



Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING
7:00 P.M. TUESDAY SEPTEMBER 19, 2023
COUNCIL CHAMBERS CROMWELL TOWN HALL
41 WEST STREET**

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Development Compliance Officer Report:**
6. **Director of Planning and Development Report:**
7. **New Business Accept and Schedule New Applications:**
8. **New Business:**
 - a. Application #23-28: Request for a Site Plan Modification to construct 39 parking spaces and install electrical chargers at 14R Winchester Way (adjacent to 150 Country Squire Drive). Cromwell Village Associates, LCC is the Applicant and the Town of Cromwell is the Owner.
 - b. Application #23-26: Request for Site Plan Approval to construct a restaurant with a drive thru window at 195 West Street in the Highway Business Zone District. Cromwell Chicken LLC is the Applicant and NL Grocery II DST is the Owner.
9. **Public Hearing:**
 - a. Application #23-25: Request for a Special Permit under Section 3.3.C.4., 6.5 and 8.7 of the Zoning Regulations to construct a restaurant with a drive thru window at 195 West Street in the Highway Business Zone District. Cromwell Chicken LLC is the Applicant and NL Grocery II DST is the Owner.
10. **Commissioner's Comments:**
11. **Minutes:**
 - a. May 4, 2023
 - b. June 20, 2023
 - c. July 18, 2023
12. **Adjourn:**

RECEIVED FOR RECORD
Sep 13, 2023 02:18P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

Application #

23-28

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: Planned Multifamily Residential Development (The Landon of Cromwell)

Street Address: 150 Country Squire Drive

Volume/Page: 1675-181 + 1132-248 **PIN #:** 00336000 + 05078000 **MBL:** 14-9 + 15-057

Applicant Name: Cromwell Village Associates, LLC.

Address: 2319 Whitney Avenue, Suite 1A
Hamden, CT 06518

Telephone: (203)230-1600 (day) _____ (evening) _____

Email Address: Markie_f@sbcglobal.net

Property Owner Name:	<div style="display: flex; justify-content: space-between;"> <div> MBL: 15-057 <u>Town of Cromwell</u> </div> <div> MBL: 14-9 <u>Same as Applicant</u> </div> </div>
Address:	<u>41 West Street</u> <u>Cromwell, CT 06518</u>

Attached:

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

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

Joseph P. Paez
Applicant Name and Signature
Agent

8/10/23
Date



Memorandum

To: Town of Cromwell Planning and Zoning Commission

From: Thomas J. Daly, PE – US Manager of Civil and Structural Engineering
Rock Emond – Associate Civil Engineer

Date: August 25, 2023

Subject: Additional Parking at 150 Country Squire Drive, Cromwell, Connecticut

SLR #: 141.12398.00007

Cromwell Village Associates, LLC. is seeking a modification to an existing site plan approval to install 39 parking spaces located along the northern portion of the property and on a portion of property currently owned by the Town of Cromwell as defined on the plans provided. The intent behind this modification is to obtain approval to seek a purchase agreement with the Town of Cromwell town council to obtain this portion of land. The 39 parking spaces are proposed to address the need for additional parking spaces, with this increase in parking, it is believed that the parking concerns of the overall site will be addressed. Drainage patterns shall be maintained and the increase in impervious will be mitigated by a stormwater basin and high-level overflow structure. In working with town staff, additional secondary measures have been included in this proposal to assist with historical drainage concerns in the area.

As part of this application, Cromwell Village Associates, LLC is also seeking to include the installation of electrical vehicle charging stations that were indicated in a previous submission in October of 2022 where the parking concerns of the site were voiced by the commission and then that proposal denied. With the increase in parking associated with this proposal satiating the parking concerns, we request the electrical vehicle charging spaces be reassessed by the commission for their installation and utilization. The electrical vehicle charging stations will be dual front facing chargers to allow the charging of up to two vehicles. Currently there are 5 located on-site and a single new charger is proposed. Changing the total vehicle charging stations from 5 to 6.

