



Town of Cromwell Planning and Zoning Commission

REGULAR MEETING

7:00 P.M. TUESDAY SEPTEMBER 6, 2022

COUNCIL CHAMBERS CROMWELL TOWN HALL 41 WEST STREET AGENDA

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Public Comments
6. Development Compliance Officer Report:
7. Director of Planning and Development Report:
8. New Business: Accept and Schedule New Applications:
 - a. Application #22-22: Request for Site Plan Approval for a restaurant at 195 West Street. Cromwell Chicken, LLC is the Applicant and NL Grocery II DST is the Owner.
 - b. Application #22-23: Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit a restaurant with a drive-up window at 195 West Street. Cromwell Chicken, LLC is the Applicants and NL Grocery II DST is the Owner.
 - c. Application #22-24: Request for a Special Permit under Section 6.1.H.2 of the Zoning Regulations to permit a crushing operation at 80R Geer Street. Paramount Construction is the Applicant and Steve Reilly is the Owner.
 - d. Application #22-25: Request for Site Plan Modification to construct additional parking at 52 Missionary Road. Covenant Living of Cromwell, Inc. is the Applicant and the Owner.
 - e. Application #22-26: Request for Special Permit to allow to add fill material at 12 Summer Brook Lane. Magdalene and Sead are the Applicants and the Owners.
 - f. Application #22-27: Request for Site Plan Modification to construct a 4,992 building in the floodplain at 263 Main Street. Cromwell Automotive LLC is the Applicant and the Owner.
 - g. Application #22-28: Request for Site Plan Modification to construct a 4,992 building at 263 Main Street. Cromwell Automotive LLC is the Applicant and the Owner.
 - h. Application #22-29: Request for Site Plan Modification to allow for temporary outside storage containers at the Walmart Store at 161 Berlin Road. Walmart 2299 is the Applicant and Infinity Cromwell Prop LTD Partnership 1643 is the Owner.
 - i. Application #22-30: Request to Amend the Zoning Regulations to delete Sections 3.3.C.4 and 6.11 of the Zoning Regulations to allow for Medical Marijuana Dispensary Facilities to be permitted in the Highway Business Zone District.
 - j. Application #22-31: Request for Site Plan Modification to install two charging stations at 150 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and the Owner.

RECEIVED FOR RECORD
Aug 31, 2022 01:21P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

9. **New Business:**
10. **Public Hearings:**
 - a. Application #22-16: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the Owner.
 - b. Application #22-17: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to allow for a garage larger than 1,000 square feet at 6 River Park Drive. John Paul Golino is the Applicant and the Owner.
 - c. Application #22-18: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.
 - d. Application #22-20: Request for a Special Permit under Section 4.1 of the Zoning Regulations to construct a building within the Flood Zone at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
 - a. July 19, 2022
13. **Adjourn:**

Permit	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
		P&Z 2022 Permit Report	F:\Private\CANDICE DOCUMENTS\Spreadsheets Tracking\PRC Bruce's Report 2022.xlsx\2022		
22-01	PGA Tour Event	One Golf Club Road	PGA Tour from 6/20-6/26/22	3/1/2022	Approved
22-02	Bantry Bay Ventures	N/A	App to Amend Zoning Regs	4/5/2022	Approved
22-03	Gary Dayharsh	34 Shunpike Road	Site Plan Modification Façade Renovations & Parking Lot Improvements	4/19/2022	Approved
22-04	Jeff Swanson/Adelbrook Inc	60 Hicksville Road	Adelbrook Proposed Splash Pad	3/15/2022	Approved
22-05	Andrew Siminow/Mary Ann & 6 West Ave, LLC	N/A	App to Amend Zoning Regulations	3/15/2022	Withdrawn
22-06	Planning and Zoning Cannabis	N/A	App to Amend Zoning Regulations	5/5/2022	Approved
22-07	P. Craig Way (Vice President, HB Nitkin)	Center - Burlington Store	Site Plan Modification- New Burlington Store	4/19/2022	Approved
22-08	Cromwell Village Associates	150 Country Squire Road - The Landon	Site Plan Modification - Planned Multi-family Residential Dev. (The Landon)	4/19/2022	Approved
22-09	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	App for Change to the Zone Map	5/5/2022	Approved
22-10	Town of Cromwell Public Works	161 Coles Road	Site Plan Modification- Snow Park	4/5/2022	Approved
22-11	Rodney Bitgood	419 Main Street	Temporary Event Permit (Car Show)	Admin Approved-event on 5/27	
23-12	Timothy & Sharon Farrell	560-562 Main Street	Garage greater than 1,000 SF	6/7/2022	Approved
22-13	Miodrag Delmic	Zoning Amendment	Text to allow electric charging stations	7/19/2022	Approved
22-14	Cromwell Little league	9 Captain James Mann	Site plan modification for lights	6/21/2022	Approved
22-15	Alvin Ravizza	150 Sebeth Drive	App for Special Permit	7/19/2022	Approved

22-16	6 West Ave, LLC Andrew Simonez	33 Berlin Road	App for Special Permit for Retail Cannabis	Pending	
22-17	John Paul Golino	6 River Park Drive	App for Special Permit	Pending	
22-18	Bantry Bay Ventures, LLC c/o Amy Souchens	5 Berlin Road	App for Special Permit to establish Adult-Use Cannabis Retailer	Pending	
22-19	Bantry Bay Ventures, LLC c/o Amy Souchens	5 Berlin Road	App for Site Plan Approval	Pending	
22-20	Bantry Bay Ventures, LLC c/o Amy Souchens	5 Berlin Road	App for Special Permit-Special Flood Hazard Area Overlay District	Pending	
22-21	6 West Ave, LLC Andrew Simonez	33 Berlin Road	App for Site Plan Approval	Pending	
22-22	Cromwell Chicken LLC c/o Jay Klein (Carmody Law)	195 West Street	App for Site Plan Approval	Pending	
22-23	Cromwell Chicken LLC c/o Jay Klein (Carmody Law)	195 West Street	App for Special Permit-Proposed to construct a fast food restaurant w/drive up	Pending	
22-24	Paramount Construction - Steve Reilly	80R Geer Street	App for Special Permit-Crushing of materials	Pending	
22-25	Covenant Living	154 Sebeth Drive	App for site plan modification - Additional Parking 4-6 stalls	Pending	
22-26	Magdalene Mehic & Sead Mehic	12 Summer Brook Lane	App for Special Permit - add fill to property	Pending	
22-27	Cromwell Automotive, LLC	263 Main Street	App for Special Permit - Special Flood Hazard area Overlay District	Pending	
22-28	Cromwell Automotive, LLC	263 Main Street	App for Site Plan Approval-Construction of 1-story steel frame accessory bldg	Pending	
22-29	Walmart 2299	161 Berlin Road	App for Site Plan Modification	Pending	
22-30	Planning and Zoning Commission	41 West Street	App for Amendment to the Zoning Regs	Pending	
22-31	Cromwell Village Associates	150 Country Squire Road	Site Plan Modification - Car chargers - (The Landon)	Pending	

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**APPLICATION FOR SITE PLAN APPROVAL**

Name of Project: Proposed Popeyes Restaurant
Street Address: 195 West Street
Volume/Page: 1716/81 PIN #: 00424500

Applicant Name: Cromwell Chicken LLC
Address: c/o Jay Klein, Carmody Law
1055 Washington Boulevard, Stamford, Connecticut
Telephone: 203-252-2669 (day) 203-252-2669 (evening)
Email Address: JKlein@carmodylaw.com

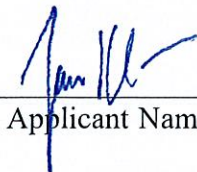
Property Owner Name: NL Grocery II DST
Address: 2901 Butterfield Road
Oak Brook, IL 60523

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

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



Applicant Name and Signature

7.27.22

Date

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

Type of Activity: Proposal to construct a Restaurant, fast food with a drive in window
(Per Section Section 3.3.C.4, 6.5 & 8.7 of the Cromwell Zoning Regulations)
Street Address: 195 West Street Zoning District: HB
Assessor's Parcel ID #: 00424500 Volume/Page: 1716/81

Applicant's Name: Cromwell Chicken, LLC
Address: c/o Jay Klein, Carmody Law, 1055 Washington Boulevard Stamford, Connecticut
Telephone Number (daytime): 203-252-2669
Email Address: JKlein@carmodylaw.com

Property Owner's Name: NL Grocery II DST
Address: 2901 Butterfield Road Oak Brook, IL 60523

Description of Proposed Activity:
See enclosed Application Narrative

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)

7.27.22

(date)

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

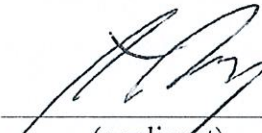
Type of Activity: CRUSHING
 (Per Section 6.1.H.2 of the Cromwell Zoning Regulations)
 Street Address: 80R GEEK ST Zoning District: BP
 Assessor's Parcel ID #: 00000500 Volume/Page: 1508-208

Applicant's Name: PARAMOUNT CONSTRUCTION - STEVE REILLY
 Address: 49 HOLLOW TREE LN NEWINGTON CT 06111
 Telephone Number (daytime): 860-250-5495
 Email Address: STEVE@PCONSTRUCTIONLLC.COM

Property Owner's Name: STEVE REILLY
 Address: 8 LALABANA RD SOMER, CT 06071

Description of Proposed Activity:
CRUSHING OF MATERIALS

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)

8/3/22
 (date)

22-25

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: Additional parking (4-6 stalls)
Street Address: 52 Missionary Rd. Cromwell CT 06416
Volume/Page: _____ PIN #: _____

Applicant Name: Norman Aldrich / Covenant Living
Address: 52 Missionary Rd.
Cromwell, CT. 06416
Telephone: 860-754-3051 (day) 860-622-8500 (evening)
Email Address: naldrich@covliving.org

Property Owner Name: Covenant Living of Cromwell
Address: 52 Missionary Rd.
Cromwell, CT. 06416

Attached:

- () Application fee.
(X) 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) - 1 |
| 2. Will this project require an <u>Inland Wetlands Agency permit</u> ? | (Yes) | (No) - 2 |
| if yes, have you obtained it? | (Yes) | (No) - 3 |
| 3. Will this project require a <u>DEP Stormwater Management Permit</u> ? | (Yes) | (No) - 4 |
| if yes, have you applied for it? | (Yes) | (No) - 5 |
| 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> requirements as set forth in current version of the State Building Code? | (Yes) | (No) |

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

Norman B. Aldrich
Applicant Name and Signature

8/9/22
Date

Application# 22-26

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

Type of Activity: Adding fill to property

(Per Section _____ of the Cromwell Zoning Regulations)

Street Address: 12 Summer Brook Lane Zoning District: R-25

Assessor's Parcel ID #: 00518900 Volume/Page: 1648/317

Applicant's Name: Magdalene Mehic & Sead Mehic

Address: 12 Summer Brook Lane, Cromwell, CT

Telephone Number (daytime): (860) 422-5384

Email Address: magdalene.balicki@gmail.com


Property Owner's Name: Magdalene Mehic & Sead Mehic

Address: 12 Summer Brook Lane, Cromwell, CT

Description of Proposed Activity:

Add fill to property to remedy steep grade leading into back yard. Approximately 1,000 cubic feet over the course of 6 months.

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)
Magdalene B. Mehic

8/23/22
(date)

22-27

**Town of Cromwell
Planning and Zoning Commission**

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

Description of Activity: Construction of accessory building
Street Address: 263 Main Street Zoning District: LB
Parcel ID #: 00043200 Volume/Page: 987/286

Applicant's Name: Cromwell Automotive, LLC
Address: 263 Main Street, Cromwell, CT 06416
Telephone Number (daytime): 860-613-2355
Email Address: fatal2@snet.net

Property Owner's Name: same as applicant
Address: _____

Description of Proposed Activity:
Construction of a 1-story 4,992 sq. ft. steel frame accessory building. The
property is located within Flood Zone AE

"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."



(signature of applicant)

8-26-22

(date)

RODNEY BITGOOD

(printed name of signer)

#22-28

Application

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL


Name of Project: Construction of accessory building
Street Address: 263 Main Street, Cromwell
Volume/Page: 987/286 PIN #: 00043200
Applicant Name: Cromwell Automotive, LLC
Address: 263 Main Street, Cromwell, CT 06416
Telephone: 860-613-2355 (day) (evening)
Email Address: fatal2@snet.net
Property Owner Name: same as applicant
Address:

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

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

 Rodney Bitgood
Applicant Name and Signature

8-26-22
Date

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: Storage Container request from 9-8-22 To 12-27-22
 Street Address: 161 Berlin Rd, Cromwell, Ct. 06416
 Volume/Page: 1462-136 PIN #: 00179600

Applicant Name: Walmart 2299
 Address: 161 Berlin Rd
Cromwell, CT, 06416
 Telephone: 860-635-0458 (day) 860-391-1598 (evening)
 Email Address: brvan.br.502299.us@wal-mart.com

Property Owner Name: Infinity Cromwell Prop LHO 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) <input checked="" type="checkbox"/> |
| 2. Will this project require an <u>Inland Wetlands Agency permit</u> ? | (Yes) | (No) <input checked="" type="checkbox"/> |
| if yes, have you obtained it? | (Yes) | (No) <input checked="" type="checkbox"/> |
| 3. Will this project require a <u>DEP Stormwater Management Permit</u> ? | (Yes) | (No) <input checked="" type="checkbox"/> |
| if yes, have you applied for it? | (Yes) | (No) <input checked="" type="checkbox"/> |
| 4. Will this Project Require an <u>STC Permit</u> ? | (Yes) | (No) <input checked="" type="checkbox"/> |
| if yes, have you submitted a copy of the plans to the STC? | (Yes) | (No) <input checked="" type="checkbox"/> |
| 5. Does the parking comply with the <u>handicapped parking</u> | (Yes) <input checked="" type="checkbox"/> | (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.

Richard Webster
 Applicant Name and Signature

7/26/2022
 Date

Application# 22-30

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR AMENDMENT TO THE ZONING REGULATIONS

Name: Planning and Zoning Commission
Address: 41 West Street
Cromwell, CT. 06416
Telephone: 860.632.3422 Email: _____

A. Request to Change an Existing Regulation:

1. Current Article Number: 3.3.C.4 and 6.11

2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):

B. Request to Create a New Regulation:

1. Suggested Article Number: _____

2. Zoning District(s) to be Affected by New Regulation: _____

3. Wording of New Regulation (attach if necessary):

C. Reason for Proposed Change or New Regulation:

Delete Sections 3.3.C.4 and 6.11

Stuart B. Pyper
(Applicant)

8/30/22
(date)

Application # 22-31

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: Planned Multifamily Residential Development (The Landon of Cromwell)
Street Address: 150 Country Squire Drive
Volume/Page: 1486-142 **PIN #:** 00336000

Applicant Name: Cromwell Village Associates, LLC.
Address: 2319 Whitney Avenue, Suite 1A
Hamden, CT 06518
Telephone: (203)230-1600 (day) _____ (evening)
Email Address: Markie_f@sbcglobal.net

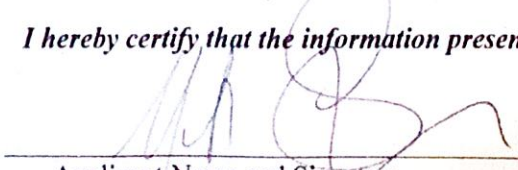
Property Owner Name: Cromwell Village Associates, LLC.
Address: 2319 Whitney Avenue, Suite 1A
Hamden, CT 06518

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

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


Applicant Name and Signature

2/22/23
Date

6.11 ADULT USE CANNABIS

6.11.A. Purpose: The purpose of this section is to regulate the location and operation of medical marijuana dispensary facilities, medical and production facilities, and adult-use cannabis retail and cultivation. The intent of these Regulations is to minimize any adverse impacts of such facilities, and to protect and preserve Cromwell's neighborhoods, commercial districts, property values and quality of life.

6.11.B Special Permit Required.

The sales and cultivation of cannabis may be authorized as a Special Permit provided the use is allowed in the district, and the following standards are met.

6.11.C. Definitions:

1. **Adult-Use Retailer** means a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufactures and food and beverage manufacturers and to sell cannabis to consumers and research programs.
2. **Cannabis** means marijuana, as defined in section 21a-240 of the general statutes.
3. **Cannabis product** means cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption.
4. **Consumer** means an individual who is twenty-one years of age or older;
5. **Cultivation** has the same meaning as provided in section 21a-408 of the general statutes.
6. **Cultivator** means a person that is licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.
7. **Medical Marijuana Dispensary facility** means a place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit under CGS Sec. 21a-408 et seq. as they may be amended and Sections -1 to 21a-408-1

to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.

8. **Hybrid retailer** means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.
9. **Micro-cultivator** means a person licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection.
10. **Production facility** means a secure, indoor facility where the production of medical marijuana occurs and is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit under CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.

6.11.D. Applicability:

1. Medical marijuana dispensary facilities and production facilities shall be governed by CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zones, subject to special permit approval in accordance with Section 8.7 of these Regulations, site plan approval in accordance with Section 8.6 of these Regulations, and the requirements of this section.
2. Cannabis retail and hybrid-retail facilities shall be governed by The Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA”), the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zone, subject to special permit approval in accordance with Section 5.2 of these Regulations, site plan approval in accordance with Section 5.3 of these Regulations, and the requirements of this section.
3. Adult-use cannabis cultivator and micro-cultivator facilities shall be governed by the RERACA, the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and

permitted only in the following zones, subject to special permit approval in accordance with Section 8.7 of these Regulations, site plan approval in accordance with Section 8.6 of these Regulations, and the requirements of this section.

