



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

### **REGULAR MEETING 7:00 P.M. TUESDAY JANUARY 19, 2016 ROOM 224 CROMWELL TOWN HALL 41 WEST STREET Minutes and Record of Votes**

**Present:** Chairman Alice Kelly, Michael Cannata, Ken Rozich, Ken Slade, Brian Dufresne, Rich Waters, Paul Cordone, Jeremy Floyran, David Fitzgerald

**Absent:** Chris Cambareri

**Also Present:** Town Planner Stuart Popper, Zoning Enforcement Officer Fred Curtin, Town Council Liaison Ed Weners

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

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

#### **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 Brian Dufresne to seat David Fitzgerald as an alternate. *All were in favor; the motion passed.*

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

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

#### **5. Public Comments : None**

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

Fred Curtin reviewed his report dated January 12, 2016.

#### **7. Town Planner Report:**

Mr. Popper said he would have a report in the next package. He said that two new businesses

opened in Cromwell, the baseball training facility and Fantastic Sams. He also said that he is asking the Commission to consider accepting application 16-02 and to hear it tonight.

Mr. Popper reviewed the EDC report dated January 13, 2016.

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

- a. Application #16-02: Request to Modify the Existing Site Plan at 538 Main Street by installing a Donation Bin. Frank Acheampong is the Applicant and Five Thirty Eight Main Street LLC is the Owner

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to accept application 16-02. *All were in favor; the motion passed.*

Frank Acheampong said he is with the nonprofit organization Helping Angel and they would like to put a donation bin at 538 Main Street. Mr. Cannata asked about screening and where on the property it would be located. Mr. Acheampong said against the building with no screening. Mr. Cannata said he is against that and we have told others that it needs to be behind a gate or fence since they are too unsightly. He told Mr. Acheampong that he would need a detailed plan showing these things. He said the application is deficient.

Mr. Popper told Mr. Acheampong that they could get together and he could present a better plan at the next meeting. Chairman Kelly said she is not for them at all even with screening. She said we have gotten rid of almost all of them since they are unsightly. She said Cromwell has places like Goodwill and we don't need the bin. She said she is just speaking for herself. Mr. Waters said that people don't maintain them. Mr. Cannata said that this site is exposed on all sides.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floyran to table application 16-02 until more information is presented. *All were in favor; the motion passed.*

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

- a. Application #15-47: Request to amend the Zoning District from R-25 to PRD for the 8.75acre site Parcel Identification Number # 0033600 (also known as the Nike Site) at the end of Country Squire Drive. Belfonti Companies is the Applicant and Country Squire Site LLC is the Owner.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to open the public hearing for application 15-47. *All were in favor; the motion passed.*

Ken Rozich reads the public notice dated January 4, 2016.

Chairman Kelly said that during the public comments portion the public can come up and sign in and speak for 3 minutes. After everyone has spoken they may come back again if they have

something new to say. Chairman Kelly asked the Commissioners to wait until the public is done speaking before they ask questions.

Mr. Popper said this is a two-step process which begins tonight. He said the first step is the establishment of the PRD zone from a R-25 zone. He said we do have a few floating zones in town. He said the Commissioners will look at the conceptual plan to see if it is a good idea. Mr. Popper said the applicant will have to come back for a site plan approval and special permit with details of the project if the zone change is approved.

Chairman Kelly told the public that when they come up to speak they can just agree with a previous speaker if they said what you want to say. She said you don't need to repeat what they have already said. She said you also can write something down and we will read it into record with your name and address. She said the public hearing will be continued until February, there will be no decision tonight so we can do our due diligence. Mr. Popper clarified the next meeting was February 2, 2016 at 7:00pm. Mr. Cannata asked if they should plan a site walk before the next meeting so they could have a better grasp on the site. It was agreed they would plan that.

