




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

**REGULAR MEETING  
7:00 P.M. TUESDAY FEBRUARY 21, 2023  
COUNCIL CHAMBERS CROMWELL TOWN HALL  
41 WEST STREET**

### **AGENDA**

RECEIVED FOR RECORD  
Feb 15, 2023 12:13P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT 

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Development Compliance Officer Report:**
7. **Director of Planning and Development Report:**
8. **New Business: Accept and Schedule New Applications:**
  - a. Application #23-05: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to allow for the construction of a garage greater than 1,000 square feet at 142 Coles Road. Francis and Celeste Henri are Applicants and the Owners.
9. **New Business:**
  - a. Section 8-24 Mandatory Referral for the construction of sidewalks on West Street and intersection improvements at Allen Road and West Street and Lincoln Road and West Street.
10. **Public Hearings:**
  - a. Application #23-02: Request for a Special Permit under Section 2.10.3 of the Zoning Regulations to allow for the parking of an oversize vehicle in the garage at 562 Main Street. Tim Farrell is the Applicant and 194 Shunpike Road LLC is the Owner
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
  - a. December 6, 2022
  - b. January 17, 2023
13. **Adjourn:**

Permit	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
		P&Z 2022 & 2023 Permit Report	E:\Private\CFontaine\CANDICE DOCUMENTS\Spreadsheets Tracking\2023 PZC Bruce's Report.xlsx2022		
22-32	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	Special Permit - Modifications to Dimensional Elements in Approved Master Plan	11/1/2022	Approved
22-33	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	App for Site Plan Approval	11/1/2022	Approved
22-34	M360 Berlin Land Holdings, LLC	100 Berlin Road & 15R Christian Hill Road	App for Special Permit-Special Flood Hazard Area Overlay District	11/1/2022	Approved
22-37	Roswell Development, LLC	170 Evergreen Road	App for Subdivision Approval	11/15/2022	Approved
22-38	Dr. Thomas Sabbagh	22 Nooks Hill Road	App for Special Permit	11/10/2022	Withdrawn
22-39	PGA Tour Design & Construction Services	1 Golf Club Road	App for Site Plan Modification - Golf Course	12/6/2022	Approved
22-40	PGA Tour Design & Construction Services	1 Golf Club Road	App for Special Permit - Golf Course	12/6/2022	Approved
22-41	Town of Cromwell Planning & Zoning Commission	41 West Street	App to Amend Zoning Regulations	12/6/2022	Pending
22-42	The Lost Breed Gym - Joshua Levitan	20 Sebeth Drive	App for Site Plan Modification -New Sign	11/15/2022	Approved
22-43	Opportunity Real Estate Equities, LLC	162 West Street & Shunpike Road	App for Subdivision Approval	2/8/2023	Approved
22-44	Opportunity Real Estate Equities, LLC	162 West Street & Shunpike Road	App for Site Plan Approval	2/8/2023	Approved
22-45	HBN-CSC, LLC c/o HB Nitkin (Texas Roadhouse)	51 Shunpike Road	App for Site Plan Modification		Pending
23-01	Covenant Living / Norman Aldrich	101 West Street	App for Site Plan Modification	2/8/2023	Approved
23-02	Tim Farrell	562 Main Street	App for Special Permit		Pending
23-03	Sysco Connecticut, LLC	1355 Cromwell Ave. (County Line Drive)	App for Site Plan Approval		Pending
23-04	Greater Hartford Community Foundation	1 Golf Club Road	App for Special Permit		Pending
23-05	Francis & Celeste Henri	142 Coles Road	App for Special Permit		Pending

Application# 23-05  
\$ 210

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

Type of Activity: detached garage  
(Per Section 2.7A #4 of the Cromwell Zoning Regulations)  
Street Address: 142 Coles Rd Zoning District: R-25  
Assessor's Parcel ID #: 00235900 Volume/Page: 1753 - 144

Applicant's Name: Francis + Celeste Henri  
Address: 142 Coles Rd  
Telephone Number (daytime): 860 462 9424  
Email Address: Francishenri142@comcast.net

Property Owner's Name: Francis + Celeste Henri  
Address: 142 Coles Rd

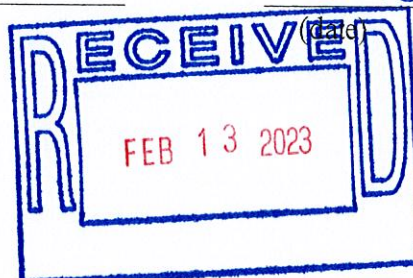
Description of Proposed Activity:

building detached garage which shall  
exceed 1,000 square feet in area for a proposed  
total of 1583 in area.

