



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

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

### **AGENDA**

RECEIVED FOR RECORD  
Mar 01, 2023 03:45P  
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:**
9. **New Business:**
  - a. Application #21-32: Scheu Farm Subdivision. Request to reduce portions of the Performance Bond. Reed Builders is the Applicant and the Owner.
  - b. 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.
10. **Public Hearings:**
  - b. Application #23-04: Request for a Special Permit for the Travelers Championship at TPC River Highlands at 1 Golf Club Road. Greater Hartford Community Foundation is the Applicant and TPC of CT Inc. is the Owner
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
  - a. December 6, 2022
  - b. January 17, 2023
  - c. February 7, 2023
  - d. February 21, 2023
13. **Adjourn:**

Permit	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
		P&Z 2022 & 2023 Permit Report	F:\Private\CFontaine\CANDICE DOCUMENTS\Spreadsheets Tracking\2023 PZC Bruce's Report.xlsx\2022		
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	2/21/2023	Approved
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# 21-32

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION**

***APPLICATION FOR SUBDIVISION APPROVAL***

**Name of Subdivision  
(if applicable):** Scheu Farms  
**Street Address:** 20 Woodside Road  
**Volume/Page:** 974/274  
**Zoning District:** R-15 **PIN #** 05056000

**Applicant's Name:** Reed Builders, LLC  
**Address:** 73 Pebblebrook Drive  
Rocky Hill, CT 06067  
**Telephone:** (860) 209-1138  
**Email Address:** reedbuilders@att.net

**Owner's Name:** Constance J. Scheu  
**Address:** 10 Woodside Road  
Cromwell, CT 06416

**Attached:**

- ☒ 1. Application fee in the amount of \$ 2,060.00 ;
- ☐ 2. Copy of Inland Wetlands and Watercourses Agency Permit, if applicable;
- ☐ 3. Evidence of Water Pollution Control Authority approval, if applicable;
- ☒ 4. Twenty-five copies of plans prepared in accordance with Article 403 and 404 of the Cromwell Subdivision Regulations.


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

Please answer the following questions:

1. Is any part of the site within 500' of an adjoining town? ☐ Yes ☒ No
2. Does any part of the site contain wetlands? ☐ Yes ☒ No
3. If you propose to disturb more than five acres, have you filed a Stormwater Management Plan with DEP? ☐ Yes ☐ No ☒ N/A
4. If the subdivision will involve more than 100,000 sf of floor area or 199 parking spaces, have you applied for an STC Permit with DOT? ☐ Yes ☐ No ☒ N/A
5. Is any portion of the site subject to any Conservation Restriction per Sec. 47-42d of the Connecticut General Statutes? ☐ Yes ☒ No

  
\_\_\_\_\_  
Applicant

10/21/21  
\_\_\_\_\_  
Date

\*  P.O.A.  
\_\_\_\_\_  
Owner

10/21/2021  
\_\_\_\_\_  
Date

## Popper, Stuart

---

**From:** Harriman, Jon  
**Sent:** Monday, February 27, 2023 2:03 PM  
**To:** Sean Hussey; Popper, Stuart  
**Subject:** RE: Bond reduction

All,

I am resending this email. The figure was written incorrectly in my previous email.

I am in agreement. I recommend reducing the performance bond for the following items:

- Catch basins
- HDPE pipe
- Concrete Pipe
- Flared end
- Detention pond
- Pond outlet
- Processed stone road base
- ½ of binder pavement
- signage

The work above is complete. The developer will have a contractor fix the observed pavement issues prior to placing the final pavement and replacing the curbing.

The amount to release at this time is \$153,694.40

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

**From:** Sean Hussey <reedbuilders@att.net>  
**Sent:** Thursday, February 23, 2023 10:38 PM  
**To:** Harriman, Jon <jharriman@cromwellct.com>; Popper, Stuart <spopper@cromwellct.com>  
**Subject:** Re: Bond reduction

Stuart -

Please see the email below, dated January 24, after Jon had gone out to inspect the road.

Per my conversation with him today, we are taking out the 50% (\$3195.50) he had been releasing for curbing and the signage will be completed tomorrow, which would add in \$450. That should bring the new total to be released to \$153,694.40. Jon, if you could verify and let both Stuart and I know that you are in agreement with this figure, it would be appreciated.

Stuart, I believe this should be what you need in order to get us on for the next P&Z in March, is that correct? Please let me know.

Sean

Sent from AT&T Yahoo Mail for iPhone

On Tuesday, January 24, 2023, 10:03 AM, Harriman, Jon <[jharriman@cromwellct.com](mailto:jharriman@cromwellct.com)> wrote:

Mike and I have inspected this work. I am comfortable releasing items 1, 5, 8, 9, 13, 19a and 20 and 26. For items 23 and 28 hold 50%. The binder and curbing will need rework prior to final paving.

The total amount to release at this time is \$156,440.10

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

-----Original Message-----

From: Sean Hussey <[reedbuilders@att.net](mailto:reedbuilders@att.net)>  
Sent: Monday, December 12, 2022 8:22 PM  
To: Popper, Stuart <[spopper@cromwellct.com](mailto:spopper@cromwellct.com)>  
Cc: Harriman, Jon <[jharriman@cromwellct.com](mailto:jharriman@cromwellct.com)>  
Subject: Bond reduction

Good evening Stuart,

Looking for a bond reduction over at Cortland Way in the amount of \$175,700.60 for the following :

Drainage & Roadway : items 1, 5, 8, 9, 13, 19a, 20, 23, 26 = \$169,309.60 Curbing : item 28 = \$6391.00

Let me know if you have any questions or need any additional info.

