

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM TUESDAY NOVEMBER 17, 2020
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Jeremy Floryan, Nicholas Demetriades, Paul Cordone, and Ann Grasso (alternate).

Absent: Kenneth Slade, Brian Dufresne, Ken Rozich, John Keithan (alternate), Development Compliance Officer Bruce Driska.

Also, Present: Director of Planning and Development Stuart Popper, Town Council Liaison Al Waters, Town Council Liaison James Demetriades, Public

1. Call to Order:

The meeting was called to order by Chairman Alice Kelly at 7:05 PM.

2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

A motion was made by Vice Chairman Michael Cannata to seat Ann Grasso as alternate. Motion seconded by Chris Cambareri. *All in favor, Motion passed.*

4. Approval of Agenda:

Mr. Popper asked the Commission to add one item to the agenda:

Add to *New Business*: Item #9. After the Public Hearing, there will be an informal presentation regarding the property at the corner of West Street and Main Street, the former bank which is now computer offices. The owner of that property has some ideas that he would like to informally discuss with the commission.

Vice Chairman Michael Cannata made the motion to approve the agenda as amended; Seconded by Mr. Jeremy Floryan. *All in favor, motion passed.*

5. Public Comments:

None

6. Development Compliance Officer Report:

Mr. Bruce Driska was not present at the meeting to deliver the report.

7. Town Planner Report:

Mr. Popper said that construction at