



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

**REGULAR MEETING  
7:00 P.M. TUESDAY DECEMBER 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. **Old Business:**
  - a. Application #23-42: Request for Site Plan Approval to construct athletic facilities improvements at Cromwell High School at 1 Donald Harris Road in the R-25 Residential Zone District. The Town of Cromwell is the Applicant and the Owner.
9. **New Business:**
10. **Public Hearings:**
  - a. Application #23-39: Request for a Special Permit under Section 7.5.A of the Zoning Regulations to permit a full-service restaurant with the sales of alcoholic beverages at 150 Sebeth Drive (The Oliver Cromwell Tavern) in the Industrial Zone District. The Oliver Cromwell Tavern, Inc. is the Applicant and RANDA LLC is the Owner.
  - b. Application #23-40: Request for a Special Permit under Section 7.5.A of the Zoning Regulations to permit a full-service restaurant with the sales of alcoholic beverages at 55 Shunpike Road (Texas Roadhouse) in the Highway Business Zone District. Texas Roadhouse Holdings LLC is the Applicant and HBN-CSC LLC is the Owner.
11. **Approval of Minutes:**
  - a. November 21, 2023
12. **Commissioner's Comments:**
13. **Adjourn:**

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Dec 12, 2023 12:11P  
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TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday December 19, 2023 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #23-39: Request for a Special Permit under Section 7.5.A of the Zoning Regulations to permit a full-service restaurant with the sales of alcoholic beverages at 150 Sebethe Drive (The Oliver Cromwell Tavern) in the Industrial Zone District. The Oliver Cromwell Tavern, Inc. is the Applicant and RANDA LLC is the owner.

2. Application #23-40: Request for a Special Permit under Section 7.5.A of the Zoning Regulations to permit a full-service restaurant with the sales of alcoholic beverages at 55 Shunpike Road (Texas Roadhouse) in the Highway Business Zone District. Texas Roadhouse Holdings LLC is the Applicant and HBN-CSC LLC is the owner.

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

Alice Kelly  
Chairman

Dated in Cromwell, Connecticut this the 4<sup>th</sup> day of December 2023.

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

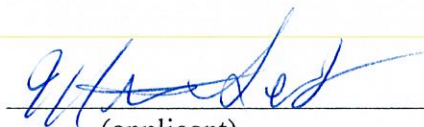
Type of Activity: Restaurant / Full Liquor License  
(Per Section 7.5.A of the Cromwell Zoning Regulations)  
Street Address: 150 Sebethe Dr. Zoning District: IND.  
Assessor's Parcel ID #: 00384600 Volume/Page: 1666-142

Applicant's Name: THE Oliver Cromwell Tavern Inc.  
Address: 77 Ronal Dr Berlin CT 06037  
Telephone Number (daytime): 860 209-1851  
Email Address: mlentini7@yahoo.com

Property Owner's Name: RANDA LLC  
Address: 42 SKYVIEW DR. Berlin CT 06037

Description of Proposed Activity:  
Restaurant/Banquet Room with  
alcoholic beverages

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)

11/1/2023  
(date)

Application# 23-40

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

Type of Activity: Full Service Restaurant with sales of alcoholic beverages

(Per Section 7.5.A of the Cromwell Zoning Regulations)

Street Address: 55 Shunpike Road Zoning District: HB

Assessor's Parcel ID #: 00107900 Volume/Page: 1613/209

Applicant's Name: Texas Roadhouse Holdings LLC

Address: 6040 Dutchmans Lane, Louisville, Kentucky 40205

Telephone Number (daytime): (860) 783-8579

Email Address: mpease@peaselawct.com

Property Owner's Name: HBN-CSC LLC

Address: c/o HB Nitkin Group, 230 Mason Street, Greenwich, CT 06830

Description of Proposed Activity:

Full Service Restaurant with sales of alcoholic beverages

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)*.

DocuSigned by:



337A477D9776471...

(applicant)

Texas Roadhouse Holdings LLC  
By: Texas Roadhouse, Inc., Its Manager  
By: Christopher Colson, Corporate Secretary

11-8-2023

(date)

**Texas Roadhouse**  
**55 Shunpike Road, Cromwell, Connecticut**  
**Special Use Permit Application**

**General Information:**

Texas Roadhouse is an American steakhouse chain that specializes in a Texas and Southwestern cuisine style. It is a subsidiary of Texas Roadhouse, Inc. Texas Roadhouse has been operating with this concept for over thirty (30) years and has six hundred seventy-one (671) locations in the United States and ten (10) in foreign countries. They currently have five (5) locations in Connecticut. On average, alcoholic beverage sales do not exceed 10% of the gross food sales.

**Construction:**

Texas Roadhouse is currently undergoing construction of its restaurant located at 55 Shunpike Road, Cromwell, Connecticut. The restaurant location satisfies Special Permit criteria set forth in Section 8.7.E. of the Cromwell Zoning Regulations in that the location is suitable for the proposed use as a restaurant based upon current zoning and site plan approvals for the construction of a Texas Roadhouse restaurant on site. All current improvements are appropriate for the site. As with the previous Ruby Tuesday restaurant, the proposed use will not adversely affect traffic safety. All public utilities are available to the site.

**Special Use Permit Application:**

Texas Roadhouse desires to obtain a Special Use Permit permitting the sale of alcoholic beverages as an adjunct to its primary function as a full service family steakhouse restaurant in order to make application to the State of Connecticut Department of Consumer Protection Division of Liquor Control ("DLC") for a Restaurant Liquor Permit.

**Operational Standards and Protocol:**

Hours of General Operation: Sunday 11:30 a.m. to 10:00 p.m., Monday through Thursday 3:00 p.m. to 10:00 p.m. and Friday and Saturday 11:30 a.m. to 11:00 p.m. Alcoholic beverages will only be served in the manner and at the times permitted under Connecticut State Law of the Town of Cromwell Municipal Code. Texas Roadhouse adheres to and embraces its role as responsible server of alcoholic beverages. Texas Roadhouse maintains a rigorous safe server training program and utilizes TIPS, Servsafe Alcohol or Learn2Serve or similar alcoholic beverage service training programs for its employees. All managers, servers and bartenders are required to take and pass such training programs. Texas Roadhouse employees will ensure that all alcoholic beverages are sold and delivered in accordance and full compliance with Connecticut State Law and the municipal ordinances of the Town of Cromwell. A copy of the Texas Roadhouse Alcohol Policies and Procedures Guide is attached.

Training:

Texas Roadhouse provides training to all employees, both at the time of hire and on an ongoing basis in the proper service of alcoholic beverages. Texas Roadhouse maintains an alcoholic beverage service protocol in order to insure proper and legal service to any patron seeking to purchase an alcoholic beverage.

Menu Offerings:

Food Offerings: To be provided as set forth in a representative menu from Texas Roadhouse (copy attached).

Alcoholic Beverage Offerings: Beer, wine and spirits (including craft cocktails) to be provided as set forth in a representative menu from Texas Roadhouse (copy attached).

Hours of Operation:

Sunday: 11:30 a.m. to 10:00 p.m.

Monday through Thursday: 3:00 p.m. to 10:00 p.m.

Friday and Saturday: 11:30 a.m. to 11:00 p.m.

Live Entertainment:

Texas Roadhouse does not provide live entertainment.





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

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

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

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Ann Grasso, Nick Demetriades, Robert Donohue and Douglas Kalinowski

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

**Also present:** Zoning Compliance Officer Bruce Driska and Mayor James Demetriades

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

The meeting was called to order at 7:00pm 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 Nick Demetriades to seat Robert Donohue and Doug Kalinowski as alternates. All were in favor; the motion passed.

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

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

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

Mr. Driska said Texas Roadhouse construction at Cromwell Square is on schedule. He said

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Dec 08, 2023 01:53P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT



paving and concrete is on the calendar within the next 2 weeks. Mr. Driska said that the GC states he will be done with the building by Jan 18, 2024 but a delay with the delivery of an Eversource transformer pushes the opening to Mar 18, 2024. He said when construction is completed shoppers should see an improvement to the traffic flow in the parking lot.

Mr. Driska said construction of the Goldfish Swim School at Cromwell Square is proceeding, but there is not a date set for opening. He said construction at Popeye's Chicken in the Stop & Shop plaza is rumored to begin after the new year. Mr. Driska said that the AutoZone has submitted paperwork for the demolition of the former Friendly's and construction is expected to begin shortly after the completion of demolition.

He said renovations at 28 Shunpike Road for Hartford Health Urgent Care are complete, but currently there is not a date set for opening. Mr. Driska explained that the site work at a new medical office building approved at 80 Shunpike Road has temporarily halted and it is unknown why work ceased or when construction will resume. He said that the Carrier Arbor Meadow development of 75 homes on Field Road is approaching its final phase with several homes currently under construction.

Mr. Driska said the Nostalgia Restaurant at 530 Main Street has opened according to owner Brian Bonneau and the former Well Restaurant at 546 Main Street is undergoing renovations and will reopen as the Hideaway Restaurant.

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

Mr. Popper was not present to give a report.

#### **7. New Business: Accept and Schedule New Applications:**

a. Application #23-40: Request for a Special Permit under Section 7.5.A of the Zoning Regulations to permit a full-service restaurant with the sales of alcoholic beverages at 55 Shunpike Road (Texas Roadhouse) in the Highway Business Zone District. Texas Roadhouse Holdings LLC is the Applicant and HBN-CSC LLC is the owner.

A motion was made by Michael Cannata and seconded by Ann Grasso to accept and schedule application #23-40 for a public hearing on December 19, 2023. All were in favor; the motion passed.

b. Application #23-41: Request for a Site Plan Modification to install electric chargers at 34 Shunpike Road in the Highway Business Zone District. Scott Austin is the Applicant and MIHEL II LLC is the Owner.

A motion was made by Michael Cannata and seconded by Doug Kalinowski to accept and schedule application #23-41 to be heard on December 5, 2023. All were in favor; the motion passed.

c. Application #23-42: Request for Site Plan Approval to construct athletic facilities improvements at Cromwell High School at 1 Donald Harris Road in the R-25 Residential Zone District. The Town of Cromwell is the Applicant and the Owner.

A motion was made by Michael Cannata and seconded by Doug Kalinowski to accept and schedule application #23-42 to be heard on December 5, 2023. All were in favor; the motion passed.

#### **8. New Business:**

None

#### **9. Public Hearing**

- a. Application #23-34: Request for a Special Permit under Section 2.2.D.4 of the Zoning Regulations to allow for the conversion of a two-family house to a three-family house at 380 Main Street in the R-15 Zone District. Steven Nardiello is the Applicant and Paige L. Duprey is the Owner.

Chairman Kelly read the public hearing notice for application #23-34 dated November 21, 2023.

A motion was made by Michael Cannata and seconded by Doug Kalinowski to open the public hearing for application #23-34. All were in favor; the motion passed.

Steve and Paige Nardiello, owners and residents of 380 Main Street introduced themselves and described their request to convert an existing two-family residence to a three-family residence. They stated the conversion is proposed within an existing third floor area and would require the addition of exterior stairs to comply with current building code requirements.

Mr. Cannata addressed the Applicants regarding staff comments by Town Engineer Jon Harriman and Zoning Compliance Officer Bruce Driska stating that since the proposed parking along Grace Lane was partially within the Town's right-of-way it could not be used to meet zoning's parking requirements. Mr. Cannata asked the Applicants if they had an architectural rendering of the proposed exterior stairs to which the Applicants stated they did not.

Chairman Kelly asked if there was anyone in the public who wanted to speak regarding application #23-34.

Harley Polverelli of 378 Main Street spoke in opposition to the proposal citing her concern of the effect a three-family residence may have among single family homes in the immediate area.

Jonathan Ives of 384 Main Street spoke in favor of the application and asked about the addition of proposed parking.

Mr. Cannata suggested to the Applicants that the Public Hearing be continued which would provide the Applicant an opportunity to obtain an architectural rendering of the proposed exterior

stairs. The Applicants agreed to continuing the Public Hearing. A motion was made by Michael Cannata to continue the Public Hearing, Mayor James Demetriades then shouted from the floor; "You have to close the Public Hearing". Mr. Cannata then motioned to close the Public Hearing, seconded by Robert Donohue. All were in favor; the motion passed. A motion was then made by Mr. Cannata to continue Application #23-38, seconded by Robert Donohue. All were in favor; the motion passed.

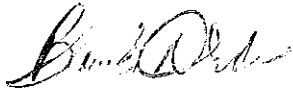
**10. Commissioner's Comments:**

There were no Commissioner comments.

**11. Adjourn:**

A motion was made by Michael Cannata to adjourn at 8:03pm. All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce E. Driska".

Bruce E. Driska  
Temporary Recording Clerk