Thanks -  
Sean

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION**

***APPLICATION FOR SITE PLAN MODIFICATION***

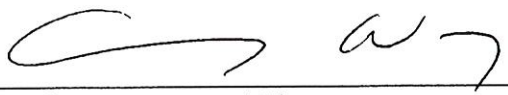
**Name of Project:** Texas Roadhouse Restaurant  
**Street Address:** 51 Shunpike Road  
**Volume/Page:** 1613-209 **PIN #:** \_\_\_\_\_  
  
**Applicant Name:** HBN - CSC, LLC c/o HB Nitkin  
**Address:** 230 Mason Street  
Greenwich, CT 06330  
**Telephone:** (203) 983-5433 (day) (203) 858-7040 (evening)  
**Email Address:** pcway@hbnitkin.com  
  
**Property Owner Name:** HBN - CSC, LLC c/o HB Nitkin  
**Address:** 230 Mason Street  
Greenwich, CT 06330

Attached:

- ☒ Application fee.  
☒ Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations. 8 copies, per discussion with Town Planner

- |   |   |  |
|---|---|--|
| 1. Is <u>any part</u> of the site within 500' of an adjoining town?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| 2. Will this project require an <u>Inland Wetlands Agency permit</u> if yes, have you obtained it?                                      | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| 3. Will this project require a <u>DEP Stormwater Management Permit</u> if yes, have you applied for it?                                 | <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 checked="" type="checkbox"/> Yes | <input 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.***

  
\_\_\_\_\_  
Applicant Name and Signature  
Craig Way, HB Nitkin

12/22/22  
\_\_\_\_\_  
Date





Alfred Benesch & Company  
120 Hebron Avenue, Floor 2  
Glastonbury, CT 06033  
www.benesch.com  
P 860-633-8341  
F 860-633-1068

December 22, 2022

Planning & Zoning Commission  
Town of Cromwell  
50 Church Street  
Windsor Locks, CT 06096

RE: **Development Narrative**  
**Texas Roadhouse at Cromwell Squares Shopping Center**  
**51 Shunpike Road**  
**Cromwell, CT**

Dear Commission Members:

Attached please find the application and associated plan set for the above proposed restaurant development. Following is a development narrative that provides detail additional to the application and plans.

The property is situated at 51 Shunpike Road and is currently utilized as a shopping center. Located on the southwestern corner of the site, adjacent Shunpike Road, is a stand-alone building currently being utilized as a Ruby Tuesdays Restaurant. This building is scheduled to be demolished and replaced with another restaurant, Texas Roadhouse, in the same approximate location.

The new restaurant anticipates approximately 40 employees, and the hours of operation will be as follows:

- Monday – Thursday: 3 pm – 10 pm
- Friday – Saturday: 11:30 am – 11 pm
- Sunday: 11:30 am – 10 pm

#### Lot Layout

Although technically part of the overall shopping center parking lot, the portion of that lot immediately surrounding the existing restaurant is utilized mostly by restaurant patrons and consists of 124 parking spaces. The building size is being slightly increased from about 6,000 sf (existing) to 8,000 sf (proposed). The site modifications associated with this development are limited to the east side of the collector drive aisle that separates the existing restaurant lot and the rest of the shopping center. The project proposes a reduction in of spaces in this dedicated lot from 124 to 106, which is five (5) more than the 101 spaces required for this particular use. An analysis of the overall shopping center parking indicates that, after this reconfiguration, there will be 1,134 spaces, which is more than the 1,010 spaces required. Five (5) handicap parking spaces will be provided in the restaurant lot, which meets ADA and CT Building Code requirements.

The current parking configuration does not maximize efficiency. The existing parking lot is in poor condition and will be renovated as part of this project. This provides the opportunity to maximize efficiency, in terms of parking stall and drive aisle dimensions, and the result will be a slight decrease in imperviousness and more landscaped areas.



The same drive configuration will remain, with several aisle openings from the main collector aisle to the restaurant lot and an aisle around the east side of the restaurant.

#### Landscaping

The landscaping is complementary with the balance of the existing development. A rhythm of street trees is consistent with existing trees and foundation plantings will consist of evergreen coverage and seasonal interest plants. They consist of native and drought tolerant species.

#### Utilities

The laterals serving the current restaurant will be reused to provide the new restaurant. No new laterals will be needed to be brought in from off-site.

#### Stormwater

The existing stormwater system on the dedicated portion of the restaurant lot captures and conveys stormwater, via catch basins and piping, to the southwest, where it combines with infrastructure serving the entire shopping center. The proposed improvements reuses existing infrastructure, where possible, and includes new facilities in certain locations. Under the proposed scenario, all stormwater will be captured and conveyed to the same collector pipe to the southwest. Due to the slight decrease in imperviousness, the peak flow rates will slightly decrease.

#### Traffic

The slight increase in the size of the restaurant and the slight decrease in parking, are both insignificant as compared to the overall shopping center. The site is listed with the Office of State Traffic Administration as a Major Traffic Generator, and we are currently in the process of obtaining an Administrative Decision, which deems no significant impact to the local or state roadway network.

We look forward to working with the Commission to ensure a successful project that meets required town regulations.

Sincerely,



Will Walter, PE, LEED AP  
Alfred Benesch & Company

February 28, 2023

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

RE: **Revisions to Site Plan**  
**Texas Roadhouse – 51 Shunpike Road**

Dear Stuart:

As discussed earlier, minor modifications have been made to the site plan, since the December 16, 2022 application. The changes include revisions as a response to town staff comments, as well as owner comments. Due to Texas Roadhouse development standards, I previously indicated to you that the building footprint may be changing. However, after several iterations with the owner, the owner-directed modifications are minor in nature and do not substantially impact the site plan. Following are the modifications:

- Removal of wheel stops and replacement with bollard-mounted handicap signs, at the handicap parking locations.
- Slight shift in the sidewalk on the east side to not require compact parking stalls.
- Shifting of utility laterals to be coordinated with interior mechanical space.
- Minor spot grade modifications at the front of the building.

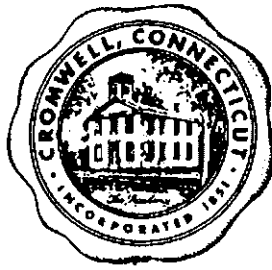
To reiterate, these changes in our opinion are minor and more germane to constructability than site plan review. Please find eight (8) full-size copies of the plan set.

Please email or call with any questions.

Sincerely,



Will Walter, PE, LEED AP  
Alfred Benesch & Company



## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development  
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer **BD**  
Date: March 1, 2023  
Re: PZC Application # 22-45, 51 Shunpike Road Texas Roadhouse Site Plan

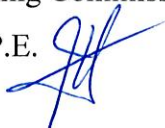
### COMMENTS

I have reviewed the revised plan dated 02/24/2023 for the above Application and have the following comments:

1. Zoning Regulation §8.6.D.4.(8) b) requires the Site Plan (C-2.0) include the location of lighting
2. Zoning Regulation §8.6.D.4.(8) e) requires the Site Plan (C-2.0) include details/materials for dumpster
3. Zoning Regulation §8.6.D.4.(9) requires the Site Plan (C-2.0) include details on all signage
4. Zoning Regulation §8.6.D.4.(13) requires the Landscape Plan (C-5.0) include all landscaping
5. Zoning Regulation §9.3.C. requires an Erosion & Sedimentation Control Performance Cash Bond

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

**Memorandum**

**To:** Stuart Popper  
**CC:** Planning & Zoning Commission  
**From:** Jon Harriman, P.E.   
**Date:** 3/1/2023  
**Re:** #22-45 51 Shunpike Road

---

I have reviewed the plans entitled; "Texas Roadhouse Restaurant at Cromwell Squares Shopping Center, 51 Shunpike Road, Cromwell, CT" dated 12-16-22 REVISED 2/24/2023 by Alfred Benesch & Company. The plans were accompanied with a development narrative.

