishing dock and landscaping and trail at Cromwell Landing is complete and the installation of the gazebo is planned. He said the park should open in late May.

Mr. Popper asked the Commission if there were any other questions. There were none and Chairman Kelly thanked Mr. Popper for his report.

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

- a. Application #21-14: Request for a Use Permit for Travelers Championship Golf Tournament at 100 Golf Club Road. Greater Harford Community Foundation, Inc. is the Applicant and Tournament of Players Club of Connecticut is the Owner.

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-14: Request for a Use Permit for Travelers Championship Golf Tournament for April 20, 2021. Seconded by Paul Cordone. *All in favor; motion passed.*

**9. New Business:**

None

**10. Executive Session:**

**a. Discussion of Previous Applications:**

Vice Chairman Michael Cannata made a motion to adjourn to Executive Session at 7:23 PM; seconded by Nick Demetriades. *All in favor; motion passed.*

Nick Demetriades made a motion to come out of Executive Session at 7:49 PM; seconded by Vice Chairman Michael Cannata. *All in favor; motion passed.*

**11. Commissioner's Comments:**

None

**12. Adjourn:**

Chairman Alice Kelly made the motion to adjourn at 7:51 PM. Seconded by Nick Demetriades. *All in favor, motion passed.*

Respectfully submitted,

Michelle L. Armetta  
Recording Clerk

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
7:00 PM TUESDAY, MARCH 16, 2021  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Nick Demetriades, Paul Cordone, and Robert Donohue (alternate)

**Absent:** Ken Rozich, Brian Dufresne, John Keithan, Jeremy Floryan and Ann Grasso (alternate)

**Also, Present:** Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, Town Council Liaison James Demetriades and Recording Clerk Michelle Armetta

**1. Call to Order:**

The meeting was called to order by Chairman Alice Kelly at 7:03 p.m.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates:**

A motion was made by Vice Chairman Michael Cannata to seat Robert Donohue as alternate. Seconded by Nick Demetriades. *All in favor, Motion passed.*

**4. Approval of Agenda:**

Director of Planning and Development Stuart Popper asked the Commission to add to the agenda the following under New Business as item B: Discussion on Application #19-29 for Gallitto Construction LLC, 150 Sebethe Drive.

Vice Chairman Michael Cannata made a motion to approve the agenda as amended. Seconded by Chris Cambareri. *All in favor; Motion passed.*

**5. Public Comments:**

None

**6. Development Compliance Officer Report:**

Development Compliance Officer Bruce Driska offered the following updates:

Mr. Driska said the Department of Public Works Water Pollution Control facility is getting closer to receiving its final CO. He explained that there remains some outstanding work that needs to be corrected such as some minor items with respect to some snow and ice damage to the roof. Chairman Alice Kelly reported that there will be a small grand opening on March 17th with limited attendance due to COVID.



Mr. Driska said new permits continue to be issued for single family home at the Arbor Meadows project. He said work continues at Cromwell Village despite the type of winter we have experienced.

Mr. Driska noted that he has issued several cease-and-desist orders and several citation fines for some minor zoning violations and expects them to be resolved in the short period of time. He explained that one of them is a bank-owned property with an unregistered inoperable vehicle left on the property when it was vacated.

Chairman Alice Kelly asked Mr. Driska to take a look at the Plummer Landscaping operation at their location on Shunpike Road. Chairman Kelly believes that they have not done any of the screening and landscaping that was part of the Commission's approval.

Mr. Nick Demetriades had a question regarding the property under construction near the corner of Route 372 and Hicksville Road. Mr. Demetriades was concerned about runoff protection. Mr. Driska replied that there is a silt fence.

Mr. Driska asked the Commission if there were any other questions. There were none and the Commission thanked Mr. Driska for his report.

**7. Town Planner Report:**

Director of Planning and Development Stuart Popper pointed out several projects moving along. He said the additional living units and restaurants and new facilities at Covenant Living are done and they will be having a ribbon cutting for the new facility towards the end of April.

Mr. Popper said he is hoping to make some announcements about new development later this spring. He explained that local restaurants will continue to have outside dining once again when the weather improves. Mr. Popper said the outside dining areas will be inspected by the town officials, including the fire marshal, and the health department. Chairman Alice Kelly hopes that the outdoor dining has helped the restaurants in Cromwell during the pandemic.