Fontaine, Candice

From: Jason Brade <jbrade@cromwellfd.com>
Sent: Thursday, September 07, 2023 4:37 PM
To: Popper, Stuart; Fontaine, Candice
Cc: Joe Palmieri; Harold Holmes; Julius Neto
Subject: Comments for 23-28, Country Squire Drive - Application for Site Plan Modification

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Stuart.

I am in receipt of an application for Site Plan Modification 23-28 for 150 Country Squire Drive (The Landon). I believe the Fire Marshal has already responded with a hydrant question.

The addition of the parking lot adds apparatus access to the rear of building 7000 which is a bonus for us. I am in favor of the addition of the parking lot to alleviate some of the traffic congestion on site and for the added access, however, I am not in favor of any expansion to the area especially electrical charging stations until their water pressure issues are rectified by them. The lack of attention to, and unrectified lack of water pressure in the hydrants in the complex due to contractor / engineering miscalculations are cause for fire suppression concerns, and until fixed, I can not support increasing the size of the complex, vehicular capacity, or addition of more electrical charging stations at this time.

I would be happy to explain further if needed.

Respectfully,

Jason J. Brade
Fire Chief

Cromwell Fire District
Cromwell Fire Department
Fire Chief's Office: 860-635-6155
Fire Marshal's Office: 860-635-3188
Department Cell Phone: 860-876-6029
CFD Dispatch Center (24/7): 860-635-5211
Email: JBrade@CromwellFD.com

This electronic message is a public record as defined by the Connecticut Freedom of Information Act. A copy of this message and any reply may be retained by the Cromwell Fire District and may be available for review by the public.

Fontaine, Candice

From: Joe Palmieri <jpalmieri@cromwellfd.com>
Sent: Wednesday, August 30, 2023 3:40 PM
To: Popper, Stuart; Harold Holmes; Jason Brade
Cc: Fontaine, Candice
Subject: application 23 - 28 The Landon Parking spaces

Stuart,

The existing water utility (fire Hydrant, existing valves, water mains, and air relief valve manhole,) is not shown on the provided drawing. It could be in the access roadway for the new parking lot. Its hard to tell. They need to supply us with the AS built with the new parking area included so we can better assess its location and decide if it needs to be relocated. The Fire Chief and Fire Marshal are aware of this and may have additional questions and or requirements.

Thank you.

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

Cromwell Fire District
Serving Cromwell Connecticut Since 1973

Fontaine, Candice

From: Egan, John
Sent: Tuesday, August 29, 2023 1:54 PM
To: Popper, Stuart
Cc: Fontaine, Candice; Driska, Bruce
Subject: Re: 23-28 150 Country Squire Drive - Application for Site Plan Modification

Follow Up Flag: Follow up
Flag Status: Flagged

A site plan review was performed for the above referenced application and the following observed –

- 1) The retaining walls will need to be designed by a Connecticut licensed Structural Engineer and a Building Permit obtained prior to construction.
- 2) In reference to the vehicle charging stations, bollard protection of the charging stations shall be included with the installation, also the site should be checked for at least one of the stations to be accessible with a 16-foot-wide space including 8 feet of crosshatching.
- 3) Check the total parking space count for the entire site in relation to the addition of the new parking spaces and the number of accessible parking spaces required by the 2022 Connecticut State Building Code Requirements.

Sincerely, John Egan
Chief Building Official
The town of Cromwell, CT

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN APPROVAL

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

Applicant Name: Cromwell Chicken, LLC
Address: c/o Jason Klein, Carmody Torrance Sandak & Hennessey
1055 Washington Boulevard, 4th Floor, Stamford, CT
Telephone: (203) 252-2669 (day) (203) 252-2669 (evening)
Email Address: JKlein@carmodylaw.com

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

Attached:

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

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

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



Applicant Name and Signature

c/o Agent: Jason Klein

August 9, 2023

Date

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SPECIAL PERMIT

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

Applicant's Name: Cromwell Chicken, LLC
Address: c/o Jason Klein, Carmody Torrance Sandak & Hennessey, 1055 Washington Blvd., 4th Floor, Stamford, CT 06901
Telephone Number (daytime): (203) 252-2669
Email Address: JKlein@carmodylaw.com

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

Description of Proposed Activity:
See enclosed Application Narrative.