- a. Industrial Zone District for Adult – Use Cannabis Cultivator and Micro-cultivator facilities.
- b. Highway Business Zone District for Adult-Use Cannabis Retailer, Hybrid-retailer and Medical Marijuana Dispensary facility only.

6.11.E. Separation Requirements: Uses identified in this section shall be subject to the following separation restrictions:

1. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana production, or adult-use cannabis cultivator or micro-cultivator facility shall be located on a site that is less than 100 feet from a church, temple or other place used primarily for religious worship, a charitable institution whether supported by public or private funds, library, public building, private recreation area, or a school, playground, park or child day care facility.
2. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana production facility, or adult-use cannabis cultivator or micro-cultivator facility shall **be located** on a site that is less than 100 feet from any property that is zoned for residential use as a permitted use.
3. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana dispensary facility or production facility, or adult use cannabis retailer, hybrid-retailer, cultivator, or micro-cultivator facility shall be allowed within the same building, structure or portion thereof that is used for residential purposes, or that contains another medical marijuana dispensary, production facility, or adult use cannabis retail, hybrid retail, cultivator, or micro-cultivator facility.
4. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer shall be located on a site less than 500 feet from another medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retail.

5. All distances contained in this section shall be measured by taking the nearest straight line between the respective lot boundaries of each site.
6. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana dispensary facility shall be located within the same building, structure, or portion thereof that is occupied with any other tenant or use.

6.11.F. Minimum Floor Area Requirements:

1. No medical marijuana production facility shall be allowed in a building with less than 25,000 square feet of gross floor area.

6.11.G. Sign and Exterior Display Requirements:

1. Exterior signage shall be in compliance with Section 5.3 of the Zoning Regulations.

6.11.H. Off-Street Parking Requirements:

1. Required off-street parking shall be in compliance with Section 5.2 of these regulations.

6.11.I. Security Requirements:

1. All , medical marijuana dispensary facilities, adult-use cannabis retailers or hybrid-retailers and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of Sec. 21a-408-62 of the State of Connecticut Regulations.
2. The hours of operation for medical marijuana dispensary facilities shall be limited to between 7:00 a.m. and 7:00 p.m., all days of the week.
3. There shall be no limitation on the hours of operation for medical marijuana production facilities, all days of the week.

6.11.J. Conditional Approval:

1. Special Permits shall be approved with the condition that the applicant obtains

the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur).

2. The conditional approval shall become finalized upon the receipt by the Director of Planning and Development of a copy of the Department of Consumer Protection-issued license.
3. The conditional approval shall expire if the applicant fails to provide the Director of Planning and Development with a copy of the Department of Consumer Protection-issued license within six months of the date of the Planning and Zoning Commission's conditional approval.

A six-month extension of such conditional approval shall be granted to the applicant upon written notification to the Director of Planning and Development that an application for a Department of Consumer Protection license has been filed, indicating the expected decision date of the Department of Consumer Protection license.

4. No entity shall operate without a valid, current license.

6.11.K. Connecticut Department of Consumer Protection Approval:

1. The applicant shall provide the Director of Planning and Development with a copy of the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.

6.11 ADULT USE CANNABIS (Draft prepared by Town Staff)

6.11.A. Purpose: The purpose of this section is to regulate the location and operation of medical marijuana dispensary facilities, medical and production facilities, and adult-use cannabis retail and cultivation. The intent of these Regulations is to minimize any adverse impacts of such facilities, and to protect and preserve Cromwell's neighborhoods, commercial districts, property values and quality of life.

6.11.B Special Permit Required.

The sales and cultivation of cannabis may be authorized as a Special Permit provided the use is allowed in the district, and the following standards are met.

6.11.C. Definitions:

1. **Adult-Use Retailer** means a person, excluding a dispensary facility and hybrid retailer, that is licensed to purchase cannabis from producers, cultivators, micro-cultivators, product manufactures and food and beverage manufacturers and to sell cannabis to consumers and research programs.
2. **Cannabis** means marijuana, as defined in section 21a-240 of the general statutes.
3. **Cannabis product** means cannabis that is in the form of a cannabis concentrate or a product that contains cannabis, which may be combined with other ingredients, and is intended for use or consumption.
4. **Consumer** means an individual who is twenty-one years of age or older;
5. **Cultivation** has the same meaning as provided in section 21a-408 of the general statutes.
6. **Cultivator** means a person that is licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.
7. **Medical Marijuana Dispensary facility** means a place of business where medical marijuana may be dispensed or sold at retail to qualifying patients and primary caregivers and for which the Connecticut Department of Consumer Protection has issued a dispensary facility permit under CGS Sec. 21a-408 et seq. as they may be amended and Sections -1 to 21a-408-1

to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.

8. **Hybrid retailer** means a person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.
9. **Micro-cultivator** means a person licensed to engage in the cultivation, growing, and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection.
10. **Production facility** means a secure, indoor facility where the production of medical marijuana occurs and is operated by a person to whom the Connecticut Department of Consumer Protection has issued a production facility permit under CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended.

6.11.D. Applicability:

1. Medical marijuana dispensary facilities and production facilities shall be governed by CGS Sec. 21a-408 et seq. as amended and Sections 21a-408-1 to 21a-408-70, inclusive, of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zones, subject to special permit approval in accordance with Section 8.7 of these Regulations, site plan approval in accordance with Section 8.6 of these Regulations, and the requirements of this section.
2. Cannabis retail and hybrid-retail facilities shall be governed by The Responsible and Equitable Regulation of Adult-Use Cannabis Act (RERACA”), the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and permitted only in the following zone, subject to special permit approval in accordance with Section 5.2 of these Regulations, site plan approval in accordance with Section 5.3 of these Regulations, and the requirements of this section.
3. Adult-use cannabis cultivator and micro-cultivator facilities shall be governed by the RERACA, the Public Act 21-1 / Senate Bill 1201 as amended inclusive of the Regulations of Connecticut State Agencies as they may be amended and

permitted only in the following zones, subject to special permit approval in accordance with Section 8.7 of these Regulations, site plan approval in accordance with Section 8.6 of these Regulations, and the requirements of this section.

- a. Industrial Zone District for Adult – Use Cannabis Cultivator and Micro-cultivator facilities.
- b. Highway Business Zone District for Adult-Use Cannabis Retailer, Hybrid-retailer and Medical Marijuana Dispensary facility only.

6.11.E. Separation Requirements: Uses identified in this section shall be subject to the following separation restrictions:

1. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana production, or adult-use cannabis cultivator or micro-cultivator facility shall be located on a site that is less than 100 feet from a church, temple or other place used primarily for religious worship, a charitable institution whether supported by public or private funds, library, public building, private recreation area, or a school, playground, park or child day care facility.
2. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana production facility, or adult-use cannabis cultivator or micro-cultivator facility shall **be located** on a site that is less than 100 feet from any property that is zoned for residential use as a permitted use.
3. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana dispensary facility or production facility, or adult use cannabis retailer, hybrid-retailer, cultivator, or micro-cultivator facility shall be allowed within the same building, structure or portion thereof that is used for residential purposes, or that contains another medical marijuana dispensary, production facility, or adult use cannabis retail, hybrid retail, cultivator, or micro-cultivator facility.
4. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer shall be located on a site less than 500 feet from another medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retail.

5. All distances contained in this section shall be measured by taking the nearest straight line between the respective lot boundaries of each site.
6. No medical marijuana dispensary facility, adult-use cannabis retail or hybrid-retailer, medical marijuana dispensary facility shall be located within the same building, structure, or portion thereof that is occupied with any other tenant or use.

6.11.F. Minimum Floor Area Requirements:

1. No medical marijuana production facility shall be allowed in a building with less than 25,000 square feet of gross floor area.

6.11.G. Sign and Exterior Display Requirements:

1. Exterior signage shall be in compliance with Section 5.3 of the Zoning Regulations.

6.11.H. Off-Street Parking Requirements:

1. Required off-street parking shall be in compliance with Section 5.2 of these regulations.

6.11.I. Security Requirements:

1. All , medical marijuana dispensary facilities, adult-use cannabis retailers or hybrid-retailers and production facilities shall have an adequate security system to prevent and detect diversion, theft or loss of marijuana utilizing commercial grade equipment meeting at least the minimum requirements of Sec. 21a-408-62 of the State of Connecticut Regulations.
2. The hours of operation for medical marijuana dispensary facilities shall be limited to between 7:00 a.m. and 7:00 p.m., all days of the week.
3. There shall be no limitation on the hours of operation for medical marijuana production facilities, all days of the week.

6.11.J. Conditional Approval:

1. Special Permits shall be approved with the condition that the applicant obtains

the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection (or other State agency as regulatory changes occur).

2. The conditional approval shall become finalized upon the receipt by the Director of Planning and Development of a copy of the Department of Consumer Protection-issued license.
3. The conditional approval shall expire if the applicant fails to provide the Director of Planning and Development with a copy of the Department of Consumer Protection-issued license within six months of the date of the Planning and Zoning Commission's conditional approval.

A six-month extension of such conditional approval shall be granted to the applicant upon written notification to the Director of Planning and Development that an application for a Department of Consumer Protection license has been filed, indicating the expected decision date of the Department of Consumer Protection license.

4. No entity shall operate without a valid, current license.

6.11.K. Connecticut Department of Consumer Protection Approval:

1. The applicant shall provide the Director of Planning and Development with a copy of the appropriate Dispensary or Production Facility license issued by the State of Connecticut Department of Consumer Protection, and any subsequent renewed license.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday September 6, 2022 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #22-16: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the Owner.
2. Application #22-17: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to allow for a garage larger than 1,000 square feet at 6 River Park Drive. John Paul Golino is the Applicant and the Owner.
3. Application #22-18: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.
4. Application #22-20: Request for a Special Permit under Section 4.1 of the Zoning Regulations to construct a building within the Flood Zone at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata 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 22nd day of August 2022.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

Type of Activity: Retail Cannabis Establishment

(Per Section 6.11. of the Cromwell Zoning Regulations)

Street Address: 33 Benton Rd. Zoning District: HB

Assessor's Parcel ID #: 00301700 Volume/Page: 726-190

Applicant's Name: 6 West Ave, LLC

Address: 6 West Ave E. Hampton, CT 06429

Telephone Number (daytime): 860-952-9067

Email Address: 6 West Ave LLC@gmail.com

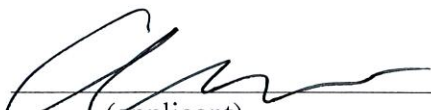
Property Owner's Name: Mary Ann Marchio

Address: 2 Quorn Hunt Rd West Simsbury, CT 06092

Description of Proposed Activity:

Restore vacant laundry facility to retail cannabis establishment.

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)

6-27-2022
(date)

Town of Cromwell Planning and Zoning Commission

Dear Planning and Zoning Commission,

This letter is to provide the commission and the public with a clear understanding of an “Adult-Use Cannabis Retailer” and what this establishment would look like in Cromwell, CT. This facility proposed to be located at 33 Berlin Rd. The regulation for this cannabis use is further explained in the State of Connecticut’s Bill 1201, Public Act No. 21-1. This includes requirements for security, product control, public welfare & awareness, etc. For an approved retailer in the State of Connecticut, all these criteria in the regulation will previously be met before opening and will continuously be met and regulated by the CT DCP Drug Control Division. Additionally, Cromwell has adopted a zoning regulation specifically for cannabis which will be met by this application and in the future.

This retail use is desirable because of its traditional retail nature, similar to a small convenience store. The average customer would be at this facility for approximately 5-10 minutes and is well within the typical averages of any similar retail use. The product arrives packaged and is distributed packaged; there is no consumption permitted onsite. All products are behind a barrier and are distributed by trained and DCP registered staff, so there is no risk of theft of the products. All patrons must be 21 years of age or older and have a valid form of ID to enter. There will be a carbon filtration system installed where product is stored within the facility and there will be no odor produced or released from the facility ever. Strict inventory procedures are required. The facility will always have sufficient and experienced management onsite when open. The facility will operate during regular business hours of 9 A.M. - 10 P.M. Monday-Sunday. The facility will be secured with access control and video surveillance systems 24/7/365 and will meet all the DCP Drug Control Division’s requirements prior to commencing operation. This facility will require an approximate staff of (40) individuals which will be compensated above market rate and will be provided benefits.

Our experience with retail cannabis locations is very positive and the municipalities where they are located would agree. Note that it is important to have an experienced operator to achieve a consistently secure and successful operation. Additionally, we have witnessed the surrounding areas of these locations to be clean, safe, quiet, and professional; as well as remain a very positive contributor to the community financially and developmentally for years to come. This use is a great fit to contribute to Cromwell in this retail corridor called the “Central Business District”. We believe with the correct operator this type of retail establishment would be considerate of the town residents while providing a great contribution to the community and keeping public safety and welfare in mind. Adult-Use Cannabis

Community impact and positive impact expanded: We feel it’s important to direct attention to the job creation and professional manner that this facility will operate in. I think the overall view on retail cannabis is changing however there is limited information available to the public which are published by accredited organizations. It is important to note this historical data is not directly connected with these regulated facilities but just the cannabis plant or cannabis derived products in general, some of these articles or events reported do not even separate issues related to non-regulated CBD being sold and surely do not identify the source of the products. Most of these products are likely coming through the “black market”. Not only would regulated cannabis sold in Cromwell, CT create jobs both in construction and operating of the facility; the city will have 3% of the dispensary’s revenue directed towards the municipality as a tax revenue which they can use for several items outlined in the cannabis bill including but not limited to fixing roads. With the cost of maintaining our cities and towns here in CT I know this is

Town of Cromwell Planning and Zoning Commission

surely something we can all benefit from, and we don't know of any other industries offering these incentives. Will all this being said the cost of these regulated products are likely still be competitive.

Regulated Cannabis Quality: All regulated cannabis is lab tested before leaving the production facility and if contaminants are found the DCP requires the entire batch to be disposed of. The introduction of regulated adult-use cannabis into communities has been known to reduce crime rates, reduce the "black market" which in return ensures the community is buying legal high-grade products with no traces of harmful ingredients.

Traffic and Parking: The retail use that the previous site plan was approved under is equal to or less than the conditions of this current proposed use. This site is well designed to handle this use seeing that it has multiple entrances and exits which are well designed to manage the traffic in and out of this retail location. Additionally, we have the advantage of being part of the shared parking easement on the rear parking lot that is currently underutilized and able to handle overflow parking, employee parking and traffic management without disturbing the public or neighboring businesses in the event there is a high initial demand. Please refer to the professional traffic study for greater detail. We would like to request a waiver to allow (4) parking spaces in the front of our establishment as depicted on our site improvements plan.

Thank you,

Andrew J. Simonow

6 West Ave, LLC

6WestAveLLC@Gmail.com

860-952-9067

Mitchell Traffic Engineering LLC

7 East Forest Drive
Enfield Connecticut 06082
(860) 841-1690
email: steve@mitchelltraffic.com
www.mitchelltraffic.com

August 23, 2022

Mr. Stuart Popper
Director of Planning and Development
Town of Cromwell
41 West Street
Cromwell CT 06416

via email SPOPPER @ CromwellCT.com

**RE: 33 Berlin Road
Dispensary Application**

Dear Mr. Popper:

We have received Police Chief Lamontagne's comments provided in a memorandum dated July 15, 2022. I have had the opportunity to discuss the comments with her, and we have agreed to the following resolution:

We will modify the site plan to show the driveway to Hammerhead Place to be a one-way drive for traffic *entering* the site only. Appropriate "One Way" and "Do Not Enter" signs will be placed at the driveway entrance. Exiting traffic will utilize either of the two other driveways to the main site.

Please contact me if you have any questions.

Very truly yours,

MITCHELL TRAFFIC ENGINEERING LLC



Stephen F. Mitchell, PE

cc: Andrew Simonow
Mark Reynolds
Mark Degnan
George Fellner

Mitchell Traffic Engineering LLC

7 East Forest Drive
Enfield Connecticut 06082
(860) 841-1690
email: steve@mitchelltraffic.com
www.mitchelltraffic.com

June 24, 2022

Mr. Andrew Simonow
GC National
PO Box 281
East Hampton CT 06424

**RE: Proposed Marijuana Dispensary
33 Berlin Road
Cromwell, Connecticut**

Dear Mr. Simonow:

We have prepared this report to accompany land use application(s) for a Marijuana Dispensary in an existing building located at the east end of an existing shopping center on the south side of Berlin Road in Cromwell, Connecticut. This 3240 square foot building was previously occupied by a service laundry facility, but is presently vacant. This report will address the traffic impacts of the proposed use.

Project Description

The building proposed for this use is located at the easterly end of the site, and the remainder of the site is occupied by restaurants and personal care establishments in a single building running east to west. The primary parking field is located in front of this larger building, and there are two unsignalized full-movement driveways to Berlin Road.

The proposed dispensary is located in a building that previously housed a service cleaning facility for many years. As such, it was configured without a large parking field immediately in front of the building, since the great majority of customers were dropping off or picking up, with short parking durations. Parking to support the general use, employees and deliveries is available behind the building. There is a short driveway from the front of the building to the east, where it merges with a driveway to the adjacent gasoline station/convenience store and Walgreens pharmacy. This combination driveway provides access to Berlin Road at a signalized T-intersection.