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).*

Francis Henri  
Celeste  
(applicant)

2-13-23  
(date)



TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday February 21, 2023 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. Application #23-02: Request for a Special Permit under Section 2.10.3 of the Zoning Regulations to allow for the parking of an oversize vehicle in the garage at 562 Main Street. Tim Farrell is the Applicant and the 194 Shunpike Road 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 7th day of February 2023.

Application# 23-02

\$ 210.00

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

Type of Activity: Park oversized truck in Garage  
(Per Section 2.10.3 of the Cromwell Zoning Regulations)  
Street Address: 562 Main Street Zoning District: R-25  
Assessor's Parcel ID #: 00189200 Volume/Page: 227-19

Applicant's Name: Tim Farrell  
Address: 562 Main Street  
Telephone Number (daytime): 860 490 0193  
Email Address: fallmansicecream@gmail.com

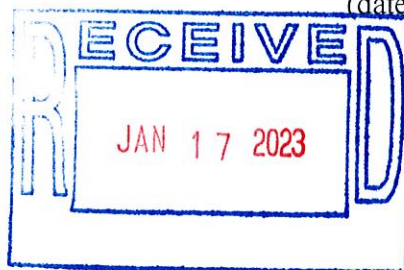
Property Owner's Name: 194 Shunpike Road LLC  
Address: 562 Main Street

Description of Proposed Activity:  
Park oversized truck in garage

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)*.

Tim Farrell  
(applicant)

1/16/23  
(date)





## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY DECEMBER 6, 2022**  
**COUNCIL CHAMBERS CROMWELL TOWN HALL**  
**41 WEST STREET**

### Minutes and Record of Votes

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Ann Grasso, Chris Cambareri, Robert Donohue and Ken Rozich

**Absent:** Brian Dufresne, Paul Cordone, John Keithan and Nick Demetriades

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

#### 1. Call to Order

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

#### 2. Roll Call

The presence of the above members was noted.

RECEIVED FOR RECORD  
Dec 16, 2022 02:39P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

A handwritten signature in black ink, likely belonging to JoAnn Doyle, the Town Clerk.

#### 3. Seating of Alternates

A motion was made by Michael Cannata. Seconded by Chris Cambareri to seat Robert Donohue as an alternate. *All were in favor; the motion was passed.*

#### 4. Approval of Agenda

A motion was made by Michael Cannata. Seconded by Ann Grasso to approve the agenda with the amendment of adding 2 applications; Application #22-43: Request to Re-subdivide 162 West Street into two lots and Application #22-44: Request for Site Plan Approval to construct a medical office building on a portion of 162 West Street (adjacent to 80 Shunpike Road), to be accepted and scheduled for a public hearing at the second meeting in January. *All were in favor; the motion passed.*

#### 5. Public Comments - none

**6. Development Compliance Officer Report:** Mr. Driska said there was a report in the package and it is up to date. He said I am waiting for an application for a single-family home on Evergreen.

#### 7. Director of Planning and Development Report:

Mr. Popper said the plans for the new Middle School are underway and we will likely see an application before the PZC in the early Spring. He said that the Crossroads Plaza is coming along nicely and a new business, 180 Weight Loss, will be opening there soon. Mr. Popper said a tax abatement request should be coming in for the 100 Berlin Road site. He said Joe's Filling Station is for sale. Mr. Popper said I haven't received anything yet from the Carriers for the Court Street property. He said the old crematorium site has been sold and a local Union purchased it for office space and training. Mr. Popper said the 99 restaurant just closed but the lease is good until next year. He said development has been continuing at a steady pace but we have no applications pending for the second meeting in December so it will likely get canceled.

Mr. Donohue asked about a hair salon moving into the former bank on Main Street. Mr. Popper said he had discussions with a salon owner but no application as of yet.

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

a. Application #22-43: Request to Re-subdivide 162 West Street into two lots. Opportunity Real Estate Equities LLC is the Applicant and Margaret E. Chernook, Trustee is the Owner.