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



(applicant)

c/o Agent: Jason Klein

August 9, 2023

(date)

Narrative & Statement of Compliance Site Plan & Special Permit Applications

I. Introduction & Project Description

Cromwell Chicken, LLC (the “Applicant”) seeks Site Plan and Special Permit Approvals from the Planning & Zoning Commission (the “Commission”) to construct a new Popeyes Restaurant on the property located at 195 West Street, Cromwell, Connecticut (the “Property”). The proposal includes a drive-through window to service diners. The Property is bounded in green in the aerial photograph below.



The Property is located at the West Street/Shunpike Road intersection, and is home to a Stop & Shop and other commercial/retail uses. The Property is in the Highway Business District (the “HB District”). The Town Plan of Conservation and Development (the “POCD”) designates the Property as “Regional Commercial.”

The Applicant is a family-run franchisee that owns nine (9) Popeyes Restaurants across Connecticut. The Applicant was also recognized as the 2020 Popeyes Developer of the Year. The Applicant now seeks Commission approval to bring a customer focused casual dining experience to the Town of Cromwell. The Applicant proposes building a new 2,536+/- sf Popeyes Restaurant in the northeasterly portion of the Property (the “Project Area”) as generally bounded in yellow in the above aerial photograph.

The proposed drive through will allow the Applicant to serve Cromwell residents and other patrons at their convenience. Dine-in patrons will be accommodated within the proposed

dining room. Site landscaping and associated improvements within the Project Area. No changes outside of the Project Area are proposed.

It should be noted that the Applicant sought Commission approval for a proposed restaurant in 2022 (the “2022 Application”). The 2022 Application proposed a drive through window to be located along the West Street frontage of the Property. The 2022 Application was withdrawn to allow for the redesign of the drive through windows. As shown in the enclosed plans, the drive through is reoriented so that it is located along the side and rear of the proposed restaurant, rather than the façade fronting on West Street.

II. Requested Approvals

The Applicant requests the following approvals from the Commission:

- Site Plan Approval pursuant to Sections 3.3.C.3 and 8.6 of the Zoning Regulations of the Town of Cromwell (the “Zoning Regulations”) to permit the construction of a fast-food restaurant;
- Special Permit Approval pursuant to Sections 3.3.C.4, 6.5 and 8.7 of the Zoning Regulations to permit a drive-in window to service the fast-food restaurant;
- Site Plan Approval pursuant to Sections 5.3.H and 8.6 to permit wall signage, incidental free standing signage (Class 2) and Menu Board Free-Standing Signage (Class 2) as shown on the enclosed plans.

III. Compliance with Special Permit Standards

The proposal satisfies the Special Permit Standard of Approval contained in Section 8.7.E of the Zoning Regulations as follows:

In considering any application for a Special Permit, the Commission shall evaluate the merit of the application with respect to the following factors:

1. Compatibility with the Plan of Conservation and Development

That the proposed use is consistent with the current Cromwell Plan of Conservation and Development.

The Property is designated as “Regional Commercial” in the POCD, which encourages commercial establishments that take “advantage of highway access” and incorporate attractive design components.¹ The proposed restaurant will include vintage brick and wood paneling. The Property is also in close proximity to Route 9. Approval of this proposal is also in furtherance of Goal 6 as identified in the POCD, which seeks to “expand Cromwell’s economic base.”²

¹POCD pg. 28.

²See POCD pg. 12.

2. *Suitable Location for Use.*

The location and size of the site, the nature and intensity of the operations involved in or conducted in connection with the use, and the location of the site with respect to streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the district in which it is located and shall promote the welfare of the Town.

Locating the proposed restaurant in the northeasterly portion of the Property will ensure the restaurant does not interfere with existing onsite traffic patterns. No adverse traffic impacts are anticipated. Thus, the proposal is in harmony with the appropriate and orderly development in the HB District, which is home to other retail and restaurant uses. Jobs created by the proposed restaurant will promote the welfare of the Town and its residents.