The proposed redevelopment decreases impervious surfaces, which will reduce peak runoff rates. The stormwater system discharges into the State of CT DOT drainage system, and the development makes use of existing curb cuts onto CT DOT roadways. Stormwater and traffic are reviewed by CTDOT.

I making the following a condition of approval.

1. The plans should include a long-term maintenance plan for the parking lot and stormwater infrastructure. Once updated the property owner shall file annually a report to the Town Engineer and Zoning Officer detailing the annual maintenance completed in accordance with the plan by January 31<sup>st</sup> of the following year.

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.



# **Town of Cromwell**

## **Stormwater Permit Information for Developers and Contractors**

If your project disturbs more than one acre of land, regardless of phasing, you are responsible for the requirements of the Connecticut Department of Energy & Environmental Protection (DEEP) *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities* ("Construction Stormwater General Permit").

If your project is greater than 5 acres, you are required to submit a registration for the Construction Stormwater General Permit at least 60 days prior to the planned commencement of the construction activity. A copy of your Stormwater Pollution Control Plan shall be provided to the Town upon request.

If your project is between one and five acres, you must adhere to the erosion and sediment control land use regulations of the Town of Cromwell which can be found in the Zoning Regulations and Inland Wetland and Watercourses Regulations, as well as the Connecticut Guidelines for Soil Erosion and Sediment Control and the Connecticut Stormwater Quality Manual. No registration or plan review and certification is required for such construction activity provided a Town of Cromwell land-use commission (i.e. Planning, Zoning, or Inland Wetland) reviews and issues a written approval of the proposed erosion and sediment control measures, pursuant to the requirements of section 22a-329 of the Connecticut General Statutes.

At the completion of a construction project registered pursuant to the "Registration Requirements" of the Construction Stormwater General Permit, a Notice of Termination must be filed with the commissioner. A project shall be considered complete after all post-construction measures are installed, cleaned and functioning and the site has been stabilized for at least three months following the cessation of construction activities. A site is considered stabilized when there is no active erosion or sedimentation present and no disturbed areas remain exposed for all phases.

More information can be obtained by calling the DEEP at 860-424-3000 or visiting their Construction Stormwater General Permit webpage at:

[http://www.ct.gov/deep/cwp/view.asp?a=2721&q=558612&DEEPNav\\_GID=1654](http://www.ct.gov/deep/cwp/view.asp?a=2721&q=558612&DEEPNav_GID=1654)

## **Popper, Stuart**

---

**From:** Peck, Rich  
**Sent:** Wednesday, March 01, 2023 11:38 AM  
**To:** Popper, Stuart  
**Cc:** Fontaine, Candice  
**Subject:** 22-45 51 Shunpike Rd- Revised Plans

Stuart,

No formal approval is required from the CWPCA. Sewer Utility location change OK.

Sincerely,

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



## Popper, Stuart

---

**From:** Harold Holmes <hholmes@cromwellfd.com>  
**Sent:** Wednesday, March 01, 2023 11:57 AM  
**To:** Popper, Stuart  
**Cc:** Fontaine, Candice  
**Subject:** texas roadhouse

The fire marshal's office and the chief's office are all set with the revised site plans for the Texas roadhouse.

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



This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential or proprietary information which is legally privileged. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please promptly contact the sender by reply e-mail and destroy all copies of the original message.

## Fontaine, Candice

---

**From:** Egan, John  
**Sent:** Thursday, January 05, 2023 1:03 PM  
**To:** Popper, Stuart  
**Cc:** Fontaine, Candice; Driska, Bruce  
**Subject:** 22-45 51 Shunpike Road - Site Plan Modification Review  
**Attachments:** Untitled; Untitled

A Site Plan review of the above referenced project was performed and the following code issues observed.

- 1) As per the 2022 Connecticut State Building Code Table 1106.2 Accessible Parking Spaces, an additional accessible parking space shall be added.
- 2) As per the 2022 Connecticut State Building Code the Accessible Parking Signage is incorrect as per section 1112.1 Signs. The language for the signs shall be changed, see the two attachments for the correct language and graphics, the minimum fine is \$250.00 dollars.

Sincerely, John Egan  
Chief Building Official



RESERVED  
PARKING

PERMIT  
REQUIRED


VIOLATORS WILL  
BE FINED \$250

(Add) **1110.2.4.2 Single occupancy toilet.** Required *accessible* toilet rooms designed for single occupancy in other than Group R shall meet the requirements of ICC/ANSI A117.1. Each such room shall contain both toilet and lavatory, shall have a lever handle privacy lockset and shall have an emergency call system that actuates a visible and audible alarm in a normally occupied area. An alarm pull switch, identified with emergency instruction, shall be provided within 3 feet of the water closet with a pull cord extending to within 12 inches of the floor.

(Add) **1110.9.1 Limited-use/limited-application elevators.** Limited-use/limited-application elevators shall be permitted to be installed in new construction in the same locations specified in Section 1110.9. Limited-use/limited-application elevators shall be installed in accordance with the Connecticut Safety Code for Elevators and Escalators, adopted under authority of section 29-192 of the Connecticut General Statutes and with provisions of this code adopted under authority of section 29-200 of the Connecticut General Statutes.

(Add) **1110.17 Automated teller machines.** Where automated teller machines are provided for pedestrian use at any site, at least one location and one automated teller machine shall be *accessible*.

