



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

**REGULAR MEETING  
7:00 P.M. TUESDAY OCTOBER 5, 2021  
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET  
AGENDA**

RECEIVED FOR RECORD  
Sep 28, 2021 03:03P  
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. Application #21-27: Request for a Site Plan Modification at 161 Berlin Road to allow for temporary use of trailers for storage. Walmart #2299 is the Applicant and Infinity Cromwell Properties Limited Partner is the Owner.
10. **Commissioner's Comments:**
11. **Approval of Minutes:**
  - a. September 7, 2021
12. **Adjourn:**

		<b>P&amp;Z 2021 Permit Report</b>			
<b>Permi</b>	<b>Name of Applicant</b>	<b>Site Location</b>	<b>Type of Activity</b>	<b>Decision Date</b>	<b>Status</b>
21-01	Not used				
21-02	DFC of Cromwell	6 Piney Ridge Road	Install digital billboard in 100 year flood zone	Approved 3/2/2021	Awaiting Construct.
21-03	Sara Frawley	4 Willowbrook	Change location from 80 Shunpike Road (Use Permit)	Approved by staff 2/5/21	Business open
21-04	Kelly Maher	31 River Road	Addition of garage & breezeway	Approved 05/18/2021	Approved
21-05	Padre Foundation	463 Main Street	Residential building addition	ZBA	Construct. In-process
21-06	Orest Markiv	319 Main Street	Marital Arts Training (Use Permit)	Approved by staff 2/18/2021	Business open
21-07	John Zaleski	West Street & Hicksville	Subdivision Vista Estates	Approved 05/18/2021	PH Opened
21-08	John Zaleski	West Street & Hickville	Special Permit to create Lot 2	Approved 05/18/2021	PH Opened
21-09	John Zaleski	West Street & Hicksville	Special Permit to create Lot 10	App. Withdrawn	App. Withdrawn
21-10	Paramount Construction	80R Geer Street	Material Storage Yard	Approved 3/16/2021	Business opened
21-11	Café Fiore	134 Berlin Road	New restaurant (Use Permit)	Approved 3/2/21	Business opened
21-12	A Little Imagination Cake	322 Main Street	Bakery (Use Permit)	Approved 3/12/21	Business opened
21-13	Tony's Flour Shop-Baker	322 Main Street	(Use Permit)	Approved 4/6/21	Business opened

21-14	Bozuto Mgmt. Company	150 Country Squire Drive	Model Apts. (Use Permit)	Approved 4/19/21	Partial opening
21-15	Walk by Faith Dog Baker	317 C Main Street	Store (Use Permit)	Approved 4/1/21	Business opened
21-16	Mias Salon	153 West Street	Hair Salon	Approved 5/17/21	Awaiting opening
21-17	WITHDRAWN	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX	XXXXXXXXXXXX
21-18	Sean Flanagan SPT	45 Lincoln Street	Attached Garage >1000 sq ft	Scheduled 06/15	Awaiting construct.
21-19	John Zaleski	Hicksville Road	Subdiv. Modification	Scheduled 06/15	Awaiting construct.
21-20	Chicago Sam's Patio	51 Shunpike Road #14	Site Plan Modification	Scheduled 07/20	Awaiting construct.
21-21	Five Below	41 Shunpike Turnpike	Site Plan Modification (sign)	Approved 6/15/21	Awaiting construct.
21-22	Edward Bartolotta	419 Main Street	Amend zoning text	Accept & Schedule	Approved
21-23	Knights of Columbus	573 Main Street	Site Plan modification	Accept & Schedule	Awaiting construct.
21-24	ERD Remidy	14 Alcap Ridge	Site Plan modification	Accept & Schedule	Approved
21-25	Ruby Tuesday	43 Shunpike Road	App. For special permit	WITHDRAWN	WITHDRAWN
21-26	Hartsprings Foundation,	4 Alcap Ridge, Unit 3	(Use Permit) warehousing for used clothing & small household goods	Approved 8/12/21	WITHDRAWN
	James Demetriades	Pierson Park	Block Party: Craft Fair, Food Truck, Music	Approved 8//19/2021	Event complete
	Glen Johnson	309 Main Street	Republican Headquarters (Use Permit)	Approved 8/31/2021	In progress
21-27	Walmart #2299	161 Berlin Road	Site Plan Modification	Scheduled 10/05/2021	Awaiting construct.