3. *Appropriate Improvements.*

(1) The design elements of the proposed development will be attractive and suitable in relation to the site characteristics, the style of other buildings in the immediate area, and will enhance the existing and probable future character of the neighborhood in which the use is located.

The proposed restaurant will be thoughtfully designed and appointed such that it is in keeping with the surrounding HB District. The Applicant, who was recognized as the 2020 Popeyes Developer of the Year, proposes facing the building with an attractive blend of paneling and painted brick fiber cement panels. The proposed drive through is oriented away from the West Street frontage. Signage associated with the Popeyes brand is also proposed. The proposed casual dining use is in keeping with surrounding uses and improvements.

(2) The location, nature and height of buildings, walls, and fences, planned activities and the nature and extent of landscaping on the site will be such that the use shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

The proposed restaurant building will be 21'-10" feet tall, well under the 40' maximum permitted in the HB District. The casual dining use is consistent with other commercial uses located on the Property and in the immediate vicinity thereof. As such, the proposed use will likely encourage the appropriate development and use of neighboring lots and buildings.

(3) The proposed use or activity shall have no adverse effect upon the neighboring area resulting from the use of signs, exposed artificial lights, colored lights of any nature, flashing lights, loudspeakers or other noisemaking devices.

All proposed signage is in compliance with the applicable provisions of the Zoning Regulations. Signage shall be internally lit, and no colored or flashing lights are proposed. Speakers associated with the drive through window shall not create a noise disturbance.

- (4) In cases where it is proposed to convert a structure designed and built originally for other uses, the structure is adaptable to the proposed use from the point of view of public health and safety.*

No conversion is proposed.

4. *Suitable Transportation Conditions.*

- (1) The design, location and specific details of the proposed use or activity shall not adversely affect safety in the streets nor unreasonably increase traffic congestion in the area nor interfere with the pattern of pedestrian, bicycle, or vehicular circulation in such a manner as to create or augment unsafe traffic conditions.*

No new access drives to the Property are proposed. Instead, restaurant patrons will access the Property via existing site driveways. Planted islands within the parking lot will act to separate the restaurant and associated drive through from the remainder of the parking lot. Thus, the proposed drive through will not interfere with site traffic.

The location of the proposed restaurant will largely maintain existing site-traffic flows that customers and employees have grown accustomed to. As stated in the enclosed Traffic Analysis prepared by Dynamic Traffic, the proposed restaurant will not cause a degradation in the operating conditions of roadways serving the Property.

- (2) Parking area or areas will be of adequate size for the particular use, shall be suitably screened from adjoining residential uses, and entrance and exit drives shall be laid out so as to prevent traffic hazards and nuisances.*

All parking spaces required for the proposed restaurant will be located on the Property. The onsite parking on the Property will adequately serve customers and employees of all commercial uses located on the Property. No changes to site entrances and exit drives are proposed, and site screening shall be maintained as shown on the enclosed plans.

- (3) Streets and other rights-of-way shall be of such size, condition and capacity (in terms of capacity, width, grade, alignment and visibility) to adequately accommodate the traffic to be generated by the particular proposed use.*

The enclosed Traffic Analysis prepared by Dynamic Traffic indicates no noticeable impact on future traffic conditions resulting from the proposed restaurant.

5. *Adequate Public Utilities and Services.*

- (1) The provisions for water supply, sewage disposal, and storm water drainage conform to accepted engineering practices, comply with all standards of the appropriate regulatory authority, and shall not unduly burden the capacity of such facilities.*

Existing and proposed utilities as outlined in the enclosed plans comply with all standards of the appropriate regulatory authority and will not be unduly burdened by the proposed restaurant.

(2) The proposed use or activity shall provide easy accessibility for fire apparatus and is laid out and equipped to further the provision of emergency services.

The restaurant will be accessible by all emergency services.

6. *Environmental Protection and Conservation*

Appropriate consideration shall be given to the protection, preservation, and/or enhancement of natural, scenic, historic, and unique resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve natural, scenic, historic, or unique features which enhance the character and environment of the area.