(Amd) **1112.1 Signs.** Required *accessible* elements shall be identified by the International Symbol of Accessibility at the following locations:

-  1. *Accessible* parking spaces as required by Section 1106. Pursuant to subsection (h) of section 14-253a of the Connecticut General Statutes, such spaces shall be designated by above-grade signs with white lettering against a blue background and shall bear the words "RESERVED Parking Permit Required" and "Violators will be fined" in addition to the International Symbol of Accessibility. When such a sign is replaced, repaired or erected, it shall indicate the minimum fine for a violation of subsection (l) of section 14-253a of the Connecticut General Statutes. Such indicator may be in the form of a notice affixed to such sign. Newly installed signs shall be 60 inches (1525 mm) minimum above the floor or ground of the parking space, measured to the bottom of the sign.
- 2. *Accessible* passenger loading zones.
- 3. *Accessible* toilet or bathing rooms where not all toilet or bathing rooms are *accessible*.
- 4. *Accessible* entrances where not all entrances are *accessible*.
- 5. *Accessible* check-out aisles where not all aisles are *accessible*. The sign, where provided, shall be above the check-out aisle in the same location as the check-out aisle number or type of check-out identification.
- 6. Family or assisted-use toilet and bathing rooms and single occupancy toilet rooms.
- 7. *Accessible* dressing, fitting and locker rooms where not all such rooms are *accessible*.
- 8. *Accessible* areas of refuge required by Section 1009.9.
- 9. Exterior areas for assisted rescue in accordance with Section 1009.9.
- 10. In recreational facilities, lockers that are required to be *accessible* in accordance with Section 1109.9.
- 11. *Accessible* portable toilet and bathing units.
- 12. *Accessible means of egress* stairways.
- 13. *Accessible* grade level *exits* required by Section 1013.1.1.

(Add) **1112.6 Interior signage.** Interior signs, when provided, that designate permanent rooms and spaces shall be raised text characters and braille, designed and located in accordance with ICC/ANSI A117.1. Mounting location for signage shall be such that any person approaching the signage will not encounter protruding objects, or stand within the swing of any door.

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

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

1. Application #23-04: Request for a Special Permit for the Travelers Championship at TPC River Highlands at 1 Golf Club Road. Greater Hartford Community Foundation is the Applicant and TPC of CT Inc. is the Owner.

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

Alice Kelly  
Chairman

Dated in Cromwell, Connecticut this the 23<sup>rd</sup> day of February 2023.

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION**

***APPLICATION FOR SPECIAL PERMIT***

Type of Activity: PGA TOUR Event

(Per Section \_\_\_\_\_ of the Cromwell Zoning Regulations)

Street Address: 1 Golf Club Road Zoning District: \_\_\_\_\_

Assessor's Parcel ID #: \_\_\_\_\_ Volume/Page: \_\_\_\_\_

Applicant's Name: Greater Hartford Community Foundation

Address: 90 State House Square, 11th Floor, Hartford, CT 06103

Telephone Number (daytime): 860-502-6800

Email Address: kharrington@travelerschampionship.com

Property Owner's Name: TPC River Highlands, PGA TOUR


Address: 1 Golf Club Road, Cromwell, CT 06416

Description of Proposed Activity:

Applicant seeks to host PGA TOUR event known as the Travelers Championship at TPC River Highlands

The event will take place June 19-25, 2023 and include the  
placement of concessions adjacent the golf course.

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)*.

  
Nathan Krube (Jan 23, 2023 05:57 EST)  
(applicant)

Jan 23, 2023  
(date)





# TRAVELERS CHAMPIONSHIP

The Travelers Championship is an annual PGA TOUR event held at TPC River Highlands here in Cromwell, CT from June 19-25, 2023. Our mission each year is to host a world-class event in Cromwell while raising significant money for charities in the region, all while having a positive impact on our community. We are applying for a Special Permit to operate the 2023 event as one of the PGA TOUR's Designated Events where we are proud to continue our tradition of giving back 100% of net proceeds to charity.

The following is a summary of what to expect in 2023:

- **Event Dates:** June 19-25, 2023
- **PGA TOUR Event:**
  - The competition will feature the best and deepest field the event has ever seen.
  - We will be the only PGA TOUR event in New England this year.
- **Entry Gates:**
  - We look forward to welcoming fans Wednesday through Sunday.
  - We will operate three public facing admission gates.
    - Main Gate servicing the Gold Lot (beanfield) Parking area.
    - 9<sup>th</sup> Hole Gate which services our Red, Pink and Green Lots.
    - 5/6 gate will be relocated due to competitions concerns.
      - It was initially requested we close this gate. We will test a new location this year to see if we can maintain this gate moving forward.
- **Special Events:**
  - We will maintain a modified event schedule for pre and post activities in 2023.
  - Pro-am events will continue to be held Monday and Wednesday, consistent with prior years.
  - Our Women's Day event, held on Thursday, June 22 is planned to return to the golf course in 2023.
- **Parking:**
  - No changes are planned to our overall on-site parking plan.
  - Our off-site ADA parking and shuttle operation will remain at Woodside Intermediate School pending approval from the Board of Education
- **Construction Schedule:**
  - We will continue with a 10 week build schedule and 3-week removal process from the golf course, as we did in 2022.
  - As a Designated Event, with a larger scope, we will need more flexibility within our build schedule.
  - We plan to start on the golf course the week of April 17 and to begin the build on 18 green the week of May 8. However, we will be starting with a larger crew than normal to absorb the larger scope within the same timeframe and may reach those milestones ahead of schedule. We need the flexibility to continue to move if that is the case to stay within the current 10-week set-up schedule.



In summary, we feel we can produce another world-class event here in Cromwell working within the parameters as previously allowed. There are two edits to dates, as noted below, to correspond appropriately with our 2023 event dates and schedule.

- **Planning & Zoning Conditions:**
  - Tournament Agrees to all previous Planning & Zoning Conditions with the date modifications listed below.
  - Condition #10 will be updated to refer to the "2023 Tournament Construction Summary."
  - On page 2 in the additional conditions section, the last sentence of item 1 will include updated dates and read as follows... "The hours will be amended to extend from 5:00 am to 10:00 pm from June 12, 2023 and July 1, 2023."

We'd like to thank the Planning & Zoning Commission and the Town of Cromwell for their continued support as over the years we've produced some record-setting results. Following the PGA TOUR's Tradition of Giving Back by donating 100 percent of net proceeds to charities; the Travelers Championship has generated more than \$25 million for nearly 900 local charities since Travelers became title sponsor in 2007. The Designated Status with a better than ever player field could bring more fans and sponsors, which could increase the amount of money generated for charity this year; in 2022, more than \$2.5 million was distributed to over 140 organizations, including The Hole in the Wall Gang Camp, The First Tee of Connecticut, animal shelters and local Boys & Girls Clubs.