A motion was made by Michael Cannata. Seconded by Robert Donohue to accept and schedule application #22-43 for a public hearing on January 17, 2023. *All were in favor; the motion passed.*

b. Application #22-44 Request for Site Plan Approval to construct a medical office building on a portion of 162 West Street (adjacent to 80 Shunpike Road). Opportunity Real Estate Equities LLC is the Applicant and Margaret E. Chernook, Trustee is the Owner.

A motion was made by Michael Cannata. Seconded by Ann Grasso to accept and schedule application #22-44 to be heard as a business item on January 17, 2023. *All were in favor; the motion passed.*

**9. New Business:**

a. Application #22-39: Request for a Site Plan Modification to allow for the construction of a new storage building at the Golf Course Maintenance facility at 1 Golf Course Road. PGA Tour is the Applicant and TPC of Cromwell is the Owner.

**10. Public Hearings:**

a. Application #22-40: Request for a Special Permit under Section 3.4.C.4 of the Zoning Regulations to allow for the construction of a new storage building at the Golf Course Maintenance facility at 1 Golf Course Road. PGA Tour is the Applicant and TPC of Cromwell is the Owner.

Mr. Popper said we will hear application #22-39 and public hearing application #22-40 together.

Ken Rozich read the public hearing notice dated November 18, 2022.



Mr. Popper said he wanted to make sure it was noted that the public hearing sign had fallen down because of the wind.

A motion was made by Michael Cannata. Seconded by Chris Cambareri to open the public hearing for application #22-40. *All were in favor; the motion passed.*

Mr. Nathaniel Russell Engineer with GZA 1350 Main Street, Springfield, MA said they are trying to bring the TPC maintenance facilities up to current tournament standards and are looking to construct a new building to the east of the existing facility. He said the building will provide dry, safe climate-controlled storage. He said there will be no change to the existing number of employees; it is just a building for storage. Mr. Russell said it will be a 6,000 square foot, one story building near the existing maintenance building with associated paving, landscaping, utilities and stormwater controls. He said there will be a new dumpster pad and a secure perimeter with new fencing. Mr. Russell said the application meets all planning and zoning requirements.

Mr. Popper said that town staff has reviewed this and there are comments from town staff in the package. He said all other staff comments have been addressed with the exception of Mr. Harriman the town engineer. Mr. Popper read Mr. Harriman's memo dated December 5, 2022 into the record.

*I have reviewed the revised plans (12/1/22) and engineering report to construct a new agronomy storage building at the TPC maintenance site. In reviewing the initial submission, the Sewer Administrator and I requested that the proposed drainage infrastructure be removed from the Cromwell Sewer Right-of-Way. This revised plan appears to address that.*

*I offer the following as conditions of approval:*

- 1. The plans do not appear to include a site maintenance plan. The surveyor found fourteen inches of silt in a drainage manhole. The plans should be revised to include a maintenance plan.*
- 2. The plans show an existing catch basin just north of the footprint of the proposed building. The plan appears to show a pipe heading toward the building footprint. The abandonment or reconfiguration of this piping should be clarified.*
- 3. The revised plan set shows a proposed oil/grit separator tied into the sanitary sewer. It is my understanding this was a drafting error. The mylar to be filed must show this has been removed.*

*In compliance with Cromwell's CTDEEP MS4 permit requirements, attached to this memo is the Town's notification to contractors regarding CTDEEP storm water permitting requirements that may be relevant to this project.*

He said if this is approved it should be with Mr. Harriman's comments as a condition of approval.

Chairman Kelly asked if Mr. Peck was ok with the building and Mr. Popper said yes. Mr. Russell said I have no issues with Mr. Harriman's comments and the plans will be revised to address of his comments. Mr. Cambareri said a homeowner reached out to me with concerns



of egress with houses over there and Mr. Popper said maintenance facility is nowhere near the houses referenced in the homeowner's comments. Mr. Cambareri read a letter that referenced stop signs and markings at intersections around the residential homes at the TPC. Mr. Rozich said that letter is not germane to this application.