Attorney Diane Whitney with Pullman and Comley LLC gave Mr. Popper the proof of the sign being up and the notice of mailing to the abutters. She said the site is at the end of the County Squire Drive and is known as the Nike site. She said they are asking to amend it to the new PRD Zone district you approved in the summer. She said this is a 8.75 acre site with a proposal for multifamily use and it is surrounded by multifamily use on 3 sides. She said they are proposing 160 units in 7 buildings. She said more details will come after this application in a special permit application if the zone change is approved. She said there would also be a community center with a pool and parking. Attorney Whitney said it has buildable area of 8.15 acres so the regulations would allow for 163 units. She said that County Squire road would be extended and the tax impact is expected to be \$400,000-\$500,000. She said the use is consistent with the surrounding use which is a requirement of the PRD. Attorney Whitney said the analysis is for 157 units but we are proposing 160. She said this is luxury housing aimed at empty nesters or young professionals. She said the hope is they will transition into single family homes in the future.

Jim Cassidy, Engineer with Hallisey, Pearson and Cassidy explained what surrounds the parcel and showed the site on a screen with a projector. He also showed the zoning map and said the area is surrounded by R-25, and R-15 zones. He said an active adult community also surrounds the site as does town owned open space.

Mr. Cassidy said the regulations say to deduct for wetlands or slopes greater than 33%. He showed those areas on the map and explained the buildable area calculation. He said the site would be serviced by public sewer and water. He said the site meets general bulk requirements and meets or exceeds the specific requirements for PRD of 20 units per buildable area. He said the buildings can't be more than 4 stories high and shows the conceptual plan with 7 buildings with heights of 2 and 3 stories. He said there would be 24-30 units per building and they will build a cul de sac so town vehicles can turn around. He also said there would be a minimum of 35 feet from the property line. He said the storm drainage has not been planned yet but we are

looking at a few ideas. He said the site is at the top of the hill so we have to do something but there will not be an increase in run off. Mr. Cassidy said there will be emergency access drive to Evergreen Adult Community which will not be open the public and only for emergency purposes. Mr. Cassidy showed the bulk charts and said he would get into impacts with the next application and the front yard requirements. He also discussed the landscape areas briefly and said the regulations require 1000 square feet per unit and we exceed that. He said 1.5 parking spaces are required per unit so we need 240 and we show 240 evenly dispersed. Mr. Cassidy showed the aerial site rendering and said the green areas are surrounding buildings. He said Fox Meadow has a lower density but different kind of units so not as much building coverage but it is identical. Mr. Cassidy showed a rendering of the units and said there would sidewalks throughout.

Mr. Cassidy talked about buffering and said this was a former monitoring site for missiles in Middletown. He said there is not a lot of large growth and there will be lots of demo and environmental cleanup. He showed a picture of the facility in 1986 and said it was somewhat maintained at that point. Fox Meadows butts right up to the property line and they did not preserve lots of vegetation. He reviewed what vegetation might be appropriate for growth and planting. Mr. Cassidy said they have been to the site a lot in the last two weeks with surveyors and they are seeing graffiti that is tagged with the date of 2016 and they have found numerous people meandering around the site on a daily basis. He said there have been recent fires in structures. Mr. Cassidy showed a picture of the graffiti and evidence of fire. He said the zone change will be a big advantage to the underutilized site and it will finally be cleaned up.

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

Helen Barnaby, 21 Sun Ridge Lane (Fox Meadow) said not everyone received notification and the sign was only on Country Club Road. She said that the units around here are all individual owners and taxpayers. She said who will pay the taxes if they don't rent the units. She also asked when it went for sale and said there was no notice of the sale. She said the road will be behind my house and they will clear cut the trees which will allow more noise from the highway. She said there will also be 240 more cars moving behind her house.

Stacy Collins 103 Country Squire Drive #2 said she is an owner and a Board Member of the Condo association. She said we have lots of concerns but it sounds like they will be addressed at the next meeting. She said one concern tonight is the traffic since this would be more than doubling the cars. She said the cul de sac changes everything and they are concerned about the emergency access drive.

Carol Perrotti 113 F County Squire Drive #2 said she is President of the Condo board and agrees with Ms. Collins. She said the intersection is confusing and congested with frequent accidents. She wanted to know if there was a plan to increase safety such as speed bumps.