# TRAVELERS CHAMPIONSHIP

## 2023 TOURNAMENT CONSTRUCTION SUMMARY

Weeks Prior to	Week of	Description	Location
10	Mon, April 10	Radio Row, Fan Shop, Viewing Deck, Main Entrance	Parking Area
9	Mon, April 17	Pro-Am Tent, Volunteer Tent, Catering, 17 Tee	Parking Area & On-Course
8	Mon, April 24	Skyboxes & Hospitality Venues at 17 <sup>TH</sup> & 15 <sup>TH</sup> Holes	On-Course
7	Mon, May 1	Continue Skyboxes & Hospitality at 17 Green, Begin Hospitality on 18	On-Course
6	Mon, May 8	Hospitality on 18: Stanley Suite, Champions Club, Suite on 18	On-Course
5	Mon, May 15	Hospitality on 18: Travelers Suite, Greenside Club, Golf Channel	On-Course
4	Mon, May 22	Fan Zone, Event Lawn, Begin interior fit-outs per venue.	On-Course
3	Mon, May 29	Food & Beverage Infrastructure. Hospitality Interior fit-outs, tip-up seating, glass wall & door install.	On-Course
2	Mon, June 5	Clubhouse area, parking lots, HVAC, telecom, power distribution.	On-Course
1	Mon, June 12	Clubhouse area, parking lots, off-site parking lots & Inspections	On-Course
<b>Tournament Week – June 19 – 25, 2022</b>			
1	Mon, June 26	Removal of cabling & furniture from hospitality and Clubhouse	On-Course
1	Mon, June 26	Removal of Hospitality on 18 and Skybox Tents	On-Course
2	Mon, July 3	Corporate Row, Skybox Tents & On-Course/ Fan Zone Tents	On-Course
2	Mon, July 3	Removal of Skybox Flooring, Removal of Hospitality on 18	On-Course
3	Mon, July 10	Objective: Have all items removed from "on-course" locations by end of week	On-Course
4+	Mon, July 17	Objective: Have all items in bean field and being shipped out	Parking Areas

**Tournament Contact:** Kevin Harrington, Senior Director of Operations, (860) 502-6807



## 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.

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

#### 2. Roll Call

The presence of the above members was noted.

#### 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 foot 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.



## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY FEBRUARY 7, 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, Ann Grasso

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

**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.

#### 3. Seating of Alternates

A motion was made by Michael Cannata and seconded by Ann Grasso 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 Robert Donahue to approve the agenda. All were in favor; the motion passed.

#### 5. Public Comments

James Rude, 25 Highridge Road said that he wanted to talk about the process for public hearings and said there are some residents here who are new to the process and not all of us have the knowledge about the process. Chairman Kelly said that public comments for any public hearings would be heard during the public hearing portion of the meeting. Mr. Rude said he wanted to discuss how the public gets the notices for public hearings. He handed out a document to the Commissioners. He said in section 8.1.0 it talks about the public signage and he said that the sign for application #22-43 was not in accordance with the regulations. Chairman Kelly asked Mr. Rude

RECEIVED FOR RECORD  
Feb 27, 2023 02:59P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

to clarify what he was referring to when he mentioned the section and Mr. Rude said the zoning regulations. Mr. Popper said this is about the public hearing application if it is about the sign they posted for the public hearing. Mr. Rude said but the sign was not in compliance with the regulations so there should not be a public hearing. Mr. Popper said that would be an administrative error and could be discussed in a court setting if there was an appeal.

**6. Development Compliance Officer Report:**

Mr. Driska said there was a report in the package. He said he also handed out an enforcement document. The Commission and Mr. Driska discussed some of the violations and reasons for the enforcement.

**Director of Planning and Development Report:**

Mr. Popper said there has not been an application for Texas Roadhouse yet since they need to make some minor modifications to the building plans. He said we should see that application at the end of February or March. He also said there has not been action in the chicken establishment and he has no idea what happened with that application. Mr. Popper said there has been interest in the Friendly's building by an auto parts store and they would demolish the current building and rebuild. He said that the 99 Restaurant building owners are trying to find a new tenant. Mr. Popper said that a national chain called GoldFish has an interest in some space at the ShopRite plaza. He said they have indoor pools for swim lessons. Mr. Popper said that we are waiting for a tax abatement proposal for the former Lord Cromwell site. Chairman Kelly said that the CWPCA just gave them lots of credits for 100 Berlin Road.

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

a. Application #23-03: Request for Site Plan Approval to construct a new access driveway on County Line Drive. Sysco Connecticut LLC is the Applicant and Sysco Corporation is the Owner.

Mr. Popper said they would like to see the driveway closer to the Shunpike Road. He said that Rocky Hill Wetlands is hearing this application tomorrow and if approved it will go to Rocky Hill Planning and Zoning. The Commissioners discussed the location and Mr. Popper said this would not be a public hearing.

A motion was made by Michael Cannata and seconded by Robert Donohue to accept and schedule application #22-03 for March 7, 2023. All were in favor; the motion passed.

b. Application #23-04: Request for a Special Permit for the Travelers Championship at TPC River Highlands at 1 Golf Club Road. Greater Hartford Community Foundation is the Applicant and TPC of CT Inc. is the Owner.

A motion was made by Michael Cannata and seconded by Robert Donohue to accept and schedule application #23-04 for a public hearing on March 7, 2023. All were in favor; the motion passed.

**9. New Business:**

a. Application #23-01: Request for a Site Plan Modification to install electric car charger units at 101 West Street (Covenant Village). Covenant Living of Cromwell Inc., Covenant Village of Cromwell is the Applicant and the Owner.

Rock Emond from SLR Consulting in Cheshire, CT said that he is here with Covenant Village because they are looking to change 4 standard spaces into spaces for 2 electric charging stations. He showed the

location of the stations on the site plan. He said they will be two juice bar dual chargers. He said this will not reduce the number of parking spaces. He said the site plan was approved with 148 parking spaces but only 139 were required. He said we will still exceed the requirement by 5 spaces. Mr. Emond said the chargers will be placed on a 5 x 5 pad. Mr. Cannata asked if he was aware of Mr. Egan's comments and Mr. Emond said yes, we have addressed them and gave the plan to Mr. Egan this morning. Chairman Kelly said she thought the EV stations were in addition to the approved parking spaces. Mr. Popper said they have an excess so they are using their extra spaces. Mr. Popper said we might have to clean up the language in the regulations but the way the regulations are written now allows this.