A motion was made by Michael Cannata. Seconded by Robert Donohue to close the public hearing for application #22-40. *All were in favor; the motion passed.*

A motion was made by Michael Cannata. Seconded by Chris Cambareri to approve application #22-40 with the conditions that the comments of Mr. Harriman's memo dated December 5, 2022 be adhered to. *All were in favor; the motion passed.*

A motion was made by Michael Cannata. Seconded by Chris Cambareri to approve application #22-39 with the conditions that the comments of Mr. Harriman's memo dated December 5, 2022 be adhered to. *All were in favor; the motion passed.*

b. Application #22-41: Request to Amend the Section 5.2 of the Zoning Regulations to allow for electric car chargers to be permitted in Residential Zone District. Town of Cromwell Planning and Zoning Commission is the Applicant.

A motion was made by Michael Cannata. Seconded by Robert Donohue to open the public hearing for application #22-41. *All were in favor; the motion passed.*

Mr. Popper said we are not trying to regulate electric car chargers in single family homes as those are mostly inside garages. He said this is for residential developments with outside chargers.

There was a discussion on whether EV parking spots are in addition to the number of approved spaces in a site plan and it was agreed that it was.

A motion was made by Michael Cannata and seconded by Ann Grasso to close the public hearing for application #22-41. All were in favor; the motion passed.

A motion was made by Michael Cannata. Seconded by Robert Donohue to approve application #22-41 with the following changes (italicized and underlined) to section 5.2.P. *All were in favor; the motion passed.*

#### 5.2.P Electric Vehicle Supply Equipment as an Accessory Use.

1. ELECTRIC VEHICLE OFF STREET PARKING REQUIREMENTS. Any new and/or residential commercial development that requires 25 or more parking spaces as calculated by these regulations, 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 approval.

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

**3. EVSE AS ACCESSORY USE TO EXISTING PARKING FACILITIES.** Provided that the Electric Vehicle Charging Station Requirements in 5.2.P.2 above are satisfied, an owner of commercial and/or residential 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 8.6 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 and/or residential use.

**11. Commissioner's Comments:**

Mr. Popper said that the zoning regulations will be updated with all the amendments since 2015. He said we are trying to make the format clearer. He said we will present data from the POCD in January. Mr. Popper said we had a good response initially. He said we are going to pass around hard copies at the senior center and the library. He asked if he should pull the survey off the website and Mr. Cambareri said to leave it up.

Mr. Popper said we will have the public hearings for the POCD in March. Mr. Donohue asked if that would impact any water project and Mr. Popper said no, we have informed the appropriate State agencies that we are in the process of updating it.

**12. Approval of Minutes:**

a. November 1, 2022

A motion was made by Michael Cannata. Seconded by Robert Donohue to approve the minutes of November 1, 2022. *All were in favor; the motion passed.*

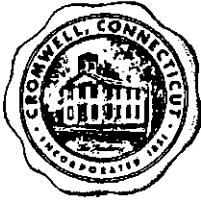
**13. Adjourn:**

A motion was made by Michael Cannata. Seconded by Robert Donahue to adjourn at 8:00pm. *All were in favor; the motion passed.*

Respectfully Submitted,



Linda Imme  
Recording Clerk



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

### ***REGULAR MEETING 7:00 P.M. TUESDAY JANUARY 17, 2023 COUNCIL CHAMBERS CROMWELL TOWN HALL 41 WEST STREET***

#### **Minutes and Record of Votes**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Robert Donohue, Paul Cordone, John Keithan

**Absent:** Brian Dufresne, Ken Rozich, Nick Demetriades, Ann Grasso,

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

#### **1. Call to Order**

The meeting was called to order at 7:02pm by Chairman Kelly.

#### **2. Roll Call**

The presence of the above members was noted.

#### **3. Seating of Alternates**

A motion was made by Michael Cannata and seconded by John Keithan to seat Robert Donohue as an alternate. All were in favor; the motion was passed.

#### **4. Approval of Agenda**

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve the agenda with the amendment of adding 2 items; Application #23-02 Tim Farrell, 562 Main Street; special permit to park an oversized vehicle and to nominate and approve the election of officers. All were in favor; the motion passed.

#### **5. Public Comments - none**

#### **6. Development Compliance Officer Report:**

Mr. Driska said there was a report in the package. Chairman Kelly asked why application 22-38 showed

pending and Mr. Driska said that is actually the withdrawn application for the oversized sign on Nooks Hill Road.