As part of this site plan, it is proposed to make the drive to the east (to the signalized intersection) one-way eastbound. This will allow exiting traffic to utilize the signalized intersection. Entering traffic will utilize one of the existing driveways west of the building.

Roadway Network

The site is located on Berlin Road, which is State Route 372. Route 372 originates in the Town of Plainville at the intersection of Route 72, and travels through New Britain, Berlin, and into Cromwell, where it terminates at Route 99 after passing the site. To the east, there is a major interchange with Route 9, and to the west, there is a major interchange with Interstate 91. In the vicinity of the site, Route 372 is two lanes wide in each direction, without marked turn lanes for any of the three drives that can be used to access the site. The posted speed limit is 40 mph.

In addition to providing access to several commercial properties along its route, Berlin Road serves as a primary route for traffic from several major residential areas to the north and south, which either access Berlin Road directly, or use Routes 3, 524, or 217 to reach Berlin Road. It then connects to points east and west, as well as Route 9 or I-91.

The eastern combined driveway provides a traffic signal that is tied to the operation at the signals immediately to the east, as well as the signals to the west. It provides a 10 second advanced left turn phase (green arrow) for westbound traffic entering the driveway, and a 22 second driveway phase. Left turns into the driveway are also permitted during the green portion of the 80 second cycle.

Existing Traffic

Connecticut Department of Transportation (CTDOT) traffic counts were obtained in order to estimate the amount of traffic on Berlin Road that was expected at pre-Covid levels. A Permanent CTDOT count station (CROM-003) is located just east of the site and was used to project weekday peak hour volumes reflecting pre-Covid conditions. Saturday peak hour volumes were extrapolated from continuous count data available on Route 372. This results in the following existing traffic volumes (in vehicles per hour):

	<u>AM Peak hour</u>	<u>PM Peak Hour</u>	<u>Saturday Peak Hour</u>
Eastbound	685	850	950
Westbound	550	900	950

We note that these volumes are as much as 20% higher than present-day counts.

Projected Traffic

In order to estimate the amount of traffic that will be generated by this facility, a national database compiled by the *Institute of Transportation Engineers (ITE)* was consulted. This database, known as *Trip Generation*, is based on actual traffic counts at similar facilities, and is now in its 11th Edition. It includes counts taken at Marijuana Dispensaries and shows the following:

	<u>Weekday</u>	<u>AM Peak</u>	<u>PM Peak</u>	<u>Saturday Peak</u>
Entering	342	18	30	46
Exiting	342	16	31	47
Total	684	34	61	93

It should be noted that the existing building generated traffic when it had been occupied by the service cleaners, so some of the traffic generated by the dispensary will replace the traffic that had been generated previously. As a cleaners, this site would have generated approximately 30 trips during the peak hours.

Operational Analysis

The projected generated traffic was distributed to the roadway network following the existing patterns of traffic flows on Berlin Road. The proposed modification to the drives was included in producing the trip assignment. All entering traffic was assigned to one westerly driveway to present a "worst case" analysis. Actually, this traffic will be split between the two westerly drives to some degree. All exiting traffic was assigned to the easterly driveway, and will utilize the traffic signal. The combined traffic volumes are shown graphically in the appendix for each of the peak hours.

Capacity analyses were conducted for both driveways using the techniques found in the Highway Capacity Manual published by the National Academy of Sciences and Engineering. This Manual is the widest used and universally recognized procedure for determining the operation of roadways, highways and intersections throughout the United States. This analysis technique rates the operation of an intersection based on delay to vehicles, and a rating known as Level of Service is given to each movement or leg of an intersection. Level of Service ratings are between A and F, with A being a condition of minimal delay, and F indicating a congested intersection. For unsignalized intersections, the Level of Service focuses on the side street and left turns on the main street. The following are the results of the analyses:

<u>Level of Service</u>	<u>AM Peak</u>	<u>PM Peak</u>	<u>Saturday Peak</u>
East Drive	B	B	B
West Drive	C/A/A	D/B/A	D/B/A

Both drives are anticipated to operate at excellent Levels of Service during the peak hours, with minimal delay to site traffic and ambient traffic in the area. Note that the unsignalized driveway shows Levels of Service A or B for the entering traffic, which includes the traffic generated by the site.

Sight Lines

CTDOT has published requirements for providing sight distances at intersections of roads or driveways, known as Intersection Sight Distance (ISD) in the Geometric Design Standards of the Highway Design Manual. ISD is the distance that a driver at an intersection must be able to see to the left or right to be able to enter a roadway from a stop or yield condition. ISD must be computed based on the observed 85th percentile speed on the roadway, regardless of posted speed, and is measured from a point 15 feet from the travel way.

The observed 85 percentile speed at the CROM-003 count station on Berlin Road was between 32 and 33 mph, which equates to a required ISD of 390 feet. The observed sight distance at the two site driveways is more than 1000 feet in each direction, well in excess of DOT requirements.

Conclusion

Based on the analyses described herein, it is our professional opinion that the operation of the proposed facility will have no impact on the operation of the roadway network, or any adverse impact on the safety of the travelling public. Operations at the driveways during the peak hours will not cause delays to site traffic or passing traffic in the area.

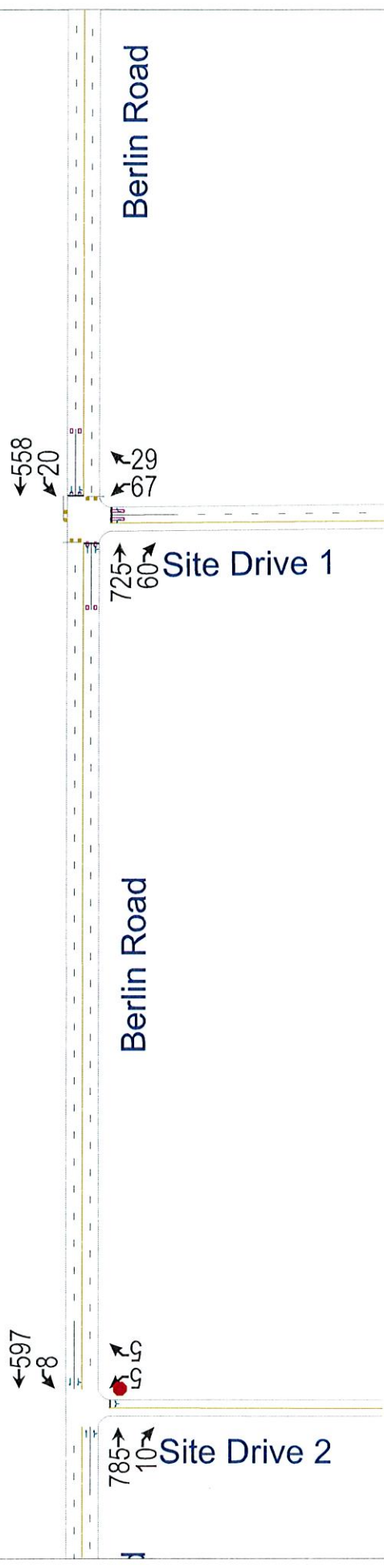
Very truly yours,

MITCHELL TRAFFIC ENGINEERING LLC

A handwritten signature in blue ink that reads "Stephen Mitchell". The signature is stylized with a large, flowing "S" and a cursive "Mitchell".

Stephen F. Mitchell, PE

Appendices



HCM Signalized Intersection Capacity Analysis

3: Site Drive 1 & Berlin Road

06/24/2022

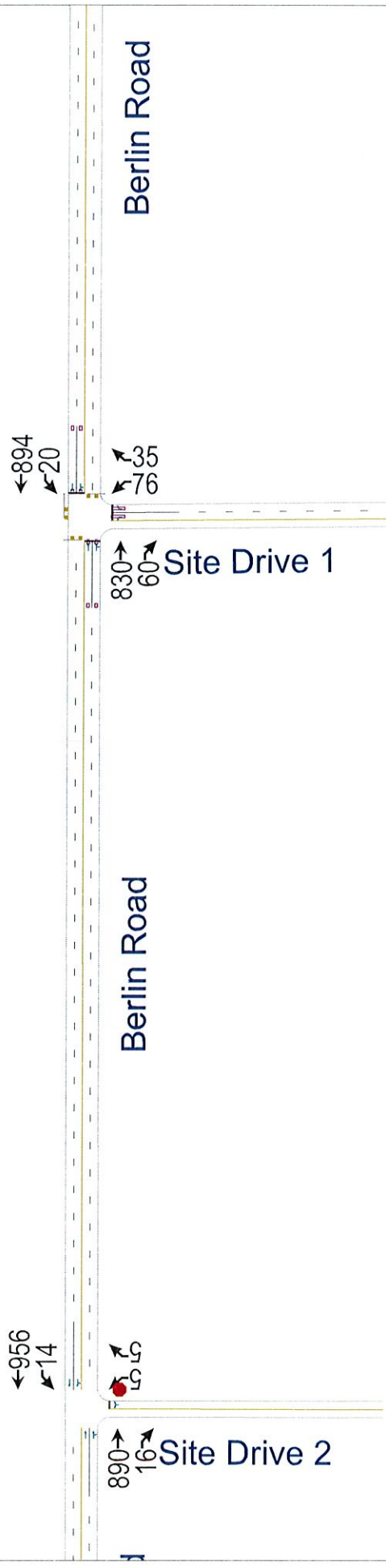
	→	↘	↙	←	↖	↗
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↖	↗
Traffic Volume (vph)	725	60	20	558	67	29
Future Volume (vph)	725	60	20	558	67	29
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	5.0			5.0	5.0	5.0
Lane Util. Factor	0.95			0.95	1.00	1.00
Frt	0.99			1.00	1.00	0.85
Flt Protected	1.00			1.00	0.95	1.00
Satd. Flow (prot)	3499			3533	1770	1583
Flt Permitted	1.00			0.92	0.95	1.00
Satd. Flow (perm)	3499			3250	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	788	65	22	607	73	32
RTOR Reduction (vph)	7	0	0	0	0	25
Lane Group Flow (vph)	846	0	0	629	73	7
Turn Type	NA		pm+pt	NA	Prot	Prot
Protected Phases	2		1	2	4	4
Permitted Phases			2		4	4
Actuated Green, G (s)	43.0			48.0	17.0	17.0
Effective Green, g (s)	43.0			48.0	17.0	17.0
Actuated g/C Ratio	0.54			0.60	0.21	0.21
Clearance Time (s)	5.0			5.0	5.0	5.0
Lane Grp Cap (vph)	1880			1967	376	336
v/s Ratio Prot	c0.24			c0.02	c0.04	0.00
v/s Ratio Perm				0.17		
v/c Ratio	0.45			0.32	0.19	0.02
Uniform Delay, d1	11.3			7.9	25.9	24.9
Progression Factor	1.00			1.00	1.00	1.00
Incremental Delay, d2	0.8			0.4	1.1	0.1
Delay (s)	12.1			8.3	27.0	25.0
Level of Service	B			A	C	C
Approach Delay (s)	12.1			8.3	26.4	
Approach LOS	B			A	C	
Intersection Summary						
HCM 2000 Control Delay		11.5		HCM 2000 Level of Service		B
HCM 2000 Volume to Capacity ratio		0.37				
Actuated Cycle Length (s)		80.0		Sum of lost time (s)		15.0
Intersection Capacity Utilization		42.5%		ICU Level of Service		A
Analysis Period (min)		15				
c Critical Lane Group						

Intersection						
Int Delay, s/veh	0.2					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑↑	
Traffic Vol, veh/h	785	10	8	597	5	5
Future Vol, veh/h	785	10	8	597	5	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	853	11	9	649	5	5

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	864
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.14
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.22
Pot Cap-1 Maneuver	-	-	774
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	774
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.2	19.1
HCM LOS			C

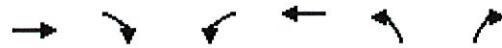
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	267	-	-	774	-
HCM Lane V/C Ratio	0.041	-	-	0.011	-
HCM Control Delay (s)	19.1	-	-	9.7	0.1
HCM Lane LOS	C	-	-	A	A
HCM 95th %tile Q(veh)	0.1	-	-	0	-



HCM Signalized Intersection Capacity Analysis

3: Site Drive 1 & Berlin Road

06/24/2022



Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑	↑
Traffic Volume (vph)	830	60	20	894	76	35
Future Volume (vph)	830	60	20	894	76	35
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	5.0			5.0	5.0	5.0
Lane Util. Factor	0.95			0.95	1.00	1.00
Frt	0.99			1.00	1.00	0.85
Flt Protected	1.00			1.00	0.95	1.00
Satd. Flow (prot)	3504			3535	1770	1583
Flt Permitted	1.00			0.93	0.95	1.00
Satd. Flow (perm)	3504			3278	1770	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	902	65	22	972	83	38
RTOR Reduction (vph)	6	0	0	0	0	30
Lane Group Flow (vph)	961	0	0	994	83	8
Turn Type	NA		pm+pt	NA	Prot	Prot
Protected Phases	2		1	2	4	4
Permitted Phases			2		4	4
Actuated Green, G (s)	43.0			48.0	17.0	17.0
Effective Green, g (s)	43.0			48.0	17.0	17.0
Actuated g/C Ratio	0.54			0.60	0.21	0.21
Clearance Time (s)	5.0			5.0	5.0	5.0
Lane Grp Cap (vph)	1883			1982	376	336
v/s Ratio Prot	c0.27			c0.03	c0.05	0.01
v/s Ratio Perm				0.27		
v/c Ratio	0.51			0.50	0.22	0.02
Uniform Delay, d1	11.8			9.2	26.0	24.9
Progression Factor	1.00			1.00	1.00	1.00
Incremental Delay, d2	1.0			0.9	1.4	0.1
Delay (s)	12.8			10.1	27.4	25.1
Level of Service	B			B	C	C
Approach Delay (s)	12.8			10.1	26.7	
Approach LOS	B			B	C	

Intersection Summary

HCM 2000 Control Delay	12.3	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.43		
Actuated Cycle Length (s)	80.0	Sum of lost time (s)	15.0
Intersection Capacity Utilization	51.6%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			

Intersection						
Int Delay, s/veh	0.4					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑↑	
Traffic Vol, veh/h	890	16	14	956	5	5
Future Vol, veh/h	890	16	14	956	5	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	967	17	15	1039	5	5

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	984
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.14
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.22
Pot Cap-1 Maneuver	-	-	698
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	698
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0.4	27.5
HCM LOS			D

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	171	-	-	698	-
HCM Lane V/C Ratio	0.064	-	-	0.022	-
HCM Control Delay (s)	27.5	-	-	10.3	0.3
HCM Lane LOS	D	-	-	B	A
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

Intersection						
Int Delay, s/veh	0.5					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑	↑↑	
Traffic Vol, veh/h	930	22	24	967	5	5
Future Vol, veh/h	930	22	24	967	5	5
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	1011	24	26	1051	5	5
Major/Minor	Major1	Major2		Minor1		
Conflicting Flow All	0	0	1035	0	1601	518
Stage 1	-	-	-	-	1023	-
Stage 2	-	-	-	-	578	-
Critical Hdwy	-	-	4.14	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	5.84	-
Follow-up Hdwy	-	-	2.22	-	3.52	3.32
Pot Cap-1 Maneuver	-	-	667	-	97	502
Stage 1	-	-	-	-	308	-
Stage 2	-	-	-	-	524	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	667	-	88	502
Mov Cap-2 Maneuver	-	-	-	-	88	-
Stage 1	-	-	-	-	308	-
Stage 2	-	-	-	-	475	-
Approach	EB	WB		NB		
HCM Control Delay, s	0	0.7		30.9		
HCM LOS	D					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	150	-	-	667	-	
HCM Lane V/C Ratio	0.072	-	-	0.039	-	
HCM Control Delay (s)	30.9	-	-	10.6	0.5	
HCM Lane LOS	D	-	-	B	A	
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-	

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

Memorandum

To: Stuart Popper
CC: Planning & Zoning Commission
From: Jon Harriman, P.E.
Date: 8/29/2022
Re: #22-16 – 33 Berlin Road



I have reviewed the revised site plans, site lighting plans and traffic study. The site plan calls for minimal revisions to the existing site, and does not appear to require changes to the existing drainage.

I am in support of the revision that changed the curb cut on Hammer Head Place to one-way entry only. The traffic study should be updated to reflect this change. Additionally the operational analysis should indicate level of service in the existing condition as well.

Fontaine, Candice

From: Popper, Stuart
Sent: Thursday, August 04, 2022 10:28 AM
To: Fontaine, Candice
Subject: FW: 22-16

From: Chief Lamontagne
Sent: Friday, July 15, 2022 10:18 AM
To: Popper, Stuart <spopper@cromwellct.com>
Subject: 22-16

Stuart,

I have reviewed the provided information. I am concerned with traffic exiting the establishment on Hammerhead Place and impeding traffic turning onto Hammerhead Place from Rt. 372 causing a hazardous condition. The traffic study refers to the previous business, however, the previous business had no delivery trucks entering/exiting the facility, which this establishment will have. I would suggest the entrance/exit onto Hammerhead Place be removed so all traffic entering/exiting from the two other areas in the plaza.

Denise Lamontagne

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

CONFIDENTIAL INFORMATION: The information contained in this e-mail is confidential and protected from general disclosure. If the recipient or the reader of this e-mail is not the intended recipient, or person responsible to receive this e-mail, you are requested to delete this e-mail immediately and do not disseminate or distribute or copy. If you have received this e-mail by mistake, please notify us immediately by replying to the message so that we can take appropriate action immediately and see to it that this mistake is rectified.