Mr. Cannata asked Mr. Emond about a heavy wrecker truck parked on the west end of the property. He said it is parked there more often than not and it is a violation since it blocks access.

Norm Aldridge, Facilities Director at Covenant Living said he will look into this

Mr. Popper asked the Commission to make Mr. Egan's comments a condition of any approvals.

A motion was made by Michael Cannata and seconded by Robert Donohue to approve application #23-01 with the conditions of John Egan's memo dated January 13, 2023 to be adhered to.

b. Application #22-44: Request for Site Plan Approval to construct an 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 this application will be heard with public hearing application #22-43.

#### **10. Public Hearings:**

a. Application #21-40: Request for a Special Permit under Section 6.1.B of the Zoning Regulations to allow for the placement of fill at 12 Summer Brook Lane. Magdalene and Sead Mehic are the Applicants and the Owners.

Chairman Kelly reads the public notice dated January 30, 2023.

A motion was made by Michael Cannata and seconded by Ann Grasso to open the public hearing for application #21-40. All were in favor; the motion passed.

Magdalene Mehic said she lives at 12 Summer Brook Lane and showed her home on the map. She said the area of land past her deck is a steep drop into the backyard. She said we have two children and would like to turn the yard into something that is more usable since it is a safety concern as it is now. Ms. Mehic showed the areas they would fill by sections and said it would be a 3 to 1 grade so a gentle slope. She showed the entrance they would use to access the site and said they would use a construction pad. Ms. Mehic said they would repair any curb and sidewalk damage asap. She said we would receive 1,200 cubic yards of fill over a 6-9 month period. Mr. Cambareri asked if there would be any drainage issues to the surrounding houses and Ms. Mehic said we will comply with any erosion controls. Mr. Popper read a memo from Mr. Harriman dated December 22, 2022. He said that staff issued a wetland permit since it is 100 feet of the wetlands. Mr. Popper said there will be a bond to make sure the drainage is handled properly and the slopes are stabilized enough. Chairman Kelly asked what a check dam is and Mr. Driska said it is meant to receive water and controls the velocity of the water. Mr. Driska said the north and south side of the property show pronounced swales. Mr. Popper said they also act as a barrier of grading that could be deposited to neighboring properties. There was a discussion about installing the swales and

check dam before the project starts since there could be an impactful storm over the duration of the project. Mr. Driska said that would entail field adjustments. Mr. Cannata said his concern was it could never get stabilized while it's in progress and the results downstream could be devastating. He said I would ask that the swales be put in and maintained with frequent inspections. Ms. Mehic said that we live there so it's important for the safety of our family and neighbors. Mr. Cannata asked where the fill was coming from and Ms. Mehic said she wasn't sure but the contractor would. Mr. Cannata said it needs to be a good quality, clean fill and Ms. Mehic said she wanted that too.

Mr. Cannata said that the conditions of approval would likely be that clean fill was required and once filling starts, Mr. Driska and Mr. Harriman should be notified. He said the swales should be built first and maintained with a bond to be determined by staff.

Chairman Kelly asked for members of the public who wanted to speak.

Jim Kerr, 10 Summer Brook Lane, Cromwell said he has major trees on his property that he doesn't want to lose. Mr. Popper said the grading will take place on their property and the swales will be on their property. Mr. Kerr said he is not opposed to the project but is concerned with erosion to my root system. Mr. Cannata said that if you put fill on a root system it will die. He said generally the roots are equal to the tree canopy. Ms. Mehic said I don't have his property on the map I've shown but we will try not to do that. Ms. Grasso asked about the depth of the fill and where the root system was in relation to the fillable area. Mr. Driska said the inner triangle on the map is the fillable area.

Mr. Popper said if this was a vacant lot they would have the right to rip out roots right up to their property. He said they wouldn't be in front of this Commission as long as they didn't have a negative effect on any property owners. He said they are here because of the amount of fill they are bringing in. Mr. Kerr asked what the point of the public hearing was if this was not a legitimate question. Mr. Popper said that is not what I'm saying and Chairman Kelly said the hearing is for the amount of fill they are bringing in. Mr. Cannata said there is a natural drainage swale on Jim's property so they will be building a 2nd swale on their own property. He said your trees should be ok since the ones of your main concern are beyond the fill area. Mr. Cannata said that Mr. Harriman should monitor and stop anything before it gets too far.

Chairman Kelly asked if anyone else wanted to speak regarding the application.

A motion was made by Michael Cannata and seconded by Chris Cambareri to close the public hearing for application #21-40. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to approve application #21-40 with the following conditions; that Mr. Harriman's' memo dated December 22, 2022 be adhered to, weekly inspections by Town Engineer and Zoning Enforcement Officer, a performance bond to be determined by staff and the required finish grade as built be provided at the completion of the project. All were in favor; the motion passed.

A recess was called at 8:14pm to change the recording tape

Chairman Kelly called the meeting back to order at 8:21pm.

b. 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, (public hearing continued from January 17, 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.

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

James Rude, 25 Highridge Road, Cromwell said that there are issues with the public hearing sign that was posted. He said according to zoning regulations the letters need to be 4 inches high and these were 3.25 inches high. Mr. Rude said the regulations state the signs need to be perpendicular to the street but this was not and it also isn't double sided. He also said the sign was not updated with the date of the continued public hearing. He asked if the affidavit attesting to the sign requirements was handed in by the applicant at the last meeting or this meeting. Mr. Rude said he would like the Commission to follow the public hearing requirements. He said he some questions as a result of the January 26, 2023 memo from the applicants. He asked if you can't move the garbage dumpster can it be picked up later in the day. He said I hope we can see materials. He asked if the lighting was on timers and if so, I hope they pick a definitive time for the lights to go on and off. He said 80 Shunpike shuts them off at 10:00pm. Mr. Rude said I have concerns on the average daily traffic counts. Mr. Rude said if they cut 74 trees and only 24 trees remain there will be an increase in noise and a noise barrier will be a good idea.

Irene Kerr, 10 Summer Brook Lane, Cromwell said that this project and building looks pretty but we will see cars and Route 9 from our property. She said this is exposing our parcels and nice neighborhoods will be ruined and impacted by this. Ms. Kerr said I appeal to this committee to help the citizens. She said this property butts up to residential neighborhoods and we want to preserve this buffer. She asked the Commissioners to come to the street and her driveway to see it from their perspective and to see what it really looks like as residents.