Approximately 82.35% of the Property is currently developed. With that said, the Applicant proposes maintaining and enhancing site landscaping along the West Street and Shunpike Road frontages within the Project Area as shown on the enclosed Landscape Plans. The proposed site landscaping is focused on screening the drive through and providing an attractive treatment to the corner of Shunpike Road and West Street. The Applicant submits the proposed planting plan constitutes excellence in proposed landscaping in accordance with Sec. 5.1.H.3 of the Zoning Regulations. There are no unique natural, scenic or historic features on the Property or surrounding area that will be impacted by the proposal.

7. *Long-term Viability.*

Adequate provision has been made for the sustained maintenance of the proposed development (structures, streets and other improvements).

The Applicant has earned industry-wide recognition for their commitment to creating and maintaining an inviting, safe and successful dining experience for guest and patrons. The Applicant is committed to delivering the same type of experience to Cromwell guests, and looks forward to becoming a member of the Town's business community. Should the Commission approve the restaurant, the Applicant would be amenable to a Condition of Approval requiring the recording of Maintenance Agreements guaranteeing the upkeep of drainage and landscaping improvements associated with the restaurant use.

The Applicant further notes the proposed drive through is in compliance with Section 6.5 of the Zoning Regulations as follows:

- Queuing lanes within the drive through are separated from other circulation lanes as shown on the enclosed Site Plan;
- Queuing lanes within the drive through are sufficiently separated from other traffic via the pavement parking and signage as shown on the enclosed Site Plan;

- The pick up window is more than 60' from all site exits;
- The location of the proposed restaurant and drive through within a developed commercial property will have no impact on nearby street intersections;
- The queuing lane will accommodate up to 13 vehicles at any given time; and
- The drive-through window is more than 50' from any residential property.

IV. Compliance with Site Plan Standards

The proposal satisfies the Site Plan Objectives contained in Section 8.6.D.4 of the Zoning Regulations as follows:

Before the Commission approves a Site Plan Application, it shall consider the following In such review the Commission shall take into consideration such factors as the following:

- (1) The adequacy of access, for fire and police protection and otherwise.*

Fire, police and other emergency services will continue to be able to access the Property via existing site drives.

- (2) The adequacy of provisions for drainage of surface waters and storm water management and for waste disposal.*

The proposed development constitutes a decrease in impervious coverage onsite, via the addition of curbed planting islands in the existing parking lot area. The proposed development has been graded to safely maintain existing stormwater runoff patterns and convey runoff to the existing stormwater infrastructure onsite. Two (2) separate sanitary sewer laterals are proposed to safely dispose of kitchen and domestic waste alike. Effluent from the drains in the kitchen will be conveyed through a grease trap prior to connecting to the sanitary sewer lateral conveying the domestic wastewater. The sanitary sewer lateral then connects into the existing sanitary sewer main onsite.

- (3) The location and layout of accessory off-street parking and off-street loading spaces, the width and grading of all entrances and exits to such spaces, the location of such exits and entrances, and degree of visibility and the direction of major traffic flow, together with:*

All required off-street parking is located on the Property. The Property maintains a parking surplus of 325 parking spaces, and the proposed drive through will accommodate several vehicles at any given time. No changes to existing site drives are proposed.

- (4) The distance from street intersections.*

No changes to existing street intersections are proposed.

- (5) The likelihood of left-hand turns and other turning movements, and*

The proposed restaurant will have no perceivable impact on traffic along West Street or Shunpike Road. As such, no impact on left-hand turn movements into the Property is anticipated.

(6) The likelihood of drawing vehicular traffic to and through local residential streets.

The location of the Property along West Street and Shunpike Road, and its proximity to the Highway and other commercial uses make it unlikely that it will result in any vehicular traffic through local residential streets.

(7) The arrangement for safe and convenient pedestrian circulation, on the site and its approaches.

Proposed planted islands will separate the restaurant from the remainder of the parking area on the Property, facilitating safe conditions for both vehicular and pedestrian traffic.

(8) The impact of the proposed layout upon the surrounding area, and particularly upon any nearby residences, including, but not limited to:

a. The location and height of buildings and the extent of their shadows.