21-27

21-25

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

**APPLICATION FOR SITE PLAN MODIFICATION**

Name of Project: Request for 9 Storage containers from 11-1-21 to 1-15-22 Containers are  
Street Address: 161 Berlin Rd. 40 Ft x 8 Ft each.  
Volume/Page: \_\_\_\_\_ PIN #: \_\_\_\_\_

Applicant Name: Walmart #2299  
Address: 161 Berlin Rd.  
Cromwell Ct.  
Telephone: 203-214-2118 (day) 203-214-2118 (evening)  
Email Address: \_\_\_\_\_

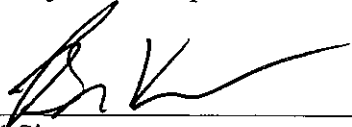
Property  
Owner Name: Infinity Cromwell Prop. LTD Par.  
Address: 33 Boylston St.  
Chestnut Hill, MA 02467

Attached:

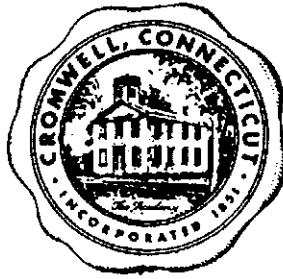
- ( ) Application fee.  
( ) Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

- |  |         |        |
|--|---------|--------|
| 1. Is <u>any part</u> of the site within 500' of an adjoining town?      | (Yes)   | (No) ✓ |
| 2. Will this project require an <u>Inland Wetlands Agency permit</u> ?   | (Yes)   | (No) ✓ |
| if yes, have you obtained it?  | (Yes)   | (No)   |
| 3. Will this project require a DEP <u>Stormwater Management Permit</u> ? | (Yes)   | (No) ✓ |
| if yes, have you applied for it?   | (Yes)   | (No)   |
| 4. Will this Project Require an <u>STC Permit</u> ?                      | (Yes)   | (No) ✓ |
| if yes, have you submitted a copy of the plans to the STC?               | (Yes)   | (No)   |
| 5. Does the parking comply with the <u>handicapped parking</u>           | (Yes) ✓ | (No)   |
| requirements as set forth in current version of the State Building Code? |         |        |

*I hereby certify that the information presented above is correct to the best of my knowledge.*

Bruce Van Brakle   
Applicant Name and Signature

9-7-2021  
Date



## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development

From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer **BD**

Date: September 28, 2021

Re: **Plan Review, PZC Application #21-27, Site Plan Modification, 161 Berlin Road, Walmart, Temporary Storage**

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### PROPOSAL

The Applicant requests approval for short term use of nine (9) storage containers during the holiday shopping season. The proposed storage containers are depicted on a Site Plan to be located in the vicinity of the loading dock area.

### COMMENTS

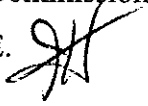
I have no concerns regarding the proposal.

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

**Memorandum**

**To:** Stuart Popper

**CC:** Planning & Zoning Commission

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

**Date:** 9/28/2021

**Re:** #21-27: 161 Berlin Road – Wal Mart Temporary Storage

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I have received a plan entitled; "Walmart Overall Landscape Plan," by CPH, dated revised 11/15/2011. This plan has been revised for this application by placing pink papers taped to the surface to represent the proposed location of nine storage containers.

Since this is not an engineered plan, I am unable to comment on the suitability of the proposal. The size of the proposed containers should be verified to be accurately represented on the 80 scale plan. An engineer should verify that the loading docks will be accessible under this plan, meaning that all truck turning radii requirements are met. It was recently observed that the proposed area for the storage containers is currently used for baled cardboard. Where will the baled cardboard be stored when this proposal is implemented?

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
7:00 PM TUESDAY, SEPTEMBER 7, 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, Jeremy Floryan Robert Donohue (alternate), and Ann Grasso (alternate)

**Absent:** Brian Dufresne, John Keithan, Paul Cordone, and Ken Rozich


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

**1. Call to Order:**

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

**2. Roll Call:**

The presence of the above members was noted.

RECEIVED FOR RECORD  
Sep 21, 2021 03:34P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT 

**3. Seating of Alternates:**

Vice Chairman Michael Cannata made a motion to seat Robert Donohue and Ann Grasso as an alternates. Seconded by Chris Cambareri. *All in favor, Motion passed.*

**4. Approval of Agenda:**

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

**5. Public Comments:**

None.

**6. Development Compliance Officer Report:**

Mr. Driska offered an update on current construction and development projects adding several Municipal Citation have been issued for violations of Erosion & Sedimentation Control regulations.

**7. Town Planner Report:**

Mr. Popper said as Mr. Driska noted development continues at the major projects in town including the Landon Apartments at the former Nike site and at the Carrier development on Field Road. He said he expects to have some announcements concerning development in the norther tier soon.

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

a. Application #21-27: Request for Site Plan Modification, Walmart, 161 Berlin Road.

Vice Chairman Michael Cannata made a motion to accept and schedule the application for the October 5, 2021 meeting. Seconded by Ann Grasso. *All in favor, motion passed.*

b. Application #21-28: Request for a Site Plan Modification at 540 Main Street to allow for new building signage. Ron Cyr/ Sign Place is the Applicant and Benitta Properties, LLC is the Owner.

Vice Chairman Michael Cannata made a motion to consider the application this evening. Seconded by Robert Donohue. *All in favor, motion passed.*

**9. New Business:**

a. Application #21-28: Request for a Site Plan Modification at 540 Main Street to allow for new building signage. Ron Cyr/ Sign Place is the Applicant and Benitta Properties, LLC is the Owner.