Donna Vickers, 92 Shunpike Road, Cromwell said I agree with Irene and Jim. She said this is not the spot for this. She said this won't be an additional 200 cars per day but more like 200 more per every 2 hours. She said the entrance and exit to this building should be on Route 372.

John Wagenblatt, Principal with LRC Group, 160 West Street, Cromwell, CT showed the architects for the building. Chairman Kelly asked if the lights in the colored tower would be on all night. Mr. Wagenblatt said they would be on until the building closes.

David Giuffrida, Vice President of Middlesex Health, 28 Crescent Street, Middletown said that the picture is accurate and the design is similar to a larger building the hospital owns in Westbrook, CT. Chairman Kelly asked if the color panels were just located in the front of the building and Mr. Giuffrida said yes. Mr. Popper asked him to clarify that the building will be 2 stories initially with a possible expansion area of 1 story. Mr. Giuffrida said yes, that is correct.

Mr. Wagenblatt said we looked at moving the dumpster but then it would be in view of Route 9 and the Shunpike. He said we will put more screening where the dumpster pad is. Mr. Popper said a dumpster enclosure can also be built. Mr. Wagenblatt said moving it would also make it more pronounced because of the retaining wall. Mr. Cannata said the noise of the dumpster pickup is more the issue and asked if they could try to change the pickup schedule. Mr. Wagenblatt said we can try.

Mr. Wagenblatt said the retaining wall is a versa lock wall and Mr. Cannata asked if it was similar to what is at 80 Shunpike and Mr. Wagenblatt said yes. Mr. Wagenblatt said they will also plant

shrubs that grow 10-12 feet high and will help hide the height of the wall and will also provide more screening or buffer. He said that 10 Summer Brook Lane is 375 feet from the retaining wall.

Mr. Wagenblatt said they have been in contact with the Fire Marshall and they will add a fire hydrant and showed where that would be located on the map. He said they were happy with that and indicated that we satisfied their requirement.

Mr. Wagenblatt said that the lights would go off between 8:00-9:00pm and would also be on a motion sensor. He said we can pin down with the tenants the exact time. He said the lights in the front will remain on for safety and as a theft deterrent. He said the lights will be night sky compliant and Mr. Cannata asked if they had any information on reflective lighting and Mr. Wagenblatt said he doesn't have that information with him now. Mr. Cannata said there is a lot more than meets the eye with dark sky compliant lighting but motion sensors and time control are good first steps.

Mr. Wagenblatt said there was discussion about the snow plowing at 80 Shunpike killing trees on Summer Brook but that removal near the property was minimal. He said the salt tolerance of the landscaping list is appropriate for what we are proposing.

Mr. Wagenblatt said the wetlands make it near impossible to make the exit and entrance elsewhere on this property. He said we have actually suggested not to develop the other parcel. He said that we do have to go to OSTA for traffic approvals.

Mr. Popper asked for pictures of the signs and Mr. Wagenblatt showed a picture of the monument sign and showed where on the site plan it would be placed. Chairman Kelly asked if the sign on the building would be backlit and Mr. Giuffrida said they would likely be channel letter and lit up. He said that these are just conceptual plans and not final designs. Mr. Popper said as a condition of approval we would need to see the final design and Mr. Giuffrida said that is not a problem and these plans are very close to what the final design will be. Ms. Grasso asked if the building in Westbrook was accessible for us to see and Mr. Giuffrida said yes, it is located at 250 Flat Rock Place in Westbrook. Ms. Grasso asked if the lighting was cool or warm and Mr. Giuffrida said warm. Mr. Cambareri showed the commissioners the picture found on the internet of the building in Westbrook.

Chairman Kelly asked if they were going to clear all of the trees and Mr. Wagenblatt showed the clearing area and said we will be flagging the limits of the wetland's disturbance. Mr. Cannata said they should leave as much vegetation as possible and we do not want this to be seen from the highway. Mr. Cambareri asked what they could put on the snow shelf and said anything additional would be better. Chairman Kelly said that the plantings they are showing aren't a great buffer and trees would be better. Mr. Driska said on the LL1 page you are showing species that will grow up to 4 feet. He said how will that do anything to provide a buffer. Mr. Wagenblatt said we can change those out. Mr. Popper said he suggested a revised landscaping plan to present to the staff with heartier plantings to provide more of a sound buffer. Mr. Driska said he recommended a demo sheet be created and then have staff go out there to verify the trees being cut are the ones marked in the demo sheet. Mr. Popper said we want to be on site so we can save what we can.

Mr. Cannata said he wanted to add a condition about the versa lock wall and Mr. Popper said that the contractor will be on site and they will be responsible for the build of the wall. He said that this won't be part of Mr. Harriman's area of overview but it will be part of the building permit. Mr. Cannata said there is an 18 foot wall at Covenant Village which had a terrace. He said if the toe of this wall exceeds 5 more feet than you will be in the wetlands. Mr. Wagenblatt said the structural engineer would have alerted them to any possible situations.

Irene Kerr, 10 Summer Brook Lane, Cromwell said that 80 Shunpike road is not a colonial building like they said it would be. She asked if this building would be aluminum and Mr. Wagenblatt said the front is with some brick and stone veneer. Ms. Kerr said the sound bouncing of metal is horrendous. She said I am concerned with the clearing of trees and Mr. Cannata said they are leaving everything south of the retaining wall and our staff will oversee the clearing.

A recess was called at 9:41pm to change the recording tape.

Chairman Kelly called the meeting back to order at 9:44pm.

Chairman Kelly asked if anyone else wanted to speak regarding the application.

A motion was made by Michael Cannata and seconded by Ann Grasso to close the public hearing for application #22-43. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by to approve application #22-43. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Ann Grasso to approve application #22-44 with the following conditions: All were in favor; the motion passed.

- A dumpster enclosure is required with hours of pick up to be approved by staff
- Exterior lights are on a timer with motion sensors
- Final design must come back to Planning and Zoning for approval
- All changes from the memo dated January 26, 2023 from LRC must be adhered to
- A revised landscaping plan must be submitted for review and approval by staff
- Demo plan to be reviewed prior to clearing and trees and marked to prevent excess clearing
- memo from John Egan dated December 13, 2022 regarding parking must be adhered to
- memo from Jon Harriman dated January 25, 2023 regarding mylars must be adhered to

9c. Report on the status of the POCD and Zoning Regulations update.