Fontaine, Candice

From: Egan, John
Sent: Thursday, August 25, 2022 3:25 PM
To: Popper, Stuart
Cc: Driska, Bruce; Fontaine, Candice
Subject: 22-16 33 Berlin Road - Revised Plans for Site Plan Approval
Attachments: Untitled; Untitled

The above revised site plan has been reviewed and the following issues remain. The accessible parking signage does not meet the 2018 Connecticut State Building Code.

The attached examples will meet the code. Revise plans as required and resubmit for review.

Sincerely, John Egan
Chief Building Official

Fontaine, Candice

From: Egan, John
Sent: Friday, July 22, 2022 4:16 PM
To: Popper, Stuart
Cc: Fontaine, Candice; Driska, Bruce
Subject: 22-16 33 Berlin Road - Request for Site Plan Review

A site plan review was performed for the above reference project and the following observed.

- 1) The minimum statutory fine for violation of accessible parking regulations is \$250. The details on page 3 of the plan set for Accessible Parking Signage shall be corrected.
- 2) The word "State" is not part of the statutory required language to be included on the Accessible Parking Signage ,remove the language from the sign detail sheet on page 3.

Sincerely, John Egan
Chief Building Official

Popper, Stuart

From: Peck, Rich
Sent: Monday, July 18, 2022 12:05 PM
To: Popper, Stuart
Cc: Milardo, Michelle
Subject: 22-16: 33 Berlin Road- Retail

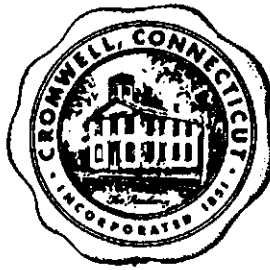
Stuart,

No formal approval is required from the CWPCA.

Sanitary sewers are connected to the existing proposed retail building at 33 Berlin Road.

Sincerely,

Richard A. Peck
Sewer Administrator, CWPCA
Town of Cromwell
860-632-3430
rpeck@cromwellct.com



MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*
Date: July 18, 2022
Re: **Plan Review, PZC Applications #22-16, 33 Berlin Road, Site Plan**

COMMENTS

I have reviewed Application #22-16 and have the following comments:

1. The proposed dumpster enclosure is three-sided and not screened in the front. Please show a screened front gate.
2. Proposed lighting specifications is requested.
3. Proposed signage specifications is requested.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Retail Cannabis Establishment
 Street Address: 33 Berlin Rd.
 Volume/Page: 726-140 PIN #: 00301700

Applicant Name: 6 West Ave, LLC
 Address: 6 West Ave. E. Hampton, CT 06424

Telephone: 860-962-9067 (day) _____ (evening)

Email Address: 6 West Ave LLC@gmail.com

Property Owner Name: Mary Ann Marchio
 Address: 2 Quarn Hunt Rd. West Simsbury
CT 06092

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 <u>DEP 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> requirements as set forth in current version of the State Building Code? | (Yes) | (No) |

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


 Applicant Name and Signature

7-15-2022
 Date

22-17

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

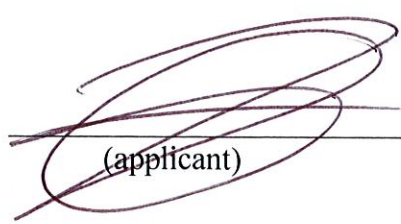
Type of Activity: Under grand garage over 1,000 s.f.
(Per Section H-18/48 27A.4 of the Cromwell Zoning Regulations)
Street Address: 6 River Park Dr. Zoning District: RPD
Assessor's Parcel ID #: 00185300 Volume/Page: _____

Applicant's Name: John Paul Golino
Address: 6 River Park Dr. Cromwell CT 06416
Telephone Number (daytime): 800. 882. 8112
Email Address: JP@golino.com

Property Owner's Name: John Paul Golino
Address: 6 River Park Dr. Cromwell CT 06416

Description of Proposed Activity:
Build a Under Grand Garage under my existing
driveway

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)

6/23/22
(date)

• Parking for a commercial trailer	2.10
------------------------------------	------

2.3 [RESERVED FOR FUTURE USE]

2.4 [RESERVED FOR FUTURE USE]

2.5 [RESERVED FOR FUTURE USE]

2.6 [RESERVED FOR FUTURE USE]

2.7 ACCESSORY STRUCTURES

2.7.A Accessory Buildings in Residential Use Districts.

1. No accessory building in a residential district shall be located in any front yard (except for accessory buildings which may be permitted in the front yard at a municipal facility). No accessory building shall be located in any side yard nearer to the side lot line than the minimum width required for a side yard for the principal building, or in a rear yard unless at least five (5) feet from any lot line. No accessory building, except a building used in connection with a farm, shall exceed 18 feet in height.
2. On corner lots in addition to the above requirements, no accessory building in a rear yard shall be nearer a street line than the least depth of any front yard required along such street.
3. A building attached to the principal building by a covered passageway, or by having a wall or a part of a wall in common with it, shall be considered an integral part of the principal structure and not an accessory building.
4. The total combined private garage facilities in connection with a single-family dwelling may not exceed 1,000 square feet in area except as follows. By Special Permit, total combined garage facilities on a conforming lot may exceed 1,000 square feet but shall not exceed 1,600 square feet. An application for a Special Permit shall include a site plan showing existing and proposed screening (buildings, trees, and shrubbery) which in the Commission's judgment will adequately screen the proposed garage facilities.

2.7.B Fences.

In residential districts, fences not exceeding six (6) feet in height are permitted along rear and side lot lines only and may not extend into the front yard. Within the front yard, fences may not exceed four (4) feet in height except on corner lots where requirements of Section 5.8 must be met.

2.8 LARGE DOMESTIC ANIMAL PETS

2.8.A Permit Required.

The keeping of a Large Domestic Animal Pet shall be permitted as an accessory use upon the issuance of a Use Permit.

2.8.B Requirements.

1. Minimum Lot Area. The Large Domestic Animal Pet must be owned by the resident

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



Type of Activity: Special Permit to establish Adult-Use Cannabis Retailer
(Per Section 6.11 of the Cromwell Zoning Regulations)
Street Address: 5 Berlin Road (CT Route 524) Zoning District: HB & SFHAOD
Assessor's Parcel ID #: 00095900 Volume/Page: 1136-232

Applicant's Name: Bantry Bay Ventures, LLC & Michael J. Cannata
Address: c/o Amy E. Souchuns, Esq. 147 N. Broad Street, Milford, CT 06460
Telephone Number (daytime): c/o 203-877-8000
Email Address: ASouchuns@hssklaw.com

Property Owner's Name: Michael J. Cannata
Address: 136 Nooks Hill Road, Cromwell, CT 06416

Description of Proposed Activity:
See attached.

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)*.

 6/27/22
(applicant) Bantry Bay Ventures LLC (date)
 6/27/2022
(applicant) (date)

DESCRIPTION OF PROPOSED USE & IMPACT STATEMENT

5 Berlin Road

In accordance with § 6.11 of the Zoning Regulations, Bantry Bay Ventures, LLC (contract purchaser and Applicant) seeks special permit approval to establish an “Adult-Use Cannabis Retailer” on the vacant commercial parcel located at 5 Berlin Road (CT Route 524) (“Property”) currently owned by Michael J. Cannata. The Property consists of a 5.3-acre parcel of vacant land within the Highway Business Zone (HB) and Flood Hazard Overlay District.

Facility Layout and Operations

Following a recent text amendment, an “Adult-Use Cannabis Retailer” is allowed subject to special permit approval in the Highway Business Zone. The Applicant proposes to construct a new free-standing building, approximately 5,000 square feet in size, for the purposes of establishing an Adult-Use Cannabis Retailer at the Property (the “Facility”). As depicted in the preliminary floor plan, the Facility will feature approximately 1,500 square feet of retail area, a separate customer check-in area, and independent entrance and exit. Delivery/receiving rooms, secure vault, and employee areas are located in the rear of the premises.

Final floor plans for the Facility are subject to the receipt of state approval and any additional requirements imposed as part of that licensing process. A copy of the Applicant’s Theft and Diversion Prevention Program for its medical dispensary locations is attached; the identical plan would be implemented at this location.

Operationally, the Applicant anticipates approximately 15-23 employees will be on site during the hours of operation. Orders are placed online and fulfilled by employees prior to customer pickup in a designated timeslot. The Facility will be operated in accordance with state regulations, which include strict licensing and operational requirements. The Applicant will implement various measures including internal and external security cameras, motion detectors, and internal secured storage of all products sold at the Facility. The facility will have 360-degree security camera coverage, with 60-90 days of backup (well beyond the 30-day requirement imposed by state regulation). Additionally, the entire Facility is limited access, with customers and employees only given access to those areas of the establishment required for their respective need.

Parking and Traffic

Although a loading area is depicted, deliveries are made in smaller vehicles (the largest of which is a sprinter type van) at pre-scheduled times; no tractor trailer size vehicles are anticipated. Deliveries will be made 8-10 times each week via sprinter van and last approximately 30 minutes. Deliveries are made with multiple registered agents and one agent stays with the vehicle at all times. For this reason, and consistent with the recent amendment to the Zoning Regulations

reflected in § 5.2.H(4),¹ the Applicant requests that the Planning & Zoning Commission find that no loading space is required for the following reasons: (i) sufficient area is available for the addition of a loading space in the event that same required as a result of future re-use of the Property and (ii) the Facility does not require a loading space due to the fact that deliveries are made via standard size vehicles (sprinter van type or smaller) rather than tractor trailer.

With respect to traffic generation, the surrounding road network is capable of supporting the anticipated trips generated by this use; SLR Consulting is currently finalizing a Traffic Impact Analysis documenting the appropriateness of the roadways and available parking. The Applicant anticipates the Facility's peak operations to be Fridays and Saturdays. Based upon the Applicant's experience in its other locations, customer visits generally last 5-10 minutes, which will lead to reasonable turnover in the parking spaces while avoiding traffic backups associated with longer stays. Additionally, customers are given "pickup time slots" to help mitigate any backup effect on traffic.

Section 5.2 does not include a specific parking requirement for the Adult-Use Cannabis Retailers and, accordingly, the Facility should be considered an "Other Use" for purposes of determining required parking.² The Applicant submits that the proposed parking (37 spaces + 1 loading space) is necessary to accommodate customer and employee parking for the Facility. While the Zoning Regulations require a maximum of 5 spaces per 1,000 SF for retail uses 10,000 square feet or less, additional parking is required here due to frequent turnover of parking spaces and the number of employees required to be on-site during hours of operation as compared to many traditional retailers of the similar size. In light of the unique requirements for the Facility, the Applicant requests that the Commission find that 37 spaces (+ 1 loading space) is reasonable and consistent with the requirements set forth in § 5.2.D.

Compliance with Relevant Criteria

The proposed development is compatible with Cromwell's Plan of Conservation and Development ("POCD") and will not adversely impact the surrounding neighborhood or the Town as a whole. Specifically, this project is in keeping with and supports the POCD goal of expanding Cromwell's economic base. When the Planning & Zoning Commission adopted a regulation to allow Adult-Use Cannabis Retailers as a new special permit use in certain business and industrial zones, it promoted new opportunities for economic development in furtherance of that goal. This

¹ Section 5.2.H(4) states as follows: "The Commission may modify or eliminate the requirement for one or more loading space(s) based upon the specific use proposed, provided that (i) sufficient area is available for installation of a loading space (the size of which space shall be the size specified in the definition of "loading space" in Section 5.2.C) in the event subsequent re-use of the property requires a loading space, and (ii) the applicant demonstrates the proposed use does not require the loading space(s) through submission of testimony, reports, or other data outlining the manner of deliveries proposed to occur. Any plan approved pursuant to this section shall be conditioned upon the provision of the area specified in subsection (i)."

² As set forth in the table found in section 5.2.D, the minimum parking required for "[u]ses not listed or not clearly defined" is "[a]s required by the commission based on the requirements for comparable uses."

application to establish an Adult-Use Cannabis Retailer on a vacant commercial parcel represents the logical next step in the economic development process by bringing a new business to the area.

In sum, the Applicant requests that its application be approved because the proposed Facility is consistent with the Zoning Regulations, the POCD, and the special permit criteria for an Adult-Use Cannabis Retailer as set forth in § 6.11.

June 29, 2022

Mr. Stuart Popper
Director of Planning and Development
Town of Cromwell
Town Hall, 2nd Floor
41 West St.
Cromwell, CT 06416

RE: Stormwater Management Narrative
170 Evergreen Road
Cromwell, CT
SLR #17386.00002

Dear Mr. Popper:

This narrative has been prepared to describe the stormwater management approach that will be used for the proposed subdivision of 170 Evergreen Road into a six-lot single family residential subdivision in Cromwell, CT. The project will consist of six new frontage lots along Willowbrook Road..

STORMWATER MANAGEMENT APPROACH

The stormwater management system for this site has been designed to provide runoff volume retention due to the increase in impervious surfaces. Existing drainage patterns will be maintained to the maximum extent practicable.

Given the topography and proximity to wetlands, each lot will include a relatively short driveway and single family residential house. As these will be constructed on an individual basis, the location and size of stormwater storage should be reviewed on a lot by lot basis. For each new building lot, the increase in stormwater runoff from impervious surfaces will be handled on that lot with an underground storage system, since the lots are somewhat limited in size. The design and location of the underground storage have been shown to indicate how the stormwater on each lot could be handled, but not necessarily how the stormwater management system will be installed. The exact stormwater management design for each lot will be handled at plot plan once the exact location and size of the proposed house and driveway is finalized. The rainfall intensities for the site were obtained from the National Oceanic and Atmospheric Administration (NOAA) Atlas 14, Volume 10, Precipitation Frequency Data Server (PFDS).

HYDROLOGIC ANALYSIS

A hydrologic analysis was conducted to analyze the predevelopment and post-development 100-year storm runoff from the site. Only the change from existing conditions to proposed impervious surfaces was considered for the hydrologic analysis due to relatively limited scale of the proposed project and disconnected nature of the impervious surfaces.

Land use for the site under existing wooded areas, though historically this site was used for agricultural purposes. Soil types in the watershed were determined from the CTDEEP Geographic Information System (GIS) database of the United States Department of Agriculture – Natural Resources Conservation Service (USDA-NRCS) soil survey for Middlesex County, Connecticut. For the analysis, the site was determined to contain hydrologic soil types “C” as classified by USDA-NRCS. The site is mainly composed of Wethersfield Loam (3 to 8% slopes) in vicinity of the proposed lot development.

The existing site conditions result in a lower CN than proposed site conditions and with the increase in CN and the increase in volume of runoff, retention is required on site. This retention will be provided by underground storage system for the individual lots.

The underground storage systems have been sized to accommodate the increase in volume of runoff from the 100-year storm. All supporting documentation and stormwater-related computations are attached to this report for the proposed storm drainage system.

Thank you for the opportunity to assist you. If you should have any questions or comments, please do not hesitate to contact me.

Sincerely,

SLR International Corporation



Ryan McEvoy, PE
Principal Civil Engineer

Enclosure

CROMWELL CANNABIS DISPENSARY CROMWELL, CONNECTICUT

Traffic Impact Study

Prepared for:

Bantry Bay Ventures, LLC

SLR #141.20678.00003

July 2022



1. INTRODUCTION

SLR has prepared this Traffic Impact Study to evaluate the impact of the proposed recreational cannabis dispensary in the town of Cromwell on the surrounding roadway network and study intersections. The proposed recreational cannabis dispensary is to occupy 5,000 square feet in a new building to be located at 5 Berlin Road (S.R. 524) in Cromwell, Connecticut. A site location map is provided in **Figure 1**. Access to the proposed site is provided via Berlin Road via two site driveways. The north site driveway will provide full access while the south site driveway will provide egress traffic flow only. A total of 37 parking spaces will be provided in addition to one loading space.

This traffic impact study includes a summary of roadway characteristics, traffic counts, crash history, trip generation, trip distribution, background growth, intersection capacity analysis, parking analysis, and recommendations to mitigate consequential impacts (if any) and improve roadway safety. The following intersections were evaluated during the weekday p.m. (4:00 p.m. to 6:00 p.m.) and Saturday midday (11:00 a.m. to 1:00 p.m.) peak periods:

- Berlin Road (S.R. 524) and West Street (Route 372)
- Berlin Road (S.R. 524) and Shunpike Road/Newfield Street (Route 3)
- Berlin Road (S.R. 524) and site driveway

The location of study intersections relative to the site are shown in **Figure 1**.

2. STUDY AREA INFORMATION

The study area information discussed in this section includes existing roadway characteristics, number of lanes and configuration, speed limit, roadway functional classification, turning movement counts, and Connecticut Crash Data Repository crash history.

2.1 ROADWAY NETWORK

Berlin Road from West Street to Shunpike Road/Newfield Street is a minor arterial with a posted speed limit of 40 miles per hour. The cross section for this segment consists of two lanes of travel and shoulders. According to Connecticut Department of Transportation (CTDOT) Traffic Monitoring Station, the annual average daily traffic (AADT) (2021) on this segment of Berlin Road is 3,800 vehicles.

West Street from Coles Road to Shunpike Road is a minor arterial with a posted speed limit of 30 miles per hour. The cross section for this segment consists of four lanes of travel and shoulders. According to CTDOT Traffic Monitoring Station, the AADT (2021) on this segment of West Street is 17,000 vehicles.

Shunpike Road (Route 3) from West Street to Newfield Street is a minor arterial with a posted speed limit of 30 miles per hour. The cross section for this segment consists of two lanes of travel and shoulders. According to CTDOT Traffic Monitoring Station, the AADT (2021) on this segment of Shunpike Road is 10,700 vehicles.