**7. Director of Planning and Development Report:**

Mr. Popper said that construction continues around town and there are new businesses moving into the Shop Rite center. He said they are all permitted uses so we won't see them come before the commission. Mr. Popper said one is a weight loss center and the other is a poke bowl restaurant. He said there is also a possible tenant for the old pet store. Mr. Popper said he has talked to the owner of the 99 Restaurant building and he informed him they are in talks with several restaurants and they hope to fill the space soon. He said there has not been any movement with cannabis shops yet but he knows that 5 Berlin Road was sold. Mr. Popper said the billboard prep at the old Citgo station is complete but the property owner still does not have the approval from the State. He said I haven't heard from them since they were here with their attorney a few months ago.

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

a. Application #22-45: Request for Site Plan Modification to construct a Texas Road House Restaurant at 51 Shunpike Road. HBN-CSC, LLC c/o HB Nitkin is the Applicant and the Owner.

A motion was made by Michael Cannata and seconded by Paul Cardone to accept and schedule application #22-45 for February 7, 2023. All were in favor; the motion passed.

b. Application #23-01: Request for a Site Plan Modification to install electric car charger units at 110 West Street (Covenant Village). Covenant Living of Cromwell Inc., Covenant Village of Cromwell is the Applicant and the Owner.

A motion was made by Michael Cannata and seconded by Robert Dononhue to accept and schedule application #23-01 for February 7, 2023. All were in favor; the motion passed.

c. Application #23-02: Request for a Special Permit to park an oversized vehicle at 562 main Street. Tim Farrell is the applicant and owner.

A motion was made by Michael Cannata and seconded by Chris Cambareri to accept and schedule application #23-02 for a public hearing on February 21, 2023. All were in favor; the motion passed.

**d. Election of Officers**

Michael Cannata asked Alice Kelly to stay on as Chairman; Chairman Kelly accepted.

A motion was made by Michael Cannata and seconded by Chris Cambareri to nominate Alice Kelly as Chairman. All were in favor; the motion passed.

Chairman Kelly asked Michael Cannata to stay on as Vice Chairman; Vice Chairman Cannata accepted.

A motion was made by Alice Kelly and seconded by Chris Cambareri to nominate Michael Cannata as Vice Chairman. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to nominate Ken Rozich as Secretary. All were in favor; the motion passed

**9. New Business:**

- a. Application #21-32: Request to Release the Scheu Farm Subdivision Erosion and Sedimentation Control Bond at 20 Woodside Road. Reed Builders, LLC is the Applicant and the Owner.

Mr. Driska said there are ample funds remaining if we reduce the bond from \$12,331 to \$4,354. Mr. Driska said each house has their own Erosion and Sediment Control bonds.

A motion was made by Michael Cannata and seconded by Chris Cambareri to retain \$4,354 out of the Scheu Farm Subdivision Erosion and Sediment Control Bond and release the remaining amount with interest. All were in favor; the motion passed.

- b. Application #22-44: Request for Site Plan approval for a medical office building adjacent to 80 Shunpike Road. Opportunity Real Estate Equities, LLC is the Applicant and Margaret E. Chernock, Trustee, Etals is the Owner.

Mr. Popper said we can hear application #22-44 with the Public hearing for application #22-43.

**10. Public Hearings:**

- a. Application #22-43: Request to create a two lot Resubdivision at 162 West Street. Opportunity Real Estate Equities, LLC is the Applicant and Margaret E. Chernock, Trustee, Etals is the Owner.

Mr. Popper read the public hearing notice dated January 5, 2023.

A motion was made by Michael Cannata and seconded by Chris Cambareri to open the public hearing for Application #22-43. All were in favor; the motion passed.

John Wagenblatt, Principal with LRC Group, 160 West Street, Cromwell, CT said the applicant is proposing a two 2 story medical office building at the site. He said it is a 4 acre parcel located within a 31.18 acre parcel. He said the entrance and exit will be via an existing driveway at 80 Shunpike Road. Mr. Wagenblatt said the applicant is also the owner of 80 Shunpike and will grant all access to the site. He said we have flagged the wetlands and did receive approvals from the Cromwell Inland Wetlands Commission. Mr. Wagenblatt said the Shunpike Creek is located within the parcel but not within the 4 acre proposed lot. He said this is a business park zoning district bordered by businesses and residential. He said the site is a mature forest with an abandoned stone foundation on the property. Mr. Wagenblatt said they are proposing a two-story building consisting of two 10,402 square feet stories and a possible expansion of 3,000 square feet on each floor. He said we are proposing the correct number of parking spaces to correlate with the future building. He said 153 spaces actually exceeds the requirement. Mr. Wagenblatt said they are proposing a pedestrian connection with stairs and a concrete walkway between the existing 80 Shunpike building and the new building. He said light fixtures will be dark sky compliant and there

