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**TOWN OF CROMWELL
PLANNING AND ZONING
REGULAR MEETING
7:00 P.M. TUESDAY SEPTEMBER 17, 2019
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
MINUTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Chris Cambareri, Nick Demetriades, Jeremy Floryan, and John Keithan,

Absent: Mo Islam, Brian Dufrense, Ken Rozich, and Kenneth Slade

Also Present: Director of Planning and Development Stuart Popper, Development Compliance Office Bruce Driska, and Commission Clerk Sherry McGuire

1. **Call to Order:** The meeting was called to order by Chairman Alice Kelly at 7:01 PM.

2. **Roll Call:** The presence of the above members was noted.

3. **Seating of Alternates:**

Vice Chairman Michael Cannata made a motion to seat John Keithan; Seconded by Jeremy Floryan. *All were in favor; motioned passed.*

4. **Approval of Agenda:**

Stuart Popper asked that Application # 19-45: Application for Site Plan Approval for an Ice Cream Shop on 562 Main Street. Timothy Farrell is the Applicant and Brent and Kim Robbins is the Owner, be added to agenda as a new application under New Business to be accepted and scheduled.

Michael Cannata made a motion to approve the amended agenda; Seconded by Paul Cordone. *All were in favor; motioned passed.*

5. **Public Comments:**

None.

6. **Development Compliance Officer Report:**

Mr. Driska discussed his report with the commission members and noted some issues with existing dumpsters.

7. Town Planner Report:

Mr. Popper discussed the Tank Farm on River Road and the continuing efforts to clean up the site. He explained that they will be working on either side of River Road across from the remaining building and eventually in the road itself over the next few months. Mr. Popper noted that as was done under the previous cleanup efforts access will be provided for hunters during the upcoming hunting season.

He said that work continues on the Covenant Village project, the new homes at Arbor Meadow, and the new Marriott Hotel.

8. New Business: Accept and Schedule New Applications:

- a. Application # 19-45: Application for Site Plan Approval for an Ice Cream Shop on 562 Main Street. Timothy Farrell is the Applicant and Brent and Kim Robbins is the Owner.

Vice Chairman Michael Cannata made a motion to Accept and Schedule Application # 19-45: Application for Site Plan Approval for an Ice Cream Shop on 562 Main Street. Timothy Farrell is the Applicant and Brent and Kim Robbins is the Owner. The application will be heard October 1, 2019; Seconded by Jeremy Floryan. *All in favor; Motion passed.*

9. Executive Session to Discuss Pending Litigation Regarding:

- a. Discuss Pending Litigation "JPG Partners, LLC v. Cromwell Planning & Zoning Commission LND HHD CV18-6091023-S" involving Application #17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner.

No action was made. Will be continued at next meeting.

10. Old Business:

- a. Discussion and Possible Action of Proposed Settlement for "JPG Partners, LLC v. Cromwell Planning & Zoning Commission LND HHD CV18-6091023-S" involving Application #17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner.

No action was made. Will be continued at next meeting.

11. New Business:

- a. Application #19-42: Site Plan Modification to add new wall sign for Fed Ex Office on the Walmart Store façade at 161 Berlin Road. Arnco Sign Company Inc. is the Applicant and Infinity Cromwell Property LTD Partnership is the Owner.

Mr. Popper said the Applicant has requested that the application to be tabled and considered at the October 1, 2019 meeting.

- b. Application #14-31: Request for Extension of Time for Resubdivision at 62 Evergreen Road. Shady Lane Farm LLC is the Applicant and the Owner.

Mr. Popper said there are still a few lots left to develop and the Applicant has requested the extension to allow for their development. Vice Chairman Michael Cannata made a motion to approve Application #14-31: Request for Extension of Time for Resubdivision at 62 Evergreen Road. Shady Lane Farm LLC is the Applicant and the Owner; Seconded by Chris Cambareri. *All in favor; motion passed.*

12. Public Hearing

- a. Application #19-41: Request for Special Permit under Section 4.2 of the Zoning Regulations to permit the construction of a single-family home in the Flood Zone at 14 South Street. Donald Mondani is the Applicant and Rosemarie Mondani is the Owner.

Chairman Alice Kelly read the Legal Notice.

Paul Cordone made a motion to open the public hearing; Seconded by Chris Cambareri. *All in favor; motion passed.*

James Cassidy, Engineer from Hallisey, Pearson & Cassidy Engineering Associates, Inc. described to the commission members the requirements of Section 4.2.R for developments in a Special Flood Hazard Area.