Newfield Street from the Berlin Road and Shunpike Road intersection to Tuttle Road is a minor arterial with a posted speed limit of 30 miles per hour. The cross section for this segment consists of two lanes of travel and shoulders. According to CTDOT Traffic Monitoring Station, the AADT (2019) on this segment of Newfield Street is 15,300 vehicles.

The study area consists of two existing signalized intersections and two proposed stop-controlled intersections. The signalized intersections are West Street at Berlin Road and Berlin Road at Shunpike Road/Newfield Street. The proposed stop-controlled intersections are the site driveways on Berlin Road. The north site driveway will be a full-access drive allowing vehicles to enter and exit while the south site driveway will be for exiting only.

2.2 TURNING MOVEMENT COUNTS

SLR conducted turning movement counts (TMC) at the study intersections on Thursday, June 23, and Saturday, June 25, 2022. The peak period counts were conducted from 4:00 p.m. to 6:00 p.m. for the weekday afternoon period and from 11:00 a.m. to 1:00 p.m. for the Saturday midday period. The existing/baseline peak-hour traffic volumes are shown on **Figures 2 and 3**.

A 72-hour Automatic Traffic Recorder (ATR) counts at one location along Berlin Road were conducted on Thursday, May 23; Friday, May 24; and Saturday, May 25, 2022. These counts were conducted to capture average daily traffic (ADT), traffic volume split, peak-hour volumes, speed data, and vehicle classification.

The ATR count data as well as the turning movement counts are included in **Appendix A**. The data obtained using the ATR-provided traffic volumes and vehicle classifications are shown on **Table 1**.

Table 1 ATR Data Summary

ADT	Peak-Hour Volume		AM Volume Split		PM Volume Split		Average Speed (mph)	85th Percentile Speed (mph)	% Cars	% Heavy Vehicles
Volume	AM	PM	NB	SB	NB	SB				
Location A: Berlin Road between West Street and Newfield Street										
4,269	319	410	49%	51%	51%	49%	39	45	92%	8%

2.3 CRASH HISTORY

Crash data was obtained from the Connecticut Crash Data Repository for the most recent 3-plus-year period (January 2019 through July 2022) in the study area, as summarized in **Table 2**. In this period, a total of 12 crashes occurred in the study area over two intersections and the roadway segment in between. The roadway segment adjacent to the site driveways has experienced two property damage crashes and one minor injury crash. Most of these crashes resulted in property damage only while four crashes have resulted in minor injuries.

Table 2 Crash Data Summary

Criteria	West Street at Berlin Road	Berlin Road from West Street to Shunpike Road	Berlin Road at Shunpike Road
YEAR			
2019	1	2	1
2020	1	0	1
2021	4	0	1
January through July 2022	0	1	0
Total	6	3	3
TYPE			
Angle	2	2	0
Head-On	0	0	0
Rear-End	3	0	0
Sideswipe	1	0	1
Single Vehicle	0	0	0
Unknown/Other	0	1	2
Total	6	3	3
SEVERITY			
Fatality (K)	0	0	0
Suspected Serious Injury (A)	0	0	0
Suspected Minor Injury (B)	2	1	1
Possible Injury (C)	1	0	0
Property Damage Only (O)	3	2	2
Total	6	3	3

3. EXISTING ANALYSIS

Intersection capacity analysis was performed at the study intersections under Existing Conditions to evaluate the intersections' ability to process traffic volumes. Intersection capacity results are expressed as a level of service (LOS) letter. LOS is used to provide a qualitative evaluation of the efficiency of operations of an intersection in terms of delay and inconvenience based on certain quantitative calculations. A description of the various LOS designations, A through F, is included in **Appendix B**. LOS A describes operations with very low average control delay per vehicle while LOS F describes operations with long average delays. The study intersections were evaluated using *Synchro 11 (Trafficware)* traffic analysis software package.

Table 3 summarizes the intersection capacity analysis findings under Existing (2022) Conditions for weekday p.m. and Saturday peak hours. The *Synchro* analysis worksheets are included in **Appendix B**. As shown below, the study intersections have shown acceptable LOS at all movements during the weekday p.m. and Saturday midday peak hours.

Table 3 Intersection Capacity Analysis - Existing 2022 Conditions

Approach	Street Name	Movement	PM Peak Hour		Saturday Peak Hour	
			Delay (sec)	LOS	Delay (sec)	LOS
West Street (Route 372) and Berlin Road (S.R. 524) - signalized						
EB	West Street	Shared Left/Through	7.3	A	6.1	A
		Shared Through/Right	7.3	A	6.1	A
WB	West Street	Shared Left/Through	6.4	A	5.8	A
		Shared Through/Right	6.4	A	5.8	A
NB	Berlin Road	Left turn	42.0	D	34.6	C
		Shared Through/Right	30.1	C	27.8	C
SB	Cromwell Hills Drive	Shared Left/Through/Right	30.8	C	28.4	C
Overall			11.2	B	9.2	A
Berlin Road (S.R. 524) and Shunpike Road/Newfield Street (Route 3) - signalized						
WB	Shunpike Road	Shared Left/Right	26.3	C	30.0	C
NB	Newfield Street	Through	18.8	B	11.7	B
		Right turn	1.4	A	1.1	A
SB	Berlin Road	Shared Left/Through	19.4	B	11.8	B
Overall			15.6	B	15.8	B

4. BACKGROUND ANALYSIS

The background traffic scenario is reflective of Future Conditions if the proposed development was not built. Typically, Background Conditions would include traffic associated with other nearby, expected, upcoming developments as well as traffic volumes adjusted using a calculated annual growth rate. Several background developments were identified by CTDOT for inclusion in the study, including 100 Berlin Road mixed-use development, Cromwell Commons development expansion, FedEx ground hub, and Cromwell Village development.

The trips generated by background developments were obtained from a traffic study, included in **Appendix C**, recently prepared for a mixed-use development located to the northwest of the study area. Additionally, the proposed development is planned to be completed and open in 2024; therefore, a future growth rate of 0.6 percent annually was applied to existing traffic volumes and supplemented by background conditions analysis.

The background traffic scenario is reflective of Existing (2022) Conditions with application of a growth rate in addition to trips generated by background developments. The background traffic volumes were estimated by adding the forecasted 2024 traffic volumes to the background development trips. The resultant background 2024 volumes are shown on **Figures 4 and 5**.

Intersection capacity analysis was performed at the study intersections under Background (2024), as summarized in **Table 4**, for weekday p.m. and Saturday midday peak hours. The *Synchro* analysis worksheets are included in **Appendix B**. As shown below, it is expected that all movements at the study intersections will continue to operate at the same acceptable LOS as in the existing conditions. It is important to note that LOS A through LOS D is generally considered acceptable conditions.

Table 4 Intersection Capacity Analysis – Background 2024 Conditions

Approach	Street Name	Movement	PM Peak Hour		Saturday Peak Hour	
			Delay (sec)	LOS	Delay (sec)	LOS
West Street (Route 372) and Berlin Road (S.R. 524) - signalized						
EB	West Street	Shared Left/Through	9.2	A	7.2	A
		Shared Through/Right	9.2	A	7.2	A
WB	West Street	Shared Left/Through	7.9	A	6.9	A
		Shared Through/Right	7.9	A	6.9	A
NB	Berlin Road	Left turn	41.6	D	35.5	D
		Shared Through/Right	28.3	C	26.9	C
SB	Cromwell Hills Drive	Shared Left/Through/Right	28.9	C	27.4	C
Overall			12.6	B	10.1	B
Berlin Road (S.R. 524) and Shunpike Road/Newfield Street (Route 3) - signalized						
WB	Shunpike Road	Shared Left/Right	26.8	C	30.0	C
NB	Newfield Street	Through	19.8	B	12.1	B
		Right turn	1.5	A	1.1	A
SB	Berlin Road	Shared Left/Through	20.2	C	12.1	B
Overall			16.1	B	15.8	B

5. SITE DEVELOPMENT

The proposed recreational cannabis dispensary is to occupy 5,000 square feet in a new building to be located at 5 Berlin Road (S.R. 524) in Cromwell, Connecticut. A total of 37 parking spaces are provided for the proposed facility.

5.1 TRIP GENERATION

The proposed site-generated peak-hour trips were estimated using statistical data published by the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. **Table 5** summarizes the site-generated traffic estimated for the proposed development during the weekday p.m. and Saturday midday peak hours.

Table 5 Trip Generation Summary

Location	Type	Use	ITE Land Use Code	Size	Units	PM Peak-Hour Trips			Saturday Midday Peak-Hour Trips		
						In	Out	Total	In	Out	Total
Cromwell, CT	Proposed	Marijuana Dispensary	882	5,000	SF	47	48	95	72	72	144

As shown in Table 5, the proposed project is estimated to generate a total of 95 new vehicle trips during the weekday p.m. peak hour (47 vehicles entering and 48 vehicles exiting) and 144 total new vehicle trips during the Saturday midday peak hour (72 vehicles entering and 72 vehicles exiting).

5.2 TRIP DISTRIBUTION

The distribution of the site-generated traffic was estimated based on review of the roadway traffic volumes and the arterial and regional road network in the vicinity of the site. The site trip distribution percentages projected from this data are shown in **Table 6** and presented graphically in **Figure 6**.

Table 6 Trip Distribution Summary

To/From	via	PM Dist.	Saturday Dist.
East	West Street	20%	20%
West	West Street	40%	40%
North/East	Shunpike Road	20%	20%
South	Newfield Street	20%	20%
		100%	100%

5.3 TRIP ASSIGNMENT

Based on the proposed development trip generation and trip distribution calculations, the site-generated trips were assigned to the study area intersections accordingly during the weekday p.m. and Saturday midday peak hours as shown on **Figures 7 and 8**, respectively.

6. FUTURE CONDITIONS

The combined traffic scenario is reflective of Future (2024) Conditions once the proposed development is opened. Future (2024) Conditions peak-hour traffic volumes were estimated by adding the calculated dispensary trip assignment (shown on Figures 7 and 8) to the Background traffic volumes (shown on Figures 4 and 5). The resultant Future (2024) Conditions peak-hour traffic volumes are shown on **Figures 9 and 10**.

Intersection capacity analysis was performed at the study intersections under Future (2024) Conditions. **Table 7** summarizes the capacity analysis output under Future (2024) Conditions for weekday p.m. and Saturday midday peak hours. The *Synchro* analysis worksheets are included in **Appendix B**. As shown in Table 7 below, it is expected that all movements at the study intersections will continue to operate at acceptable LOS as in the background conditions.

Table 7 Intersection Capacity Analysis – Future 2024 Conditions

Approach	Street Name	Movement	PM Peak Hour		Saturday Peak Hour	
			Delay (sec)	LOS	Delay (sec)	LOS
West Street (Route 372) and Berlin Road (S.R. 524) - signalized						
EB	West Street	Shared Left/Through	9.8	A	8.1	A
		Shared Through/Right	9.8	A	8.1	A
WB	West Street	Shared Left/Through	8.6	A	8.0	A
		Shared Through/Right	8.6	A	8.0	A
NB	Berlin Road	Left turn	42.9	D	36.9	D
		Shared Through/Right	27.6	C	25.7	C
SB	Cromwell Hills Drive	Shared Left/Through/Right	28.2	C	26.2	C
Overall			13.5	B	11.5	B
Berlin Road (S.R. 524) and Shunpike Road/Newfield Street (Route 3) - signalized						
WB	Shunpike Road	Shared Left/Right	26.1	B	30.3	C
NB	Newfield Street	Through	20.4	C	12.6	B
		Right turn	1.5	A	1.1	A
SB	Berlin Road	Shared Left/Through	21.5	C	12.9	B
Overall			16.2	B	16.2	B
Berlin Road (S.R. 524) and Site Driveway - stop controlled						
EB	Site Driveway	Shared Left/Right	12.2	B	12.0	B
NB	Berlin Road	Shared Left/Through	7.8	A	7.8	A
SB	Berlin Road	Shared Through/Right	Free	-	Free	-

7. PARKING ANALYSIS

The parking analysis for the proposed dispensary was performed to evaluate the adequacy of the parking supply by estimating the peak parking demand on the subject parcel. A total of 37 parking spaces will be provided for the proposed facility, including Americans with Disabilities Act (ADA)-compliant spaces. In addition, one space will be dedicated for loading.

The ITE *Parking Generation Manual* would suggest a facility of this size would, on average, have a parking demand of 36 spaces. Review of the ITE data points would suggest this would be a conservative estimate. All the raw data points show demands of 20 spaces or less. Regardless, the provided 37 spaces would be adequate to handle peak conditions of 36 spaces. Lastly, some novelty peaks may materialize in the early weeks of operations, and proper planning for potential overflow should be done.

8. SUMMARY AND RECOMMENDATIONS

This traffic impact study and parking analysis were conducted to evaluate the impact of the proposed recreational marijuana dispensary on the adjacent roadway network and study intersections in addition to evaluating the parking supply and demand. Based on our review of Existing, Background, and Future Condition traffic analysis, we offer the following:

1. The proposed project is estimated to generate a total of 95 new vehicle trips during the weekday p.m. peak hour (47 vehicles entering and 48 vehicles exiting) and 144 total new vehicle trips during the Saturday midday peak hour (72 vehicles entering and 72 vehicles exiting).
2. Turning movement counts were conducted by SLR at the study intersections for a weekday evening (4:00 p.m. to 6:00 p.m.) and Saturday midday (11:00 a.m. to 1:00 p.m.) peak periods. Automatic traffic recorder counts were conducted on Berlin Road for 3 days, from Thursday to Saturday, to obtain daily traffic counts, speed data, and vehicle classification.
3. Crash analysis for Berlin Road, adjacent to the proposed site, has shown two property damage crashes and one minor injury crash on Berlin Road between West Street and Shunpike Road.
4. Background developments that are slated to be completed in 2024 were identified by CTDOT and were accounted for in the traffic analysis accordingly. The background developments include 100 Berlin Road mixed-use development, Cromwell Commons development expansion, FedEx ground hub, and Cromwell Village development. Background growth rate of 0.6 percent annually was identified by CTDOT and applied to traffic volumes accordingly.
5. Intersection capacity analysis was completed for the Existing, Background, and Future Conditions at the study intersections during the weekday p.m. and Saturday midday peak hours. The study intersections have shown acceptable LOS at all approaches and movements during the study peak hours for the Existing, Background, and Future Conditions.
6. A total of 37 parking spaces are provided for the proposed facility in Cromwell, Connecticut. ITE estimates a conservative demand of 36 vehicles at peak times.

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FIGURES

Figure 1: Site Location Map

Figure 2: Existing 2022 PM Peak-Hour Traffic Volumes

Figure 3: Existing 2022 SAT Peak-Hour Traffic Volumes

Figure 4: Background 2024 PM Peak-Hour Traffic Volumes

Figure 5: Background 2024 SAT Peak-Hour Traffic Volumes

Figure 6: Trip Distribution

Figure 7: Site-Generated Trip Assignment – PM Peak Hour

Figure 8: Site-Generated Trip Assignment – SAT Peak Hour

Figure 9: Future 2024 PM Peak-Hour Traffic Volumes

Figure 10: Future 2024 Saturday Peak-Hour Traffic Volumes



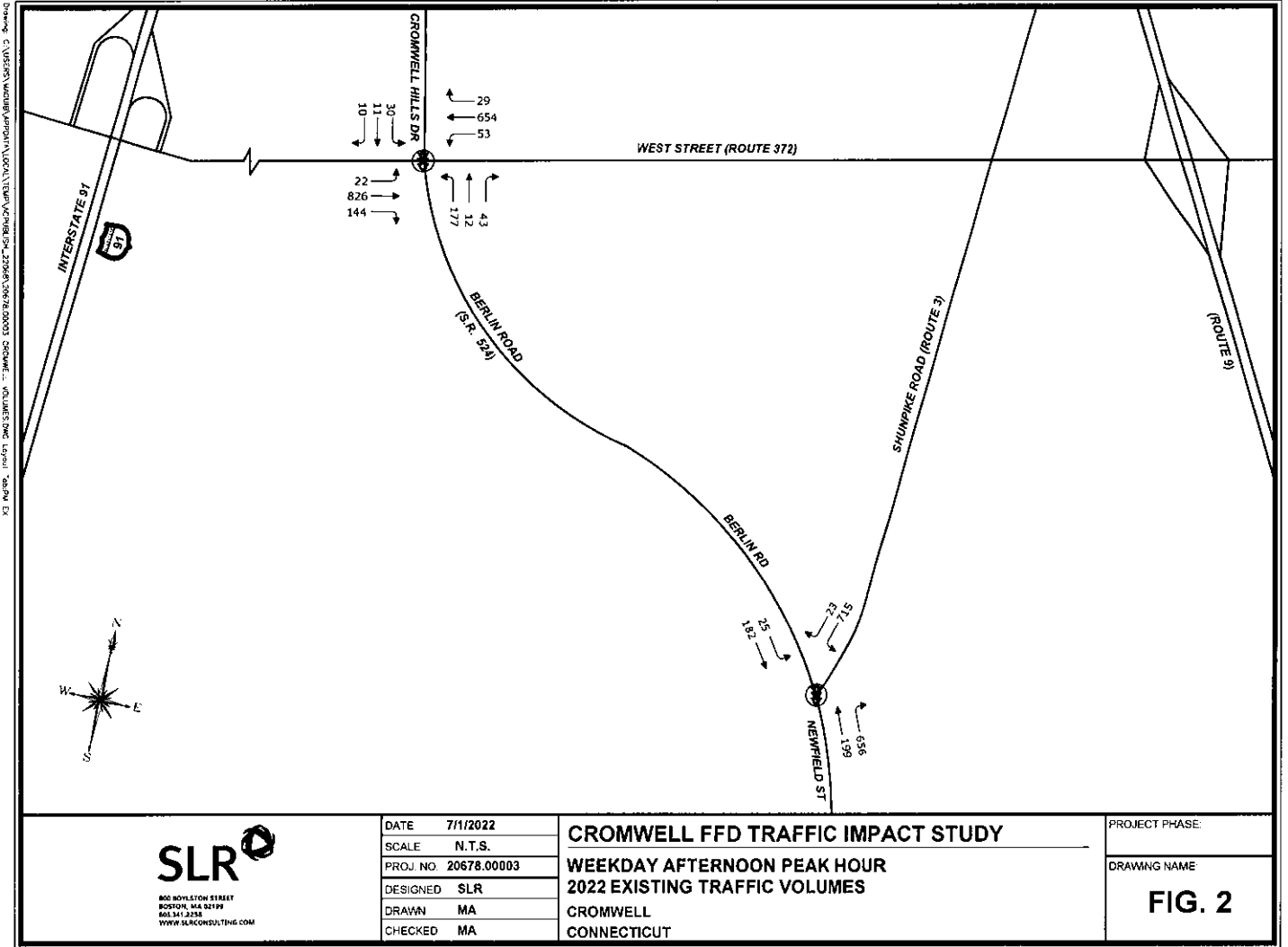
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PROJ. NO.	20678.00003
DESIGNED	SLR
DRAWN	MA
CHECKED	KB