Mike Neuring of 19 Sunrise Lane said he is a homeowner and has concerns over property values. He said once you introduce apartments the values go down. He said the Courant did an interesting article about slipping prices and higher sales. He said this will make it worse. He said

that he agrees with Ms. Barnaby and before Lowes you could not hear 91. He said the trees from the Nike site buffer the noise from the spring through the fall. He said ask yourselves if you want this in your neighborhood.

Deborah Doll, 20 Glenview Drive said that she has lived on the east portion of Glenview Drive for 5 years. She said there is wildlife out there and she loves that. She said that she can sit in the comfort of peace and quiet. She said she is being selfish and doesn't want people to line their pockets with money. She said she agrees with everyone else.

Joanne White, 25 Glenview Drive said she agrees with everyone. She said she is upset they are apartments versus owning. She said some apartments in Middletown started accepting section 8 and now they are not luxury.

Sebastian Kaczmarczyk, 29 Sun Ridge Lane said he agrees with everyone. He said we will see into their homes. He asked how the access road will be closed. He said if it is with chains there will be problems. He said the intersection is a problem. He also said he has 2 small children and they will be listening to heavy machinery for 5 years.

Lori Carrigan, 23 Sun Ridge said she is in agreement with everyone and would like things to stay the way they are.

Barbara Slowikowska, 11 Sun ridge Lane (Fox Meadow) said she agrees with everyone and they won't be luxury in 5 years. She said we will be paying taxes for other children. She said that no one would like an apartment building in back yard and this will change our lifestyle. She said homes or condos OK but not apartments.

Gerald Foster, 20 Glenview Drive said that this will be in his front yard. He said loves nature and the privacy now and agrees with everyone.

Carlos Vega, 17 Sun Ridge (Fox Meadows) said he owns and agrees with his neighbors. He said their privacy will be taken away. He said he has never heard any commotion back there and there aren't any concerns about the vacant area now. He said apartments concern him.

Joanne White, 25 Glenview Drive said she was raised in Meriden when it was nice. She said then too many apartment were built so I moved here 5 years ago to give my son a better lifestyle.

Helen Barnaby 21 Sun Ridge Lane said that the Cromwell taxes are not cheap and I do not have children but am happy to pay taxes for other residents children. She said I do not want to pay for those who don't pay taxes.

A recess was called at 8:23pm and the meeting was called back to order at 8:28pm.

Chairman Kelly asked if there were any more public comments.

Lillian Harris, 37 Glenview Drive said she agrees with everyone and the mistake is apartments.

Beth Drake, 23 Sun Ridge Lane said she wanted to know who is building the site and who will maintain the access road and who will pay for it. She said that County Squire and Fox Meadows are condos not apartments. She also wanted to know what amendment took place this summer and how that happened. She said when you take a site walk you will see the beauty.

Mike Neuring, 19 Sun Ridge Lane (Fox Meadow) said there was a lack of signage for this hearing and he only found the sign after driving around. He said there was no sign at Fox Meadow and there needs to be a sign before the next meeting.

Sebastian Kaczmarczyk, 29 Sun Ridge Lane (Fox Meadow) said that the density of this project is five times larger than ours.

James Papciak, 14 Glenview Drive said privacy is a huge issue and traffic will be an issue. He said he agrees with everyone.

Chairman Kelly asked the Commissioners if they had questions or comments.

Mr. Waters asked who owns the emergency exit and has there been test bores.

Mr. Cassidy said the majority of the emergency access drive is owned by the Town of Cromwell. He said the town has always planned for this and they are asking for it. He said they have done some preliminary environmental testing so we know there needs to be some cleanup. He said this would be part of the approval for the site plan.

Attorney Whitney said we have not gotten that far as far test bores go. She said the town wants the road and we will pay for it.

Paul Cordone asked what the concept was for the buildings. Attorney Whitney said you should be looking at plan we presented tonight which is some 2 and some 3 story buildings. Mr. Popper asked to see those plans. Mr. Cassidy showed the renderings and said this isn't locked in and we are happy to work with the commissioners.