Mr. Popper reported that a wholesale baker and custom cake company will be moving into the former Tea Roses location on Main Street.

Mr. Popper asked the Commission if there were any other questions. There were none and the Commission thanked Mr. Popper for his report.

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

None

**9. New Business:**

- a. Application #21-10: Request for Site Plan Approval for a material storage yard at 80R Geer Street. Paramount Construction is the Applicant and Paramount Property LLC is the Owner.

Mr. Steven C. Reilly, Paramount Construction, 80R Geer Street, addressed the Commission.

Mr. Reilly explained that Paramount Construction is a heavy construction highway/utility contractor. He said our business hours vary, but typical hours are Monday through Friday, 7:00 AM to 5:00 PM and on rare occasions for emergencies, Saturday work occurs. Mr. Reilly requests the permit to read from 7:00 AM to 7:00 PM. He explained that Paramount Construction tries not to work weekends or at night, however, they are a State of CT on-call contractor, therefore, they may be called into service during state or local emergencies. Mr. Reilly said that these special circumstances would require 24-hour, 7 day a week access to the property. He made it clear that although this not typical and has not happened in 5 years, in a state emergency it may be required.

Mr. Reilly said Paramount Construction currently uses the property for the purpose of storing materials and equipment. He noted that they store, process and re-use numerous aggregate products including topsoil, gravel, millings, concrete, asphalt, stone, sand, etc. related to Paramount's construction activities, as well as screening and crushing aggregate as needed. Mr. Reilly explained that Paramount stores various other materials including pipe, pre-cast concrete, light poles, trench boxes, storage containers, steel road plates, etc. He said they have equipment on site for loading, sorting, screening, and crushing activities and own six tri-axle dump trucks and rent others as needed.

Mr. Popper explained that although Paramount Construction is 2500' off Geer Street, there have been issues with noise from the trucks entering and exiting the property as well as dust concerns. He pointed out that the property is a gated area behind a tree line and is not visible from Geer Street.

Chairman Alice Kelly has concerns regarding trucks on Geer Street when school buses are traveling that route. Mr. Reilly replied that in 8 years, there have been no problems in that regard. Mr. Chris Cambareri commented that although he travels that route frequently, he never sees any trucks.

Mr. Popper commented that Mr. Reilly has been very cooperative and was not aware of the dust situation. Mr. Reilly has not been contacted by any of the neighbors.

Mr. Driska commented that based on the letters received from Geer Street residents (on file), he recommends the Commission consider the following items as conditions of approval:

- Hours of Operation: 7:00 a.m. to 7:00 p.m.
- Noise: No Jake-Brake
- Limited road direction access of trucks: Enter/Exit on Geer Street to Court and right turn only.
- Dust and mud control measure: Monitor and address as needed.

- No crushing without special permit.

Vice Chairman Mike Cannata commented that Paramount Construction is a good corporate citizen and made a motion to approve Application #21-10 with the recommendations from Mr. Driska. Motion seconded by Bob Donohue. *All in favor; motion passed.*

- b. Application #19-29: Discussion on approved Site Plan for Construction Material and Equipment Storage at 150 Sebethe Drive. Mr. Robert Gallitto is the owner of Gallitto Construction LLC.

Mr. Popper explained that a question has arisen regarding Mr. Gallitto's operation and whether the Commission approved in his original permit bringing in more than 500 yards of material at a time. Mr. Popper thought it would be helpful for Mr. Gallitto to refresh the Commission's memory and see how they wanted to address this issue.

Mr. Gallitto addressed the Commission. He said on March 9, 2021, he had a telephone conversation with Mr. Stuart Popper and Mr. Bruce Driska concerning the amount of materials on site and a special permit requirement for over 500 yards brought onto the property located at Sebethe Drive.

Mr. Gallitto's said it was his understanding at the previous meetings he attended, the following needed permits were granted to continue the use of the property at 150 Sebethe Drive:

- Screening topsoil yard permit
- Holding construction yard permit: for other construction related material(s) except for debris from demolition projects.
- Permitted to bring large amounts of materials and process them to make into a more reusable material to sell back to our customers or use on construction projects. These materials are not permanent fixtures and will eventually be sold or used.