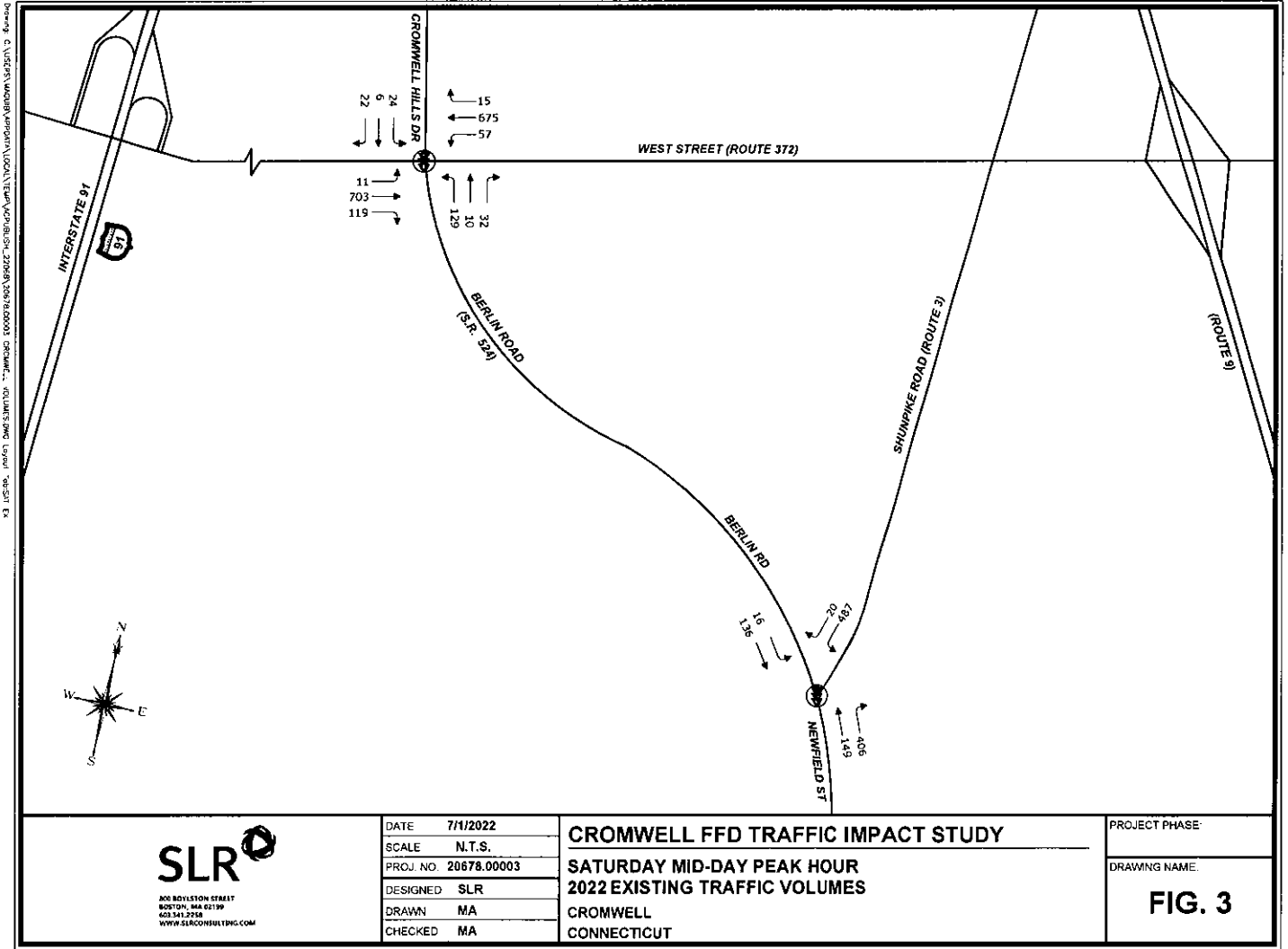
CROMWELL FFD TRAFFIC IMPACT STUDY
SITE LOCATION MAP
2022 AERIAL
CROMWELL
CONNECTICUT

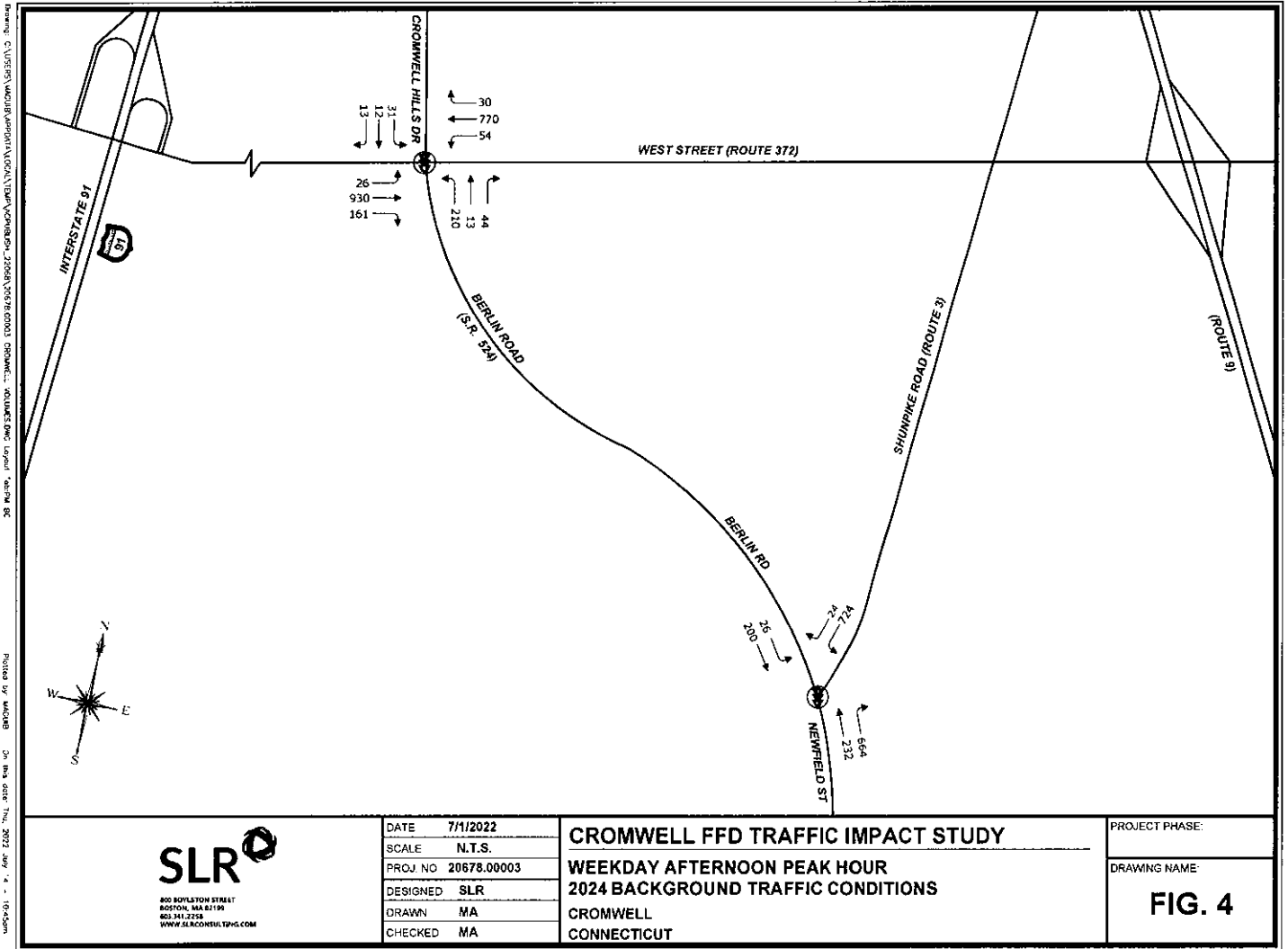
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FIG. 1



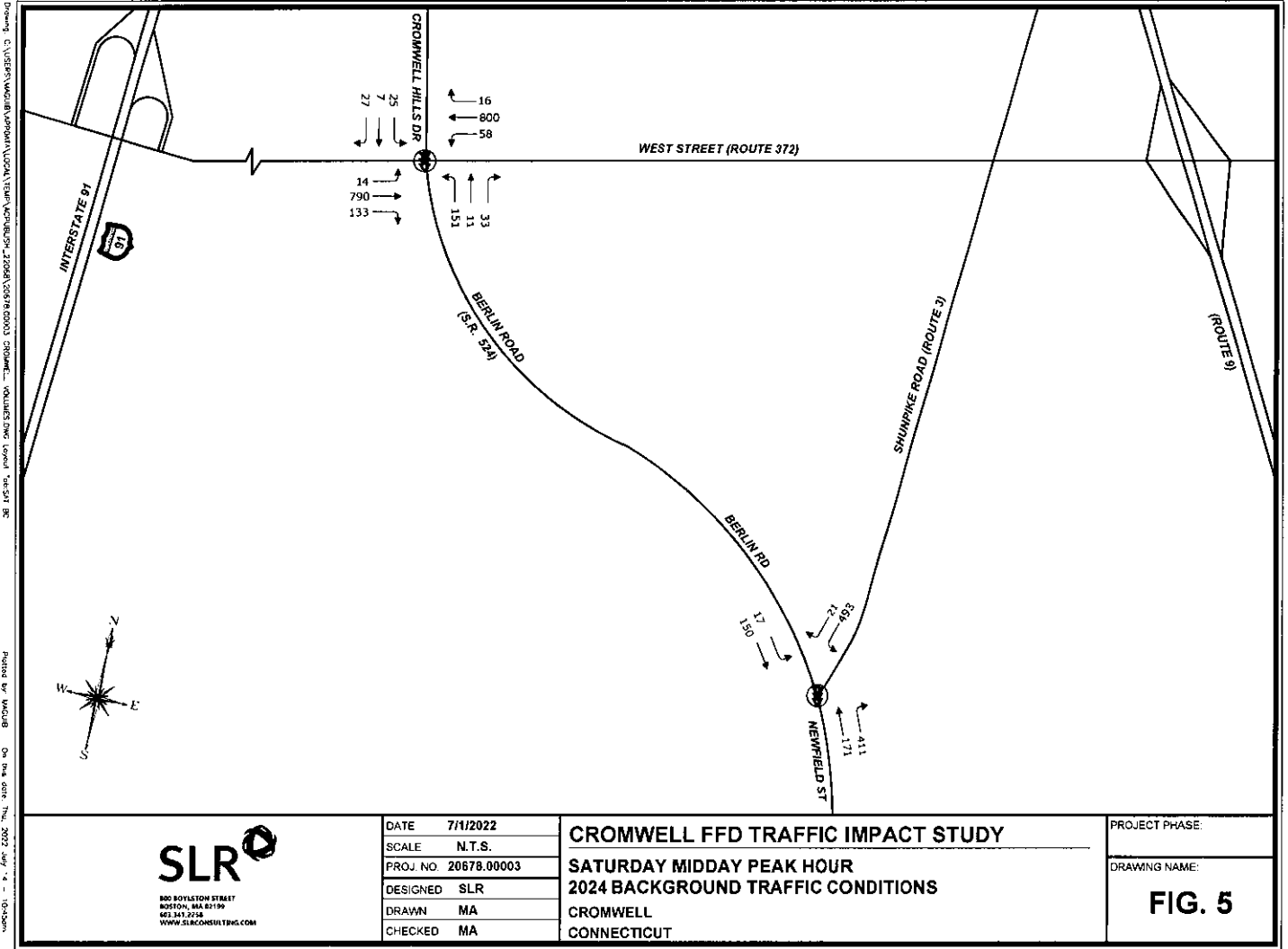




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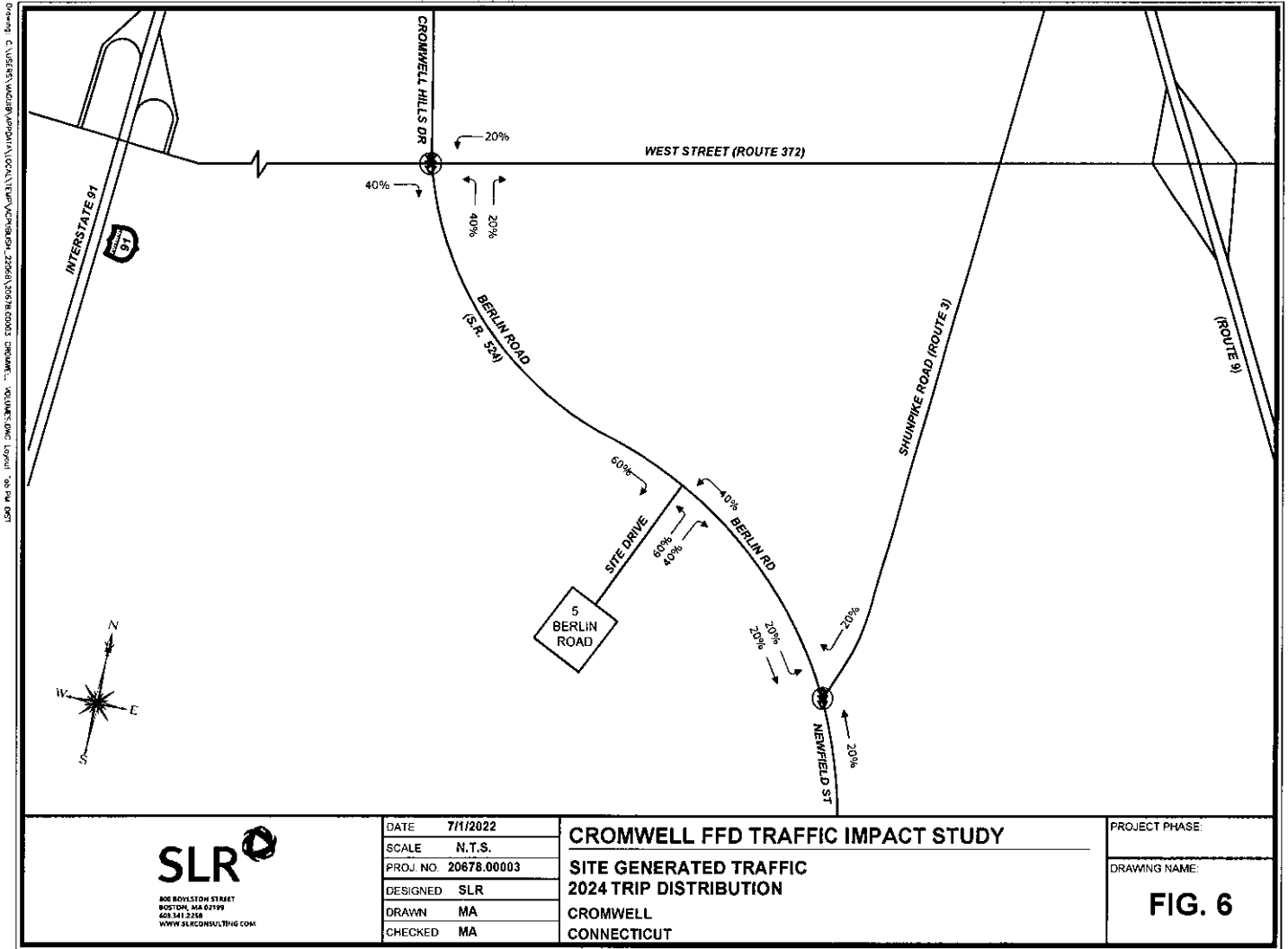
CROMWELL FFD TRAFFIC IMPACT STUDY
WEEKDAY AFTERNOON PEAK HOUR
2024 BACKGROUND TRAFFIC CONDITIONS
CROMWELL
CONNECTICUT