The proposed building is approximately 18' less than the maximum Building Height permitted in the HB District.

b. The location, intensity and direction of any outdoor lighting and the proposed times for its use.

All lighting will be downlit. Pole mounted fixtures will contain internal house side shields. Lighting will be maintained during normal business hours.

c. The location of any overhead power lines.

No new power lines are proposed.

d. The likelihood for any other nuisances, and

No nuisance is anticipated as a result of the proposed restaurant use.

e. Whether appropriate and adequate screening is provided.

Existing screening along West Street and Shunpike Road shall be maintained and enhanced as shown on the enclosed plans, and will provide adequate screening for this commercial neighborhood.

(9) The size, location and type of any signs, and their appropriateness in the area involved.

All proposed signage is in compliance with the Zoning Regulations.

- (10) *The nature and arrangement of any outdoor display lighting and loudspeakers or noise-making devices.*

Signage shall be internally lit and will not result in any spillage onto adjacent roadways. Loudspeakers associated with the drive through will not create a noise disturbance.

- (11) *The availability of adequate sewerage, water supply, drainage, and fire and police protection.*

The restaurant will be adequately serviced by utilities.

- (12) *The proposed location and configuration of any outdoor storage areas including trash receptacles and proposed screening.*

No outdoor storage is proposed. A 10'x20' masonry trash enclosure will be located behind the restaurant and appropriately set back the closest property line along Shunpike Road. The enclosure will adequately screen trash receptacles within it.

- (13) *The proposed landscaping and its appropriateness in the area involved. Preservation of substantial trees and other important natural features is to be encouraged to the maximum extent possible.*

Site landscaping is appropriate given the existing site features, the surrounding neighborhood and the nature of both onsite and surrounding improvements.

- (14) *The arrangement of buildings, structures and landscaped areas on the site.*

The proposed building is in compliance with the Area & Bulk Standards applicable in the HB District. Enhanced landscaping is proposed where achievable given existing site features within the Project Area.

Fontaine, Candice

From: Joe Palmieri <jpalmieri@cromwellfd.com>
Sent: Wednesday, September 13, 2023 1:24 PM
To: Fontaine, Candice
Cc: Popper, Stuart
Subject: 23-25 23-26 Permit and site plan approval

Stuart,

If the water main is to scale on the drawings that they submitted, then there is only one issue with a light pole that is on top of the transmission main. It should be shifted to maintain the 20' right of way for the transmission/distribution water main.

The location of the 1.5" service tap looks good.

Our staff will mark out the water main's location when we get a chance to help verify its location.

Thank you.

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

Cromwell Fire District
Serving Cromwell Connecticut Since 1973

Fontaine, Candice

From: Parisi, Daniel
Sent: Tuesday, September 12, 2023 11:28 AM
To: Popper, Stuart
Cc: Fontaine, Candice
Subject: 23-26 195 West Street - Site Plan Approval - Proposed Popeyes

Stuart,
All CWPCA items have be taken care of. Any questions do not hesitate to contact me.
Sincerely,

Daniel Parisi
Town of Cromwell
CWPCA – Sewer Administrator
860-632-3430

Fontaine, Candice

From: Egan, John
Sent: Tuesday, September 12, 2023 12:10 PM
To: Popper, Stuart
Cc: Fontaine, Candice; Driska, Bruce
Subject: Re: #23-25 195 West Street - Special Permit and #23- 26 195 West Street - Site Plan Approval - Revisions to Comments

I have reviewed the revised plans as submitted for the above referenced project and have found the 8' width corrections to the Van Accessible Parking Space to be satisfactory. However due to the overall number of parking spaces for Fast-Food Restaurants at 50.7 Spaces, an additional Accessible Parking Space is required. The space may share the van crosshatched area ,the required width is 10' and will require accessible parking signage.