Mr. Cannata asked what the impact to the number of units would be if all the buildings were 2 stories. Mr. Cassidy said roughly it brings it down to 112. Mr. Cannata said he also understands the number of units prohibits you from making offsite improvements to intersection etc.

Mr. Cassidy said he would have to review with the design team. He said the traffic report would be done at the next application. He said additional units would generate traffic permits which would allow us to make improvements. Mr. Cannata said I hear that residents are unhappy with 3 stories.

Mr. Cassidy said he wants to clarify that single family developments means one home on one

building lot. Multifamily means more than one building connected so Fox Meadows is multi-family. Mr. Cassidy said you can't compare the density of Country Squire to ours – it's not apples to apples.

Mr. Cassidy said there will not be elevators that a certain percentage of ADA units would be on the first floors. Mr. Cannata asked if they would consider condos instead of apartments.

Joe Fazekas of MCK Property Management, part of the Belafante Corporation and a homeowner at 34 Geer Street said he raised 3 children in Cromwell and it is near and dear to him. He said they are long range holders. He said to address the section 8 question, there are no new project based housing properties available. He said Section 8 is based on affordable rates and these will not qualify. He said there are countless articles that support the impact apartments have on property values. He said I know this project is disconcerting but it is an A+ property. He said this is not us against you. Mr. Fazekas said this site is prone to trespassing and vandalism. He said the units will be built in phases so it is sustainable. He said our business model is 100% apartments.

Mr. Dufresne asked how long this property has been vacant and off the tax roll. Attorney Whitney said it is not off the tax roll although the town isn't getting much in taxes. She said it has been vacant since 1968. Mr. Dufresne asked how tall Fox Meadow buildings are and Mr. Fazekas said some are 2 stories and some are 3 stories since they have garages underneath.

Mr. Waters said you said all working class people and 60% would be two bedrooms and 40% would be one bedrooms. He said Quall Run in Middletown was yours and now it's Section 8.

Mr. Fazekas said I was a property manager for a management company but I don't understand your question.

Mr. Cannata said that Evergreen Adult Active complex was approved while I was on the Commission. He said at the time we felt it was unsafe for the top part of the property if road was blocked at the bottom. We knew it needed to be addressed and made it a condition that they make an access road to connect to County Squire Drive. He said it couldn't be at the town's expense. He said it was never intended to be a major through fare.

Mr. Rozich asked about the relationship between the renters and owners. Mr. Rozich said many town find condos don't sell and turn into apartments.

Mr. Popper said it would be helpful to see analysis from local real estate appraisals on surrounding properties. He said to talk to developer about design and layout. He said the site walk is open to the public but we don't talk at a site walk since no minutes are taken. He said it is open to the public but you can't talk. Mr. Popper also said that the applicant met the legal requirement by posting a sign on the frontage of the property and they complied with the regulations.

There was a discussion on the date of the site walk. It was decided it would be on January 31,

2016 at 10:00am. The meeting place would be the top of County Squire. Chairman Kelly said this would be a continuation of the public hearing. She said Mr. Cassidy would be speaking to give the tour and she asked him to rough stake the areas. Mr. Popper asked to have the master plan on a board. Mr. Cassidy said he will have smaller plans with stakes marked on them. Mr. Popper said to call his office at 860-632-3422 on Friday if weather seems a threat for Sunday.

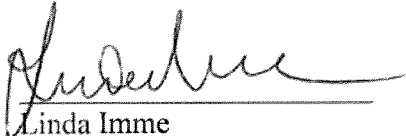
A **motion** was made by Michael Cannata and **seconded** by Rich Waters to continue the public hearing for application 15-47 to a site walk on January 31, 2016 and to Tuesday, February 2, 2016. *All were in favor; the motion passed.*

**10. Commissioner's Comments:**

**11. Adjourn**

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to adjourn at 9:19pm. *All were in favor; the motion passed.*

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Linda Imme", written over a horizontal line.

Linda Imme  
Recording Clerk