Mr. Ron Cyr Owner of Sign Place, 1910 Main Street, Newington, introduced himself and described a new building façade sign proposal for new tenant Bella Beauty Spot at the ASIA Grocery plaza. Mr. Driska stated the proposal of a 24.83 square foot channel letter sign complies with the sign regulations. Mr. Cyr described the proposed color, material and LED illumination of the channel letters which will match the ASIA Grocery channel letters. The Commission members and Mr. Cyr discussed the use of LED powered lights for signs and this sign in particular.

Vice Chairman Michael Cannata made a motion to approve Application #21-28: Request for a Site Plan Modification at 540 Main Street to allow for new building signage. Seconded by Chris Cambareri. *All in favor; motion passed.*

**10. Public Hearing:**

a. Application #21-22: Request to Amend Section 3.5 Industrial District Zone Regulations to add Section 3.5.D.4 of the Zoning Regulations “Caretaker Quarters” as a Use permitted by Special Permit in the Industrial Zone District. Edward Bartolotta is the Applicant.

Vice Chairman Michael Cannata made a motion to open the Public Hearing. Seconded by Robert Donohue. *All in favor, motion passed.*

Mr. Popper read his September 7, 2021 Memo to the Commission which defined a Caretaker’s Quarters and Employee housing. He said the definition of a Caretaker’s quarters is a residence that is accessory to a nonresidential primary use of the site, where needed for security, or twenty-four-hour care or supervision.

Mr. Popper said the definition of Employee housing is housing provided for employees by an employer, including laborers, caretakers, supervisory staff and forepersons. Employee housing can also be property used temporarily or seasonally for the residential use of unrelated persons employed to perform agricultural or industrial labor.



He explained that, Employee housing is distinguished by shared kitchen/dining areas as well as shared restroom/shower facilities. Mr. Popper said any provisions for cooking facilities within an individual sleeping unit is prohibited.

Edward Bartolotta, 419-R Main Street, Cromwell and owner of Cromwell Growers explained to the Commission stating the need to provide temporary housing for employees citing housing availability issues currently affecting the workforce. Mr. Bartolotta stated the US Department of Labor offers the H-2A temporary agricultural program which allows agricultural employers who anticipate a shortage of domestic workers to bring nonimmigrant foreign workers to the U.S. to perform agricultural labor. Mr. Bartolotta stated he plans to purchase the vacant 421 Main Street building which abuts Cromwell Growers. He noted that the building has been formerly occupied by MARC and earlier by Roncalli Health Care. Mr. Bartolotta informed the Commission that he envisioned 15-20 same sex employees would occupy dormitory style housing in the 8,900 SF building.

Chairman Kelly asked if there was anyone from the public that wished to address the Commission.

Mr. Michael Millane, 34 Field Road, Cromwell spoke in favor of the application.

Commissioner Demetriades asked Mr. Popper if he thought the passing of the proposed regulation would result in other Industrially zoned properties offering employee housing. Mr. Popper responded by stating other Industrially zoned properties would more than likely not have the same needs as Cromwell Growers. The Commission members and Mr. Bartolotta discussed the need for worker housing by agricultural businesses and the history of the use of 420 Main Street previously for housing.

Chairman Kelly thanked Mr. Popper for crafting a Caretaker's Quarters definition for the proposed regulation.

Vice Chairman Michael Cannata spoke in favor of the proposal citing familiarity with orchard employee housing located in the state.

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

Chairman Kelly asked if there were any others who wished to speak on the matter. There were none.

Vice Chairman Michael Cannata a motion to approve Application #21-22 to Amend Section 3.5 Industrial District Zone Regulations to add Section 3.5.D.4 of the Zoning Regulations "Caretaker Quarters" as a Use permitted by Special Permit in the Industrial Zone District with the modifications (additional definition of Employee Housing) as

outlined in Mr. Popper's September 7, 2021 Memo to the Commission. Seconded by Chris Cambareri. *All in favor, motion passed.*

**11. Commissioner's Comments:**

Nick Demetriades advised the Commission that the Lower Connecticut River Valley Council of Governments Plan of Conservation and Development (POCD) is available for review on their web site.

**12. Approval of Minutes:**

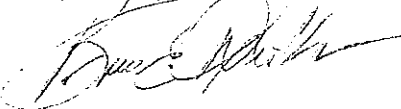
a. July 20, 2021

Vice Chairman Michael Cannata made a motion to approve the minutes of July 20, 2021; Seconded by Nick Demetriades. *All in favor; motion passed*

**13. Adjourn:**

Robert Donohue made the motion to adjourn at 7:45 PM. *All in favor, motion passed.*

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Bruce E. Driska", written over a horizontal line.

Bruce E. Driska Zoning Enforcement Officer  
Temporary Recording Clerk