Sincerely, John Egan
Chief Building Official
The Town of Cromwell, Ct



TOWN OF CROMWELL

DEPARTMENT OF PLANNING & DEVELOPMENT

MEMORANDUM

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

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

Date: September 8, 2023

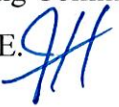
Re: **Plan Review, PZC Applications #23-25-Special Permit, #23-26, Site Plan
195 West Street, Cromwell Chicken LLC**

I have reviewed the revised plan dated 09/06/2023 for Applications #23-25 and 23-26 and have the following comments:

1. On page 8 of 17, provide in accordance with Cromwell Zoning Regulation §5.1.D.3.(1); **"In Business Zones a landscaped strip at least ten (10) feet wide shall be provided adjacent to the street, excluding driveway curb cuts."**
2. On page 8 of 17, provide in accordance with Cromwell Zoning Regulation §5.1.D.3.(3); **"In Business Zones, one (1) canopy tree shall be planted in the front yard for each 50 feet of frontage or fraction thereof."**
3. On page 8 of 17, provide in accordance with Cromwell Zoning Regulation §5.1.I.(2).; **"All trees will be staked for one (1) year. Stakes shall be removed at the completion of one year."**
4. On page 5 of 17, provide a "PEDESTRIANS CROSSING" sign at painted stop bar to alert motorists of a crosswalk.
5. On page 5 of 17, provide pedestrian access with crosswalk and signage from:
 - a. New parking area through landscaped island, atop drive-way to restaurant.
 - b. Shunpike Road (proximate to pylon sign) atop parking area to restaurant.

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

Memorandum

To: Stuart Popper
CC: Planning & Zoning Commission
From: Jon Harriman, P.E. 
Date: 8/24/2023
Re: #23-25&23-26 – 195 West Street

I have received a revised set of plans, drainage report and a traffic report for this project. The site drainage is private with no connection to the Town drainage system and the entrance drives connect to State highways (Route 372 and route 3). The authority having jurisdiction over traffic impacts is ultimately the CTDOT. The proposed project appears to comply with the Town's drainage regulations by reducing impervious surfaces post development.

I have reviewed the drainage report and make note of the statement that "the proposed development has been designed to meet the stormwater runoff quantity, water quality and groundwater recharge standards, set forth in the 2004 Connecticut Stormwater Quality Manual..." I do not see where the plans address water quality or groundwater recharge. The applicant should address this in a revised set of plans. The Cromwell LID checklist should be completed as well.

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

Fontaine, Candice

From: Chief Sifodaskalakis
Sent: Wednesday, August 23, 2023 9:38 AM
To: Fontaine, Candice
Subject: 195 West Street

Candice,

From what I can see, I am fine with the plan.

Frederick Sifodaskalakis

Chief of Police
Cromwell Police Department
5 West Street
Cromwell, CT 06416
Phone: 860-635-2256

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Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: August 22, 2023
Re: Applications #23-25 and #23-26 Review Comments

a. Application #23-25: Request for a Special Permit under Section 3.3.C.4., 6.5 and 8.7 of the Zoning Regulations to construct a restaurant with a drive thru window at 195 West Street in the Highway Business Zone District. Cromwell Chicken LLC is the Applicant and the NL Grocery II DST is the Owner.

b. Application #23-26: Request for a Site Plan Approval to construct a restaurant at 195 West Street in the Highway Business Zone District. Cromwell Chicken LLC is the Applicant and the NL Grocery II DST is the Owner.

I have reviewed the above referenced applications and have the following comments:

1. Town staff recommends that the applicant install sidewalks and crosswalks thru the parking lot to connect the site to the sidewalks on Shunpike Road and Berlin Road.
2. What is the proposed treatment (i.e. grass or mulch) for the island on the west side of the parking lot?

Fontaine, Candice

From: Harriman, Jon
Sent: Monday, August 21, 2023 2:03 PM
To: Parisi, Daniel; Popper, Stuart
Cc: Fontaine, Candice
Subject: RE: 23-26 195 West Street - Proposed Popeyes

I am also finding tree plantings close to or on top of both water and sewer. I will put that in my comment letter as well.