will be no lights leaking to adjoining properties. He said they will get power and water off of Shunpike and they have been working with the water department. He said they will propose a construction entrance and erosion control blankets for the slopes. He also said there will be retaining walls with the highest point of the wall being 24 feet and they will propose a fence around the dumpster pad. Mr. Wagenblatt said they will add pine trees to the other side of the stormwater treatment area as was discussed at the Wetlands meeting to provide a buffer to the abutter.

Mr. Wagenblatt said they will have two signs, one monument sign at the entrance which will be on a stone base and will be 24 square feet sign and the other sign will be wording mounted on the building on the west side. He said there will be no ambulatory services at this building and will have operating hours of 8:00am to 6:00pm Monday through Friday and possibly some Saturdays from 8:00 am to noon.

Mr. Popper asked Mr. Wagenblatt for a picture of the building in color. Mr. Wagenblatt said we don't have that and said it will be an insulated metal panel building with a mirror image on the other side. He said the building height will be 25 feet, 10 inches from the finished grade. He said the first floor of this building will be 10 feet lower than the 80 Shunpike building.

Chairman Kelly said a color rendering is part of our zoning requirements and we would want to see that before we say yes or no. She said you should also have samples of the materials you will be using. Mr. Cannata said we can approve the concept and site with the condition of seeing the building to ensure we like it.

Mr. Richard Reynolds, LRC Group, 160 West Street, Cromwell, CT said the total impervious area coverage increased so the onsite stormwater management system required a drainage system designed to accommodate future expansion. He said we have addressed town comments and have provided a response to the various letters we received from them. Mr. Reynolds said the erosion control plan will handle construction vehicles, debris and a temporary sediment trap.

Mr. Popper asked Mr. Reynolds to talk about the retaining walls and address the height. He asked if he could show pictures of the walls. Mr. Reynolds said they will be versa lock concrete blocks in a gray color but he does not have a picture. Mr. Cannata asked if Mr. Harriman has reviewed the retaining walls and Mr. Popper said yes, he has reviewed the plans and knows some areas will be 20 feet high. Mr. Reynolds confirmed the wall will range in height from zero to 20 feet. He also said there will be a chain link fence on top of the wall behind the guide rail. Mr. Popper asked about the drainage and Mr. Reynolds said the excavated catch basins will collect water with a roof leaders collection system. He said the storm water chamber system will be inspected annually or semiannually. He said the Town Engineer requested the maintenance and an operation manual. He said the manual will be filled out annually by the owner and submitted to the Town Engineer to comply with the maintenance of the drainage systems. Mr. Popper said that there will be a note on the plans in the mylars. Mr. Popper also said there have been comments from numerous town departments and with the exception of the Town Engineer they have been addressed. He said the Town Engineer's comments should be a condition of any approvals. Mr. Reynolds said we have replied to Mr. Harriman's so we are just waiting for his reply to indicate if our responses are ok or if we need changes.

Chairman Kelly said this will add substantial water to the wetlands and Mr. Reynolds said this was a 25 year storm design and the Town Engineer asked us to do analysis with a 100 year storm so the plans have been revised to address that.

Mr. Cannata asked about sprinklers and Mr. Reynolds said yes, the building will have them. Mr. Cannata asked about the Fire District made comments. Mr. Reynolds said that they have uncovered an existing water main and are verifying it for size so they are having conversations about adding another hydrant.

Mr. Reynolds confirmed there will be 153 parking spaces for the proposed building. Chairman Kelly asked if they would do this in 2 phases and Mr. Reynolds said yes and they have a landscaping plan in place in case they don't add the expanded area.

Chairman Kelly asked if any member of the public wanted to speak regarding this application.