PROJECT PHASE:
DRAWING NAME:
FIG. 4

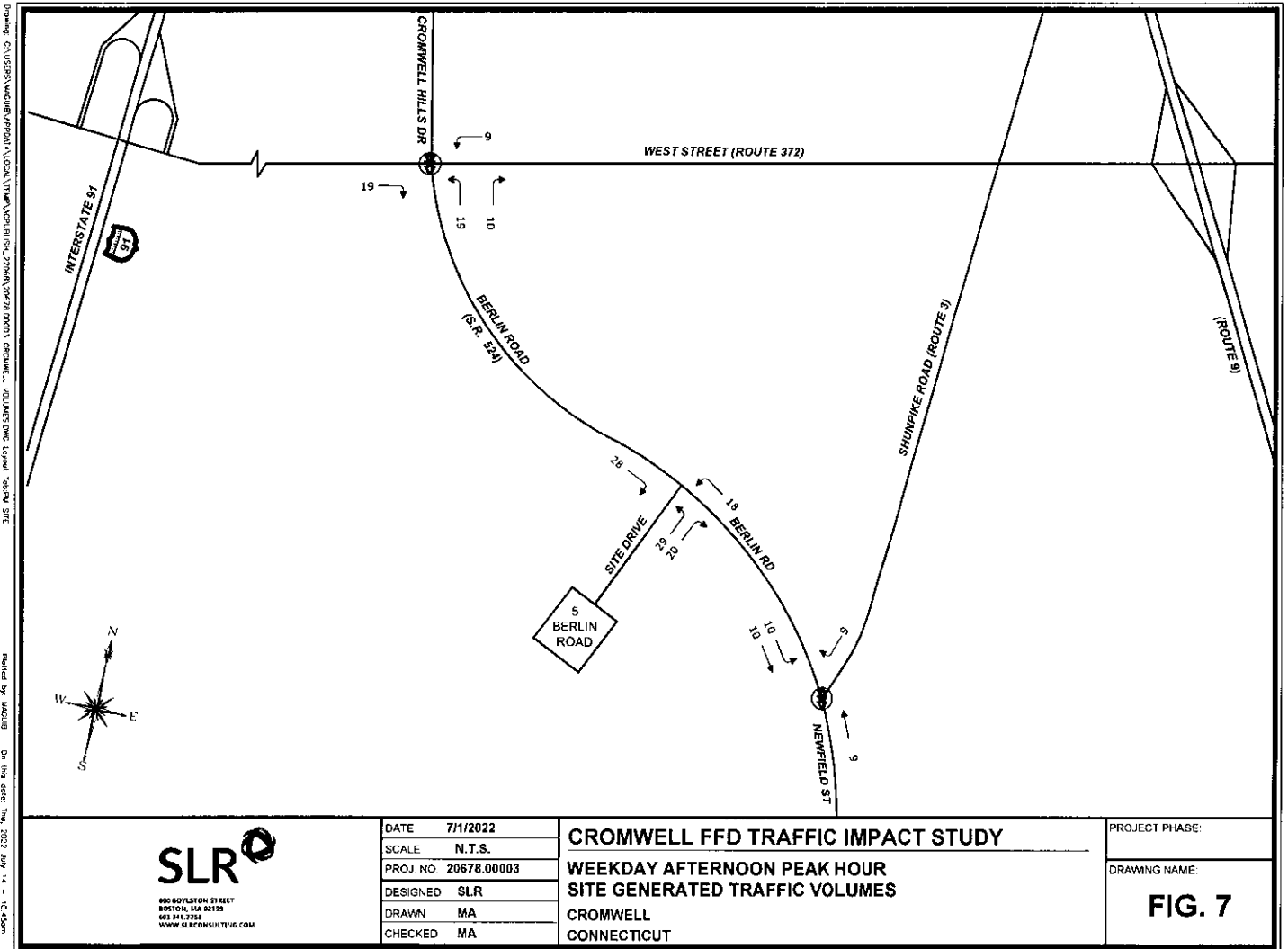


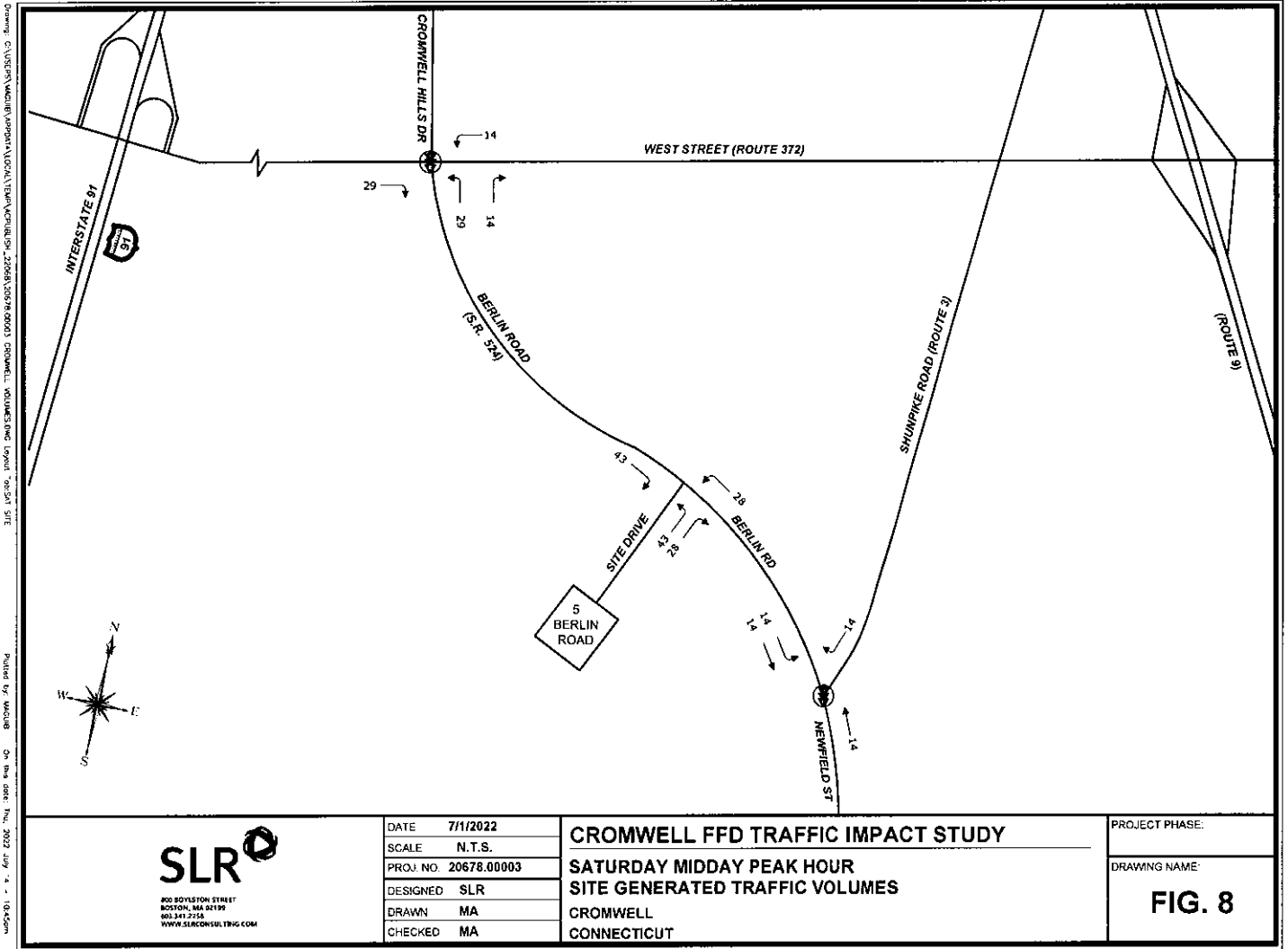
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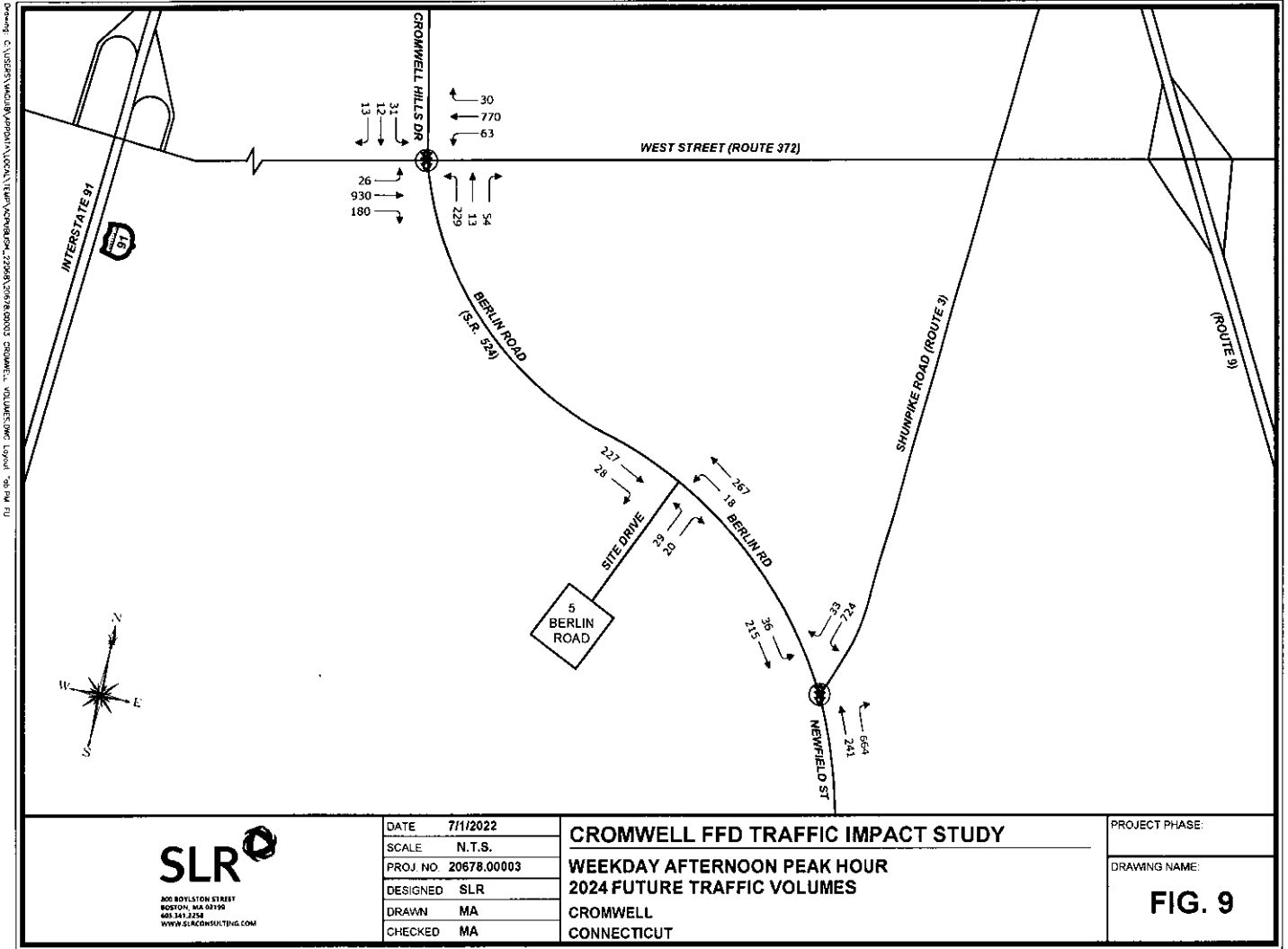
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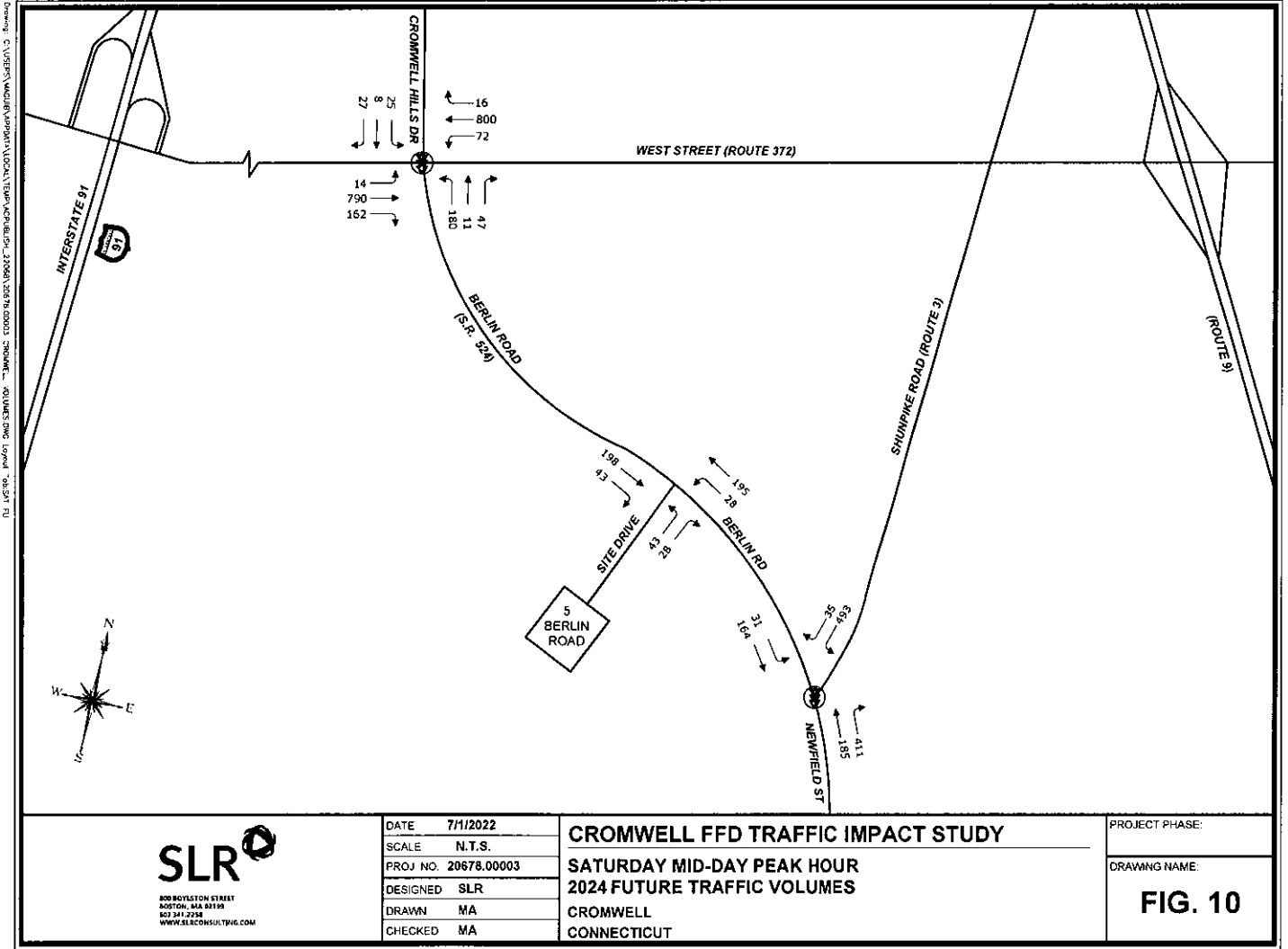
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SCALE	N.T.S.
PROJ. NO.	20678.00003
DESIGNED	SLR
DRAWN	MA
CHECKED	MA

CROMWELL FFD TRAFFIC IMPACT STUDY
WEEKDAY AFTERNOON PEAK HOUR
2024 FUTURE TRAFFIC VOLUMES
 CROMWELL
 CONNECTICUT

PROJECT PHASE:

DRAWING NAME:

FIG. 9



APPENDIX A

DATA COLLECTION

22-20

**Town of Cromwell
Planning and Zoning Commission**

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

Description of Activity: Special Permit to establish Adult-Use Cannabis Retailer
Street Address: 5 Berlin Road (CT Route 524) Zoning District: HB & SFHAOD
Parcel ID #: 00095900 Volume/Page: 1136-232

Applicant's Name: Bantry Bay Ventures, LLC & Michael J. Cannata
Address: c/o Amy E. Souchuns, Esq. 147 N. Broad Street, Milford, CT 06460
Telephone Number (daytime): c/o 203-877-8000
Email Address: ASouchuns@hssklaw.com

Property Owner's Name: Michael J. Cannata
Address: 136 Nooks Hill Road, Cromwell, CT 06416

Description of Proposed Activity:
See attached.

"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."


(signature of applicant)

6/27/22
(date)

Amy E. Souchuns, Atty for
(printed name of signer) Bantry Bay Ventures LLC


(signature of applicant)

6/27/2022
(date)

Michael J. Cannata
(printed name of signer)



Memorandum

To: Amy E. Souchuns, Esq.

From: Andrew Goralski, EIT
SLR International Corporation

Date: June 23, 2022

Subject: Floodplain Narrative for 5 Berlin Road Development (SLR #16481.00005)

The proposed project consists of the construction of a 5,000 square foot retail building at 5 Berlin Road, Cromwell, Connecticut. The project site abuts the Mattabesset River and is entirely within the 100 year floodplain with a base flood elevation of 23.0. The proposed finished floor of the building is 23.8, 0.8 feet above the base flood elevation, and the building will not have a basement.

As a result of the building construction, a portion of the site will be re-graded. The watercourse or floodway will not be altered in any way as a result of this grading. Fill in the floodplain is proposed, and a corresponding area of excavation is proposed to assure no net loss of flood storage. See attached "Proposed Floodplain Compensation" graphic for the calculation.