Robert Collins of SLR said if we had more time tonight I would have given a quick overview and provided the data deck. He said I can give you the data and we can go over that another time. Chairman Kelly asked that he give them the data deck. Mr. Collins said ok, but to keep in mind it is a draft open to questions. He said we should have a future meeting to go over my points. He handed out the deck to the Commissioners. Mr. Popper said maybe we can do it on March 7th or maybe another evening from 5:00-6:00pm. Mr. Collins said the purpose of this meeting would be to answer questions. Chairman Kelly told Mr. Popper to pick a date and send it out to the Commissioners.

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

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

a. December 6, 2022

A motion was made by Michael Cannata and seconded by Chris Cambareri to table the minutes of December 6, 2022. All were in favor; the motion passed.

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

A motion was made by Michael Cannata and seconded by Robert Donohue to adjourn at 9:59pm. All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Linda Imme".

Linda Imme  
Recording Clerk



## **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**

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

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Ann Grasso, Paul Cordone

**Absent:** Brian Dufresne, Ken Rozich, Nick Demetriades, John Keithan, Robert Donohue,

**Also present:** Zoning Enforcement Officer Bruce Driska

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

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

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

The presence of the above members was noted.

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

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

A motion was made by Michael Cannata and seconded by Paul Cordone to approve the agenda. All were in favor; the motion passed.

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

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

Mr. Driska said the report was in their package and asked if anyone had any questions. There were no questions. Mr. Driska said that you will hear application #23-02 tonight and application #23-05 will be heard on March 7th along with application #23-02 which is for a project on County Line Drive in Rocky Hill but they are requesting an exit onto Cromwell property.

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

RECEIVED FOR RECORD  
Mar 01, 2023 10:05A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

**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.

A motion was made by Michael Cannata and seconded by Chris Cambareri to accept and schedule application #23-05 for a public hearing on March 7, 2023. All were in favor; the motion passed.

**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.

Mr. Harriman said he apologized for not having an electronic presentation but there were some technical difficulties with the system. He showed a printed map and plans on an easel. He said we are looking for a section 8-24 mandatory referral for sidewalks on West Street and intersection improvements on Allen Road and West Street and Lincoln Road and West Street. Mr. Harriman said the Town Council was approached by residents with a petition that had just over 300 signatures asking for these improvements. He said we had a public information meeting which had a good turnout and we took the comments and concerns that came from that meeting to help develop the plans. Mr. Harriman discussed the sidewalk placement and the realignment of the two intersections. He said we will eliminate the sharp grade near Allen Road and realign the intersection. He said we will give the property owner on the corner of Lincoln Street a proper driveway and turn the eliminated roadway areas into green space. Mr. Cordone asked about Timber Hill and Mr. Harriman said that area didn't really come up. Mr. Harriman said we received a grant for all of this and Chairman Kelly asked if the grant would cover the cost of the project and Mr. Harriman said yes, it should.

A motion was made by Michael Cannata and seconded by Chris Cambareri to issue a positive section 8-24 mandatory referral for sidewalks on West Street and intersection improvements on Allen Road and West Street and Lincoln Road and West Street. All were in favor; the motion passed.

**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

Chairman Kelly read the public hearing notice dated February 7, 2023.

A motion was made by Michael Cannata and seconded by Ann Grasso to open the public hearing for application #23-02. All were in favor; the motion passed.



Tim Farrell, 562 Main Street, Cromwell, CT handed out photos and specifications of the truck to the Commissioners. He said the truck will be a 1000 cubic feet gas powered quiet truck. He said it is 24 feet long, 11'6" inches tall and 7'6" wide. Mr. Farrell said this is a catering truck used to go to events. He said it will be used seasonally and will be housed in the garage when not in use. He said the garage is heated and cooled since the product in the truck can't freeze or get too hot. He will have a generator that can be controlled from the cab. Mr. Farrell said I anticipate it being pulled in and out about 2 to 3 times a week. He said this will be kept in the middle bay of the 3 car garage that was approved a few months ago.

Chairman Kelly asked Mr. Farrell how he plans to back out and pull back into the garage spot. She said it looks like you will be driving into traffic coming into your ice cream business. Mr. Farrell said he will back into the garage so he will be pulling out when he leaves. Chairman Kelly said so when you back up you will be backing up into patrons. Mr. Farrell said yes, but there are 4 cameras on the truck. Mr. Cannata said he will not be making multiple trips in and out everyday day. He said I am not sure your concerns are valid. Chairman Kelly said my concerns are valid since he is going to be backing up a 24 foot long truck into traffic and patrons. She said it doesn't matter how often he plans on doing it, once is enough. Chairman Kelly said per the regulations I have to look at the other vehicles on the property and the safety of the patrons. Mr. Farrell said I completely understand and no one is more worried about safety than me. He said right now, I am the only driver of the truck. Ms. Grasso said that you are going to be careful since it is your property. Mr. Cambareri said you are a good steward of your property and you have created a good business. Chairman Kelly asked if in the future anyone else will drive and Mr. Farrell said maybe, but not now. He said I really don't need to be that busy with the truck. He said it will also sit in the garage about 6 months of the year.

Paul Rice, 563 Main Street Cromwell said he lives across the street and wondered if there was a backup alarm on the truck and Mr. Farrell said yes. Mr. Rice said great, all is good.

Mr. Cambareri said Mr. Farrell has done an incredible job with this place and it is a destination. Mr. Farrell said yes, it is well supported and the traffic concerns seem to be under control now.

A motion was made by Michael Cannata and seconded by Paul Cordone to close the public hearing for application #23-02. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve application #23-02. All were in favor; the motion passed

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

Mr. Driska said he passed out a reminder about the meeting being held on Tuesday, February 28, 2023 for the update on the Plan of Conservation and Development and the zoning regulations updates.

Mr. Driska said he also wanted to ask the Commissioners to allow the staff to administratively approve a situation at a business on 30 New Lane. He said FibreDust has a dilemma where they need to order a large quantity of pallets since they can't get small quantities. He said they will

need to store some on the south side of the building for about 2-4 weeks. He asked if the Commission would be willing to allow an administrative approval of this.

A motion was made by Michael Cannata and seconded by Ann Grasso to give the staff authority to make an administrative approval for storing pallets outside at 30 New Lane. All were in favor; the motion passed.

**12. Approval of Minutes:**

- a. December 6, 2022
- b. January 17, 2023

The approval of the minutes was tabled.

**13. Adjourn:**

A motion was made by Michael Cannata and seconded by Paul Cordone to adjourn at 7:30pm. All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Linda Imme".

Linda Imme  
Recording clerk