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

From: Parisi, Daniel <dparisi@cromwellct.com>
Sent: Monday, August 21, 2023 1:30 PM
To: Popper, Stuart <spopper@cromwellct.com>
Cc: Fontaine, Candice <cfontaine@cromwellct.com>; Harriman, Jon <jharriman@cromwellct.com>
Subject: 23-26 195 West Street - Proposed Popeyes

Stuart,

In speaking to the Town Engineer Jon Harriman and reviewing the plans, there are 2 light poles that need to be moved off the Town Sanitary Sewer Easement. Any questions do not hesitate to contact me.

Sincerely,

Daniel Parisi
Town of Cromwell
CWPCA – Sewer Administrator
860-632-3430

Fontaine, Candice

From: Popper, Stuart
Sent: Tuesday, August 22, 2023 2:44 PM
To: Fontaine, Candice
Subject: FW: Popeye's Chicken application

Stuart B. Popper, AICP
Director of Planning and Development
Town of Cromwell
860-632-3422
Fax 860-632-3477

From: Harriman, Jon
Sent: Monday, August 21, 2023 2:08 PM
To: Popper, Stuart <spopper@cromwellct.com>
Subject: Popeye's Chicken application

Stuart,

please forward to the engineer:

The drainage report states that the proposed storm water plan complies with water quality and groundwater recharge standards from the 2004 CTDEEP Storm Water Quality manual. I don't find that on these plans, it appears to be all piped to a discharge. Is there a set of plans showing this?

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

Fontaine, Candice

From: Parisi, Daniel
Sent: Monday, August 21, 2023 1:30 PM
To: Popper, Stuart
Cc: Fontaine, Candice; Harriman, Jon
Subject: 23-26 195 West Street - Proposed Popeyes

Stuart,

In speaking to the Town Engineer Jon Harriman and reviewing the plans, there are 2 light poles that need to be moved off the Town Sanitary Sewer Easement. Any questions do not hesitate to contact me.

Sincerely,

Daniel Parisi
Town of Cromwell
CWPCA – Sewer Administrator
860-632-3430

Fontaine, Candice

From: Egan, John
Sent: Friday, August 18, 2023 6:19 PM
To: Popper, Stuart
Cc: Fontaine, Candice; Driska, Bruce
Subject: RE: # 23-25 195 West Street - Special Permit and #23-26 195 West Street - Site Plan Approval

A plan review was performed on the above reference project and the following code issues observed.
The accessible van parking space cross hatched aisle is required to be 8 feet wide.

Sincerely, John Egan
Chief Building Official
The Town of Cromwell, CT

Fontaine, Candice

From: Harold Holmes <hholmes@cromwellfd.com>
Sent: Friday, August 18, 2023 2:22 PM
To: Popper, Stuart
Cc: Fontaine, Candice
Subject: 23-25, 23-26

Follow Up Flag: Follow up
Flag Status: Flagged

I have no concerns over the site plans or special permit for popyes. If you have any questions please let me know.

Stay Safe, Stay Healthy !

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



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Fontaine, Candice

From: Parisi, Daniel
Sent: Tuesday, August 15, 2023 3:12 PM
To: Popper, Stuart
Cc: Fontaine, Candice
Subject: 23-26 195 West Street - Proposed Popeyes

Follow Up Flag: Follow up
Flag Status: Flagged

Stuart,

No formal approval is required from the CWPCA.

Sanitary sewers are available and have the capacity for use to the proposed commercial building at 195 West Street.

The minimum pipe slope for 6" SDR-35 PVC is 2%

Show on the plans the length of pipe.

Please add these notes to the Sewer Trench Detail – 6" of stone above the pipe and below and warning tape 18" above the pipe.

An INSERTA TEE is required for the lateral connection to the sanitary sewer main. Please provide a detail on the Detail Sheet.

The Food Service Establishment will be required to adhere to the Code of Cromwell, Article V Regulations of Fats, Oils & Grease (FOG).

The developer needs to recognize that the Sewer Assessment/ Connection Fee will be required upon issuance of a Sewer Permit for connection to the Town owned sewers.

Any questions do not hesitate to contact me.

Sincerely,

Daniel Parisi
Town of Cromwell
CWPCA – Sewer Administrator
860-632-3430