Mr. Gallitto believes he has kept all his commitments to the town in keeping the materials in the locations that were provided on a blueprint presented to the Commission in 2019. He said the amounts of material will vary day to day due the availability of each material or the supply and demand to be sold or used. Mr. Gallitto said he can provide the Commission with what materials are currently on the premise, if required. Mr. Gallitto is willing to commit to not exceeding the size or the amount of material to the designated locations shown on the approved print.

Mr. Popper asked the Commission if there are any issues with the current permits or does anything need to be amended? Vice Chairman Mike Cannata commented that this is not a "mining" operation, therefore, is in compliance with the current

permits. The Commission agreed and had no issues. Mr. Driska commented that Mr. Gallitto has been very cooperative and is not near the wetlands.

The Commission thanked Mr. Gallitto for attending the meeting.

**10. Public Hearings:**

- a. Application #20-63: Request for a Special Permit under Section 4.2.P of the Zoning Regulations to allow for the installation of a digital billboard within the Floodplain at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.
- b. Application #20-47: Request for a Special Permit under Section 3.6.C of the Zoning Regulations to allow for the installation of digital billboards at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.

Attorney Richard D. Carella, from the law firm of Updike, Kelly and Spellacy, PC in Middletown addressed the Commission. He said he is representing the Owner, Rodnella Realty, regarding the installation of a digital billboard at 241 and 251 Main Street. Attorney Carella began his presentation by showing the site plan on screen. He explained that at the February 2, 2021 Planning and Zoning Commission meeting, the Commission was not pleased with the location of the billboard for several reasons. Attorney Carella said Chairman Alice Kelly pointed out that she had gotten accident history from the State Police and the proposed area has had many accidents between 2018 and 2020 and this distraction could worsen the situation. He said other members of the Commission were not pleased with the location for aesthetic reasons and a lengthy discussion continued about the location and the appearance of the billboard. Attorney Carella said the Commission suggested that the Applicant, Rodney Bitgood, modify the location by moving it north to the area behind the old gas station building and present it to the Inland Wetlands Agency. He noted that a new application was filed and the Inland Wetlands Agency approved Application #21-02 at their regular meeting on March 3, 2021. Attorney Carella said a single-sided billboard is proposed on the site and the only permanent disturbance to the wetlands will be the area of wetlands disturbed by the construction of the physical pylon.

Attorney Carella said the new billboard design features a one-sided billboard and is located in the center of the site as requested by the Commission. He showed the Commission a side view of the billboard as seen from Route 9 North and a full front view of the billboard as seen from Route 9 South. Attorney Carella said the billboard cannot be seen from Main Street. He said that the proposal meets the requirements set forth by the Commercial Billboard District Regulations. Attorney Carella concluded his presentation asked if the Commission had any questions or comments.

Mr. Popper said Commission member Ann Grasso could not be present at this meeting but asked that Mr. Popper read her letter in support of the billboards as it supports local businesses.

Mr. James Demetriades, Town Council Liaison had no comments.

Vice Chairman Michael Cannata suggested that the same conditions applied to the Piney Ridge application be applied here. He said the conditions are as follows: 1) Required to have the LED shield baffles and 2) Be non-operational during the hours of 12:00 a.m. and 5:00 a.m. Mr. Cannata also requested that non-profits and law enforcement be allowed to use the billboards for announcements. He reminded the Commission that according to the Town Attorney, content cannot be controlled by the Commission.

Mr. Popper said if the Commission were to act favorably on the Applications this evening it would be with the information requested in ZEO Bruce Driska's memo dated 1/27/21 which were: 1) Construction sequencing plan; 2) Dewatering Plan and 3) Revised plan to depict one, not two digital billboards.

Mr. Popper said also needed was the information requested in Town Engineer Jon Harriman's memo dated 3/15/21 which was: 1) Flood plain calculations and impact remediation are indicated on the plans. At a base elevation of 10 feet the billboard structure will occasionally be inundated by floodwaters of the Connecticut River. The applicant should review section 4.2.T.3.(3) and demonstrate compliance. 2) A detail has been provided showing flood waters entering the pole by way of four holes drilled in the structure. How will this water drain back out (assuming the pole is hollow below grade? 3) Details on a footing or type of structure support below grade are not shown, but will likely be in the water table. Provide a dewatering detail. 4) Final as-built shall indicate flood compensation has been achieved.