Donna Vickers, 92 Shunpike Road, Cromwell said she and her neighbors that live up to Evergreen Road are concerned about the increase of traffic this will bring. She said I am aware this is zoned for commercial but I have to currently wait minutes to get out of my driveway. She said this will result in a massive increase in traffic coming onto Shunpike and this is encroaching on homes with lots of children. Ms. Vickers said I expected the entrance and exit to be somewhere else. She said a traffic light would not be an acceptable solution since it would create further backups and more trash. Ms. Vickers said I am concerned about the entrance and exit impact.

James Rude, 25 Highridge Road asked where the construction trucks will go in and out. He also said the public hearing sign on the property didn't include the address and Mr. Popper said it did include the application number. Mr. Rude said that if a picture of the building is required for an application then we should be able to see it. He said if it is approved with a condition that the Commission sees it later than the public would not have a say.

A recess was called at 8:19pm so the recording tape could be changed.

The meeting was called back to order at 8:25pm

Mr. Rude said he is aware the Plan of Conservation and Development is being updated and he said that the Transportation portion of that plan says the roads are over capacity. He also said that it is hard to believe that the lighting won't leak out and have an impact on the residences. Mr. Rude asked how tall the light poles are and will the lights be on all night or are they motion sensors. He said they are proposing to remove a lot of trees and the noise from the highway will increase. He said a barrier by the road should be considered. Mr. Rude said he would also like to know if the signs will be backlit.

James Kerr, 10 Summer Brook Lane said the tree buffer on the existing property at 80 Shunpike has been killed off by the snow plow. He suggested an escrow account be created to fund the trees being grown there. He asked if the water situation would kill trees and vegetation. He said he agreed with a sound barrier as he can already hear noise from the shopping center. Mr. Kerr said my backyard is lit up from the existing building. He asked if any of the Commissioners have a financial interest in this project and Chairman Kelly said no, if they did they would recuse themselves from the public hearing. Mr. Kerr also said the dumpster is picked up now at 6:00am and with two dumpsters it will be a double whammy. He said they plow the snow into my property so no trees in the back of my property can grow. Mr. Kerr showed on the map where his tree line stopped on his property. Chairman Cannata asked him to show where the dumpster was now and Mr. Kerr pointed to the location on the map.



James Jordan, 30 Highridge Road, Cromwell said he is concerned that future commercial access on the remainder of the lot would be in his backyard.

Mr. Wagenblatt, LRC Group said that access would be impossible from the Shunpike to the rest of the site due to the wetlands and West Street would be the only option.

Chairman Kelly asked if there was anyone else from the public who wanted to speak. No one came forward.

Mr. Popper told the applicant that this will be tabled until the February meeting and to please provide answers to these questions.

Mr. Cannata said they wanted color architectural, elevations from appropriate sides and the materials being used. He asked how high the light poles are and Mr. Wagenblatt said 16 feet. Mr. Cannata asked if that is what is on the existing building now and Mr. Wagenblatt said he would have to get back to him on that. Mr. Cannata said he also wanted to know if the dumpster can be moved to the southeast corner of the site. He said he also wanted more information on the engineering of the 20 foot wall, with a color rendering and a letter from Mr. Harriman regarding the retaining wall.

Mr. Cannata asked Mr. Driska about a sound barrier and Mr. Driska said he would research it. Mr. Cannata said he wanted to know about the devastation from the salt at the existing site, a response from Harold Holmes on the fire hydrant and an updated letter from Mr. Harriman.

A motion was made by Michael Cannata and seconded by Robert Donohue to table application #22-44 until February 27, 2023. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Chris Cambareri to continue the public hearing for application #22-43 until February 7, 2023. All were in favor; the motion was passed.

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

#### **12. Approval of Minutes:**

##### **a. November 15, 2022**

A motion was made by Michael Cannata and seconded by John Keithan to approve the minutes of November 15, 2022. All were in favor; the motion was passed.

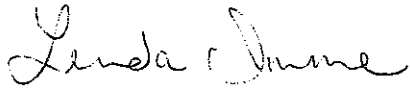
##### **b. December 6, 2022**

There was not a quorum present to vote on the minutes of December 6, 2022.

#### **13. Adjourn:**

A motion was made by Michael Cannata and seconded by Robert Donahue to adjourn at 8:48pm. All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda Imme". The signature is fluid and elegant, with the first name "Linda" and the last name "Imme" clearly distinguishable.

Linda Imme  
Recording clerk