Application # 22-19

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Adult-Use Cannabis Retailer
Street Address: 5 Berlin Road (CT Route 524)
Volume/Page: 1136-232 PIN #: _____

Applicant Name: Bantry Bay Ventures, LLC & Michael J. Cannata
Address: c/o Amy E. Souchuns, Esq. 147 N. Broad Street
Milford, CT 06460
Telephone: c/o 203-877-8000 (day) c/o 203-877-8000 (evening)
Email Address: ASouchuns@hssklaw.com

Property Owner Name: Michael J. Cannata
Address: 136 Nooks Hill Road
Cromwell, CT 06416

Attached:

- ☒ Application fee.
☒ Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations. **(8 full size & 15 reduced size per Director)**

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

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

 Atty for Bantry Bay Ventures LLC
Applicant Name and Signature

Applicant Name and Signature

6/27/22
Date
6/27/2022
Date

Popper, Stuart

From: Harriman, Jon
Sent: Thursday, August 18, 2022 2:06 PM
To: Popper, Stuart
Subject: 5 Berlin Road applications

Stuart,

I have had the opportunity to review the plans and comment earlier in the application process directly with the development team on this project. At this time I have no comments that need to be addressed for the application.

Jon Harriman, P.E.
Town Engineer
Town of Cromwell, CT
ph: 860 632-3465
fx: 860 632-3477

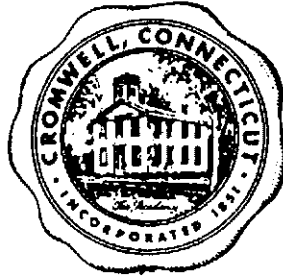
Fontaine, Candice

From: Egan, John
Sent: Friday, July 22, 2022 4:07 PM
To: Popper, Stuart
Cc: Fontaine, Candice; Driska, Bruce
Subject: RE: 22-19 5 Berlin Road - Request for Site Plan Approval

A plan review has been performed on the above referenced property and the following code issues observed.

- 1) The statutory violation requirement is a minimum \$250 fine for violation of accessible parking regulations. Correct sign drawing on sheet SD-1.
- 2) A retaining wall is shown on sheet SD-2, sufficient structural details shall be submitted by the design engineer for review and approval prior to construction.

Sincerely, John Egan
Chief Building Official



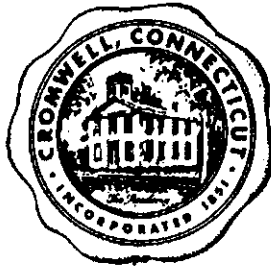
MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*
Date: August 31, 2022
Re: **Plan Review, PZC Applications #22-19, 5 Berlin Road, Site Plan**

COMMENTS

I have reviewed the revised plan dated August 16, 2022 for Application #22-19 and have the following comment:

1. Sign specifications have not been provided on the site plan



MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*
Date: July 18, 2022
Re: **Plan Review, PZC Applications #22-19, 5 Berlin Road, Site Plan**

COMMENTS

I have reviewed Application #22-19 and have the following comments:

1. A Traffic Study is requested for review.
2. Lighting specifications are requested.
3. Sign specifications are requested.
4. Dumpster details and location requested.
5. A Pre-Construction meeting shall be required prior to the commencement of work.

Fontaine, Candice

From: Popper, Stuart
Sent: Thursday, August 04, 2022 10:26 AM
To: Fontaine, Candice
Subject: FW: 22-19: 5 Berlin Road, Proposed Adult - Use Retailer

From: Peck, Rich
Sent: Monday, July 18, 2022 10:58 AM
To: Popper, Stuart <spopper@cromwellct.com>
Cc: Milardo, Michelle <mmilardo@cromwellct.com>
Subject: 22-19: 5 Berlin Road, Proposed Adult - Use Retailer

Stuart,

No formal approval is required from the CWPCA.

Sanitary sewers are available for use to the proposed retail building at 5 Berlin Road.

The developer need's to recognize that a Sewer Connection/Assessment Fee will be required upon a permit to connect to the Town owned sewers.

Sincerely,

Richard A. Peck
Sewer Administrator, CWPCA
Town of Cromwell
860-632-3430
rpeck@cromwellct.com

Fontaine, Candice

From: Popper, Stuart
Sent: Thursday, August 04, 2022 10:25 AM
To: Fontaine, Candice
Subject: FW: application 22-19

From: Harold Holmes <hholmes@cromwellfd.com>
Sent: Wednesday, July 20, 2022 2:16 PM
To: Popper, Stuart <spopper@cromwellct.com>
Subject: application 22-19

I have no issues currently. Only question is how this can be Number 5 berlin road when it's located between number 11 and 29. Parisians hair is number 9. This probably should be number 15. If you have any questions please feel free to reach out to me.

Stay Safe, Stay Healthy !

Harold Holmes NAFI- CEFI, IAAI-FIT
Fire Marshal
Cromwell Fire District
1 West Street Cromwell Ct 06457
hholmes@cromwellfd.com
860-635 3188 Office
860-306-6534 Cell



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Popper, Stuart

From: Joe Palmieri <jpalmieri@cromwellfd.com>
Sent: Wednesday, July 20, 2022 11:04 AM
To: Popper, Stuart
Subject: 22-19 5 Berlin rd.

Stuart,

The water Division has no issues with the application. Although it isn't shown in the Drawings there is a 1" water service on the property.

Thank you.

Joseph A Palmieri
Water Operations Manager
Cromwell Fire District
1 West Street
Cromwell, CT 06416
Phone: 860-635-4420 x1000
Fax: 860-632-0413
E-Mail:

Cromwell Fire District
Protecting Cromwell Since 1874

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM THURSDAY, JULY 19, 2022
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Ann Grasso, Robert Donohue Nick Demetriades and Chris Cambareri

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

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.
RECEIVED
AUG 05, 2022 01:35P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT
2. **Roll Call:**
The presence of the above members was noted.
3. **Seating of Alternates:**
Michael Cannata made a motion to seat Robert Donahue as an alternate; Seconded by Chris Cambareri. *All in favor, Motion passed.*
4. **Approval of Agenda:**
Michael Cannata made a motion to approve the agenda. Seconded by Ann Grasso. *All in favor, Motion passed.*

Mr. Popper said he would like to amend the agenda to add two applications. He asked the commission to accept and schedule the following applications to be heard on September 6th, 2022. Michael Cannata and Ann Grasso rescinded their approval of the agenda.

e. Application #22-21 Request for Site Plan Approval for retail Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the owner. Chris Cambareri made a motion to accept and schedule Application #22-21 to be heard September 6, 2022. Seconded by Nick Demetriades. *All in favor, Motion passed.*

f. Application #22-17 Request for Special Permit to build an underground garage under an existing driveway at 6 River Park Drive. John Paul Golino is the Applicant and the owner. Michael Cannata made a motion to accept and schedule Application #22-17 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

5. Public Comments:

There were no public comments

6. Development Compliance Officer Report:

Mr. Driska said there is steady progress at the Carrier project. The 3rd phase is moving along very smoothly. He said there have been complaints about the extra parking spaces that the PZC approved at the Landon. Mr. Driska said he spoke to the property manager and explained as of August 1, 2022, this department shall begin enforcement of obstructed travel lanes from doubled parked vehicles in conflict with the requirements of the Planning & Zoning Special Permit and Site Plan approvals. He said that enforcement shall take into account reasonable periods of time allowed for loading, unloading etc. and is intended to target long term parking in travel lanes posing a safety hazard. Mr. Driska said any documented violations shall result in the issuance of a notice to the property owner. Continued violations post 30 days shall result in the issuance of Municipal Fines (to the owner) in the amount of \$150 per occurrence.

Chairman Alice Kelly said she thought the approved tandem parking was for the employees only. Mr. Popper said he will look at the minutes from the meeting.

7. Director of Planning and Development Report:

Mr. Popper said the Public Hearing on the Geer Street Warehouse will continue at the IWWA August 3rd meeting. He said discussions regarding possible medical office buildings continue and we are waiting for some applications to come in. Mr. Popper said discussions continue regarding possible site for more assisted living facilities and people are very interested in Cromwell for that kind of development. He said hopefully, in the Fall, we will see an application for a small medical office building and the application for the Lord Cromwell site. Mr. Popper said there is wetlands application for a six-lot subdivision on Willowbrook Road near Evergreen Road. He said a wetlands application was also received from Cromwell Automotive to build a storage building in the back of the property behind the existing garage.

Mr. Popper said this evening the town council decided they want to submit a STEAP grant to rehab the old sewer building into a community meeting space and the grant is due August 15, 2022. He said he will be working on the grant in August. Mr. Popper suggested to the commission that we cancel the PZC meeting in August and resume in September. The commission agreed.

8. New Business: Accept and Schedule New Applications:

Michael Cannata recused himself at 7:18PM. Mr. Popper asked the commission to accept and schedule the following applications to be heard on September 6th, 2022.

a. Application #22-16: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-16 to be heard

September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

b. Application #22-18: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-18 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

c. Application #22-19: Request for Site Plan Approval to construct a 5,000 square foot building at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-19 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

d. Application #22-20: Request for a Special Permit under Section 4.1 of the Zoning Regulations to construct a building within the Flood Zone at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-19 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

e. Application #22-21 Request for Site Plan Approval for retail Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the owner.

Chris Cambareri made a motion to accept and schedule Application #22-21 to be heard September 6, 2022. Seconded by Nick Demetriades. *All in favor, Motion passed.*

f. Application #22-17 Request for Special Permit to build an underground garage under an existing driveway at 6 River Park Drive. John Paul Golino is the Applicant and the owner. Chris Cambareri made a motion to accept and schedule Application #22-17 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

Michael Cannata returned at 7:20PM.

9. New Business:

Mr. Popper said there is no new business.

10. Public Hearing:

Chairman Kelly read the Legal Notice.

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday July 19, 2022 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #22-13: Request to amend Section 5.2 of the Zoning Regulations to allow for the installation of electric charging units in parking lots. Miodrag Delict, Delmic Properties, LLC is the Applicant.
2. Application #22-15: Request for Special Permit under Section 3.5.C.4 for a Contractor Yard for vehicles, equipment, materials and/or supplies at 150 Sebethe Drive. Alvin Ravizza is the Applicant and RANDA LLC 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 29TH day of June 2022.

Michael Cannata made a motion to open the Public Hearing. Seconded by Chris Cambareri. *All in favor, Motion passed.*

Mr. Popper passed out photos of the electric chargers.

Attorney Peter Alter, with Alter & Pearson LLC, at 701 Hebron Ave in Glastonbury said he is here to ask the commission to consider amending Section 5.2 Off-Street Parking and Loading to allow for the installation of electric charging station within commercial parking lots. He handed out the proposed amendment to the Commission.

He gave a brief background regarding the application. Attorney Alter said his client has invested in a Cromwell Commons Shopping Center a commercial property in Cromwell and they are planning to renovate and reconstitute it. Attorney Alter said part of his client's plan is to install a number of electric vehicle charging stations. He said when his client and contractor came to The Town Hall, they learned this would not be permitted under the current regulations. Attorney Alter said people are seeing the benefit of having electric vehicles due to the price of gas and there are not enough charging stations for the number of electric cars.

Attorney Alter read the proposed amendment:

Purpose and intent. The Planning and Zoning Commission finds that electric vehicles emit substantially less carbon dioxide (CO₂) than average fossil-fueled vehicles. Pure battery electric vehicles do not emit tailpipe pollutants such as benzene and nitrogen oxide, which negatively impact air quality and resident health. Providing for infrastructure to promote and support electric vehicle use will lead to improvement of air quality and reduce the production of greenhouse gasses. Electric vehicles require chargers, or Electrical Vehicle Supply Equipment (EVSEs.) The vast majority of parking

facilities are not currently equipped to accommodate electric chargers. The Commission wishes to encourage the construction and retrofitting of commercial parking **and or municipal facilities** that have the capacity to provide EVSEs. It is appropriate that EVSEs be treated as an application for **site plan approval or site plan modification** in any commercial parking **and or municipal** facility.

Proposed Section 5.2.P. Electric Vehicle Supply Equipment as an Accessory Use.

1. **ELECTRIC VEHICLE OFF STREET PARKING REQUIREMENTS.** Any new commercial development that requires 25 or more parking spaces as calculated by these regulations, *shall* becomes **may** (have a minimum of 1 charging space or 3% of the total number of spaces allocated to Electric Vehicles (EVs (whichever is greater) and must have a Level 2 or 3 charging station/connection per EV parking space. Parking spaces shall be well lit and shall be for public use. Applicants may request a waiver or reduction of electric vehicle parking requirements from the Planning and Zoning Commission during site plan approval.

2. **ELECTRIC VEHICLE CHARGING STATION REQUIREMENTS.** Electric Vehicle Charging Stations (EVCSs) shall be regularly maintained to ensure proper functionality. EVCSs shall have clear, legible signage stating the volt and amp levels, hours of operation, safety information, usage fees and contact information for maintenance department.

3. *REQUESTS FOR REDUCTION OF GENERAL PARKING SPACES IN EXCHANGE FOR ADDITIONAL EV PARKING. For any development that exceeds the minimum number of EVCS as required, the applicant may ask the Commission for a reduction in required parking spaces equal to the number of EV parking spaces above the minimum required 3%. The reduction of parking cannot be greater than 10% of the total amount of parking for the proposed development.*

4. **EVCS AS ACCESSORY USE TO EXISTING PARKING FACILITIES.** Provided that the Electric Vehicle Charging Station Requirements in 5.2.P.2 above are satisfied, and owner of commercial property shall be allowed to add charging stations as an additional accessory use to an existing parking facility. Such accessory use shall be a permitted use subject to the review and approval of the plan for location and installation as provided in Section 8.2 8.6 of the Zoning Regulations. EVSE parking spaces as an accessory use in existing parking facilities shall be in addition to the number of spaces otherwise required for the commercial use.

The Commission members and Attorney Alter and Mr. Popper discussed the proposed amendment and the wording of the regulation and a format for reviewing future applications to install chargers. Mr. Popper suggested that the format for review would be as a Site Plan Approval or Site Plan Modification. The Commission members and Mr. Popper decided that paragraph #3 would be deleted and the following changes be made to the language of the remaining three paragraphs as shown above. Please note the words in italics are to be deleted and the words in bold are the new text.

Mr. Popper said for the record, he received comments from RiverCOG and CROG and they do not have any comments for the proposal.

Michael Cannata made a motion to accept with the proposed changes Application #22-13: Request to amend Section 5.2 of the Zoning Regulations to allow for the installation of electric charging units in parking lots. Miodrag Delict, Delmic Properties, LLC is the Applicant. Seconded by Ann Grasso. *All in favor, Motion passed.*

Michael Cannata made a motion to close the Public Hearing. Seconded by Chris Cambareri. *All in favor, Motion passed.*

b. Application #22-15: Request for Special Permit under Section 3.5.C.4 for a Contractor yard for vehicles, equipment, materials and/or supplies at 150 Sebethe Drive. Alvin Ravizza is the Applicant and RANDA LLC is the Owner.

Michael Cannata made a motion to open the Public Hearing. Seconded by Ann Grasso Cambareri. *All in favor, Motion passed.*

Mr. Robert Gallitto owner of Gallitto Construction said he is here with Mr. Alvin Ravizza to get approval for outside storage at two locations on Sebethe Drive. He said the properties are owned by Mr. Ravizza.

Mr. Popper told the Commission both areas are being leased month to month, and the area adjacent to the driving range is being leased by Patterson Line Construction in Lebanon, New Jersey. He said the area contains a variety of trucks being used for the installation of fiber optic cables and the storage and assorted materials. Mr. Popper said the other area is across from Joseph Auto Body which is being leased by Parkside Utility. He said they have an office at 50 Sebethe Drive and the area contains fiber optic cable spools and other related equipment. Mr. Popper said this is a month to month lease operation that Mr. Ravizza is running, and he is in front of the commission this evening for a Special Permit for outside storage at these two locations.

Mr. Ravizza said he has had several tenants on his properties and some are long term and others are short term. Mr. Popper recommended Mr. Ravizza have each tenant, long or short-term file an application for a use permit. He explained that this way the Town and especially the Police and Fire Department will know who is in what space and what they are doing or storing. Mr. Ravizza agreed and said he would have his tenants file for Use Permits.

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

Ms. Penelope Damiata of 43 North Road is an abutter of Mr. Ravizza's property, and she does not have any issues with this. She said Mr. Ravizza has been very respectful as far as running his business next to her. Ms. Damiata thanked the commission.

Michael Cannata made a motion to approve Application #22-15: Request for Special Permit under Section 3.5.C.4 for a Contractor Yard for vehicles, equipment, materials and/or supplies at 150 Sebeth Drive. Alvin Ravizza is the Applicant and RANDA LLC is the Owner. Seconded by Robert Donohue. *All in favor, Motion passed.*

Michael Cannata made a motion to close the Public Hearing. Seconded by Chris Cambareri. *All in favor, Motion passed.*

10. Commissioner's Comments:

Nick Demetriades told the Commission there is still time to make comments regarding the Affordable Housing Plan.

11. Approval of Minutes:

June 21, 2022

Michael Cannata made a motion to accept the minutes on June 21, 2022. Seconded by Nick Demetriades. *All in favor, Motion passed.*

12. Adjourn:

Mike Cannata made a motion to adjourn at 8:22 PM. *All in favor, Motion passed.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Candice Fontaine". The signature is fluid and cursive, with a large loop at the end.

Candice Fontaine
Recording Clerk