Chairman Alice Kelly voiced her concerns regarding safety. She also commented that a sign that is only seen on Route 9 South would not help business as it would be seen leaving Cromwell. Chairman Kelly does not think the billboard enhances businesses in Cromwell.

Vice Chairman Mike Cannata disagreed with Chairman Kelly's comment about billboards not enhancing businesses in Cromwell. He thinks that the billboard advertisement plants a seed in the mind of the viewer to be acted upon later. Mr. Cannata thanked the Applicant and his attorney for choosing this location as it is an improvement over the previously proposed location. Mr. Cannata also feels that the Applicant has the right to use his property as he sees fit.

Mr. Bob Donohue visited the site and obstruction does not seem to be a problem.

Mr. Paul Cordone still has issues with the number of accidents in that area and does not see this as visually appealing.

Vice Chairman Mike Cannata made a motion to close the Public Hearing. Seconded by Bob Donohue. *All in favor, motion passed.*

Vice Chairman Michael Cannata made a motion to approve Application 20-63 with the conditions set forth in the January 27, 2021 memo from Compliance Officer Bruce Driska, and in the March 15, 2021 memo from Town Engineer Jon Harriman. Seconded by Chris Cambareri. *In Favor: Vice Chair Michael Cannata, Chris Cambareri, and Robert Donohue. Opposed: Chairman Alice Kelly, Nick Demetriades and Paul Cordone. Motion failed.*

Vice Chairman Michael Cannata made a motion to approve Application 20-47 with the conditions set forth in the January 27, 2021 memo from Compliance Officer Bruce Driska, and in the March 15, 2021 memo from Town Engineer Jon Harriman and the condition that the LED shield be used and the condition that billboard is not used between the hours of 12:00 a.m. and 5:00 a.m. Seconded by Chris Cambareri. *In Favor: Vice Chair Michael Cannata, Chris Cambareri, and Robert Donohue. Opposed: Chairman Alice Kelly, Nick Demetriades and Paul Cordone. Motion failed.*

Attorney Richard Carella asked each Commission member to state their reasons for denial.

Chairman Kelly commented that she had gotten a 28-page report of accidents around Route 9 North and South from the last three years. She said there have been about 40 accidents a year in the vicinity of the proposed billboard. Chairman Kelly said due to safety concerns she would not be in favor of the billboards. She also does not think that the billboards are in the best interest of Cromwell and cannot see how it will improve area businesses. Chairman Kelly said she needed to be consistent with her vote regarding billboards.

Mr. Paul Cordone commented that he agrees with Chairman Kelly about the safety issue and thinks a location is not aesthetically pleasing. Mr. Cordone wanted to remain consistent with his vote on the billboards.

Mr. Nick Demetriades commented that he wanted to remain consistent with his voting on the billboards. He feels that this is not an appropriate use of the land and generally is not in favor of billboards in Cromwell.

Attorney Carella thanked the Commission and requested a copy of the accident report that Chairman Kelly referred to. Chairman Kelly gave Attorney Carella the requested documents. Chairman Kelly also asked the Applicant, Rodney Bitgood, about his plans for the former Citgo station. Mr. Bitgood responded that he has no plans at this time and without the income generated by the proposed billboards, he does not know how he would fund a renovation at this time, however, he will comply with whatever the town asks of him.

#### **11. Commissioner's Comments:**

Mr. Nick Demetriades reports that he sent out two or three emails to Commission members regarding the Regional Plan of Conservation Development. He asked that the Commission members take a moment to review and comment.



Chairman Kelly thanked Mr. Demetriades.

**12. Approval of Minutes:**

**a. March 2, 2021 – tabled.**

**13. Adjourn:**

Vice Chairman Michael Cannata made the motion to adjourn at 8:32 PM. Seconded by Paul Cordone. *All in favor, motion passed.*

Respectfully submitted,

Michelle L. Arnetta  
Recording Clerk