He said that the 100-year flood elevation for this property is a 24.0. Mr. Cassidy noted that the proposed finished floor of the building is at 25.0, therefore the structure will be constructed entirely above the 100-year flood elevation and will not be at risk of flood damage. He said that there will be a crawl space under the building with a finished slab elevation of 20.00 and the crawl space walls will be constructed out of concrete and will contain flood vents and therefore the structure will not be subject to hydrodynamic and hydrostatic, or the effects of buoyancy. Mr. Cassidy said the only material that will need to be flood resistant will be the materials for the construction of the crawl space. He

noted that all of the other materials for the construction of the house will be above the 100-year flood elevation. Mr. Cassidy said the utility equipment, the air handling unit and furnace will be installed in the house on the first floor, the A/C condenser will be set on a platform outside the house, and the electrical service will overhead to a mast on the side of the house. He noted that all of these utilities will be above the 100-year flood elevation.

Mr. Cassidy explained that the elevation of the finished floor will be at elevation of 1 foot above the 100-year flood (elev. 24.0). He said that as result the furnace, air conditioners, heat pumps, hot water heaters, ventilation ductwork, washer and dryer hookups, electrical junction boxes, and circuit breaker boxes will be above the 100-year flood elevation and will not be at risk of flood damage. Mr. Cassidy said that the water service to the building will be constructed out of water tight pipe to prevent infiltration of flood water. He said that the sanitary sewer service to the building will be constructed out of water tight pipe PVC piping to prevent infiltration of flood water. Mr. Cassidy said that the proposed building will be serviced by public sewers, therefore an on-site waste disposal system is not required. He explained that the proposed building will be serviced with natural gas from a new lateral brought into the building from the existing gas main in South Road. He said that there are not any underground or aboveground oil or propane tanks proposed as part of this project.

Mr. Cassidy said that there are not any watercourses that are being altered as part of this project. He noted that the property is in a Special Flood Hazard Area (SFHA); therefore the entire site is being designed to meet the requirements of the SFHA.

Mr. Cassidy explained that the site will be regraded to mitigate for the filling requirement for the construction of the proposed building on this site. He noted that the breakdown of the Compensatory Storage Mitigation is as follows:

Gross volume of fill below the 100-year flood elevation 24.0+ 27 cu. yds.

Gross volume of cuts below the 100-year flood elevation 24.0+ 82 cu. yds

Net volume of flood storage capacity below 100-year flood elevation 24.0 + 53 cu. yds.

(Increased in flood storage)

Because there will be a slight increase in the flood storage capacity after the completion of this project, there will not be any increase in flood elevations due to this project.

Chairman Kelly asked if the Commission members or staff had any questions for Mr. Cassidy. There were no comments or questions from the commission members. Mr. Popper noted that Jon Harriman Town Engineer had reviewed the application and all his comments and questions had been addressed.

Chairman Kelly asked if there were any members of the public that wished to address the Commission. No public comments were made.

Paul Cordone made a motion to close the public hearing; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Nick Demetriades made a motion to approve Application #19-41: Request for Special Permit under Section 4.2 of the Zoning Regulations to permit the construction of a single-family home in the Flood Zone at 14 South Street. Donald Mondani is the Applicant and Rosemarie Mondani is the Owner; Seconded by Chris Cambareri. *All in favor; motion passed.*

13. Commissioner's Comments:

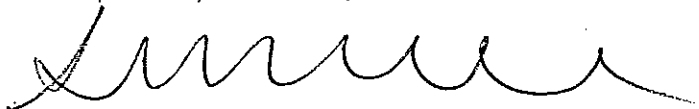
Chris Cambareri reported that and John Keithan are in the process of reviewing the sign regulations and making recommendations for improvements process. He said they will report to the Commission at the October 1, 2019 meeting on the status of the efforts.

14. Approval of minutes:

- a. September 3, 2019- Nick Demetriades made a motion to approve the minutes; Seconded by Jeremy Floryan. *All in favor; motion passed.*

15. Adjourn: Nick Demetriades made a motion to adjourn the meeting; Seconded by Jeremy Floryan. Meeting adjourned at 7:40 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sherry-Rose McGuire', with a stylized, flowing script.

Sherry-Rose McGuire
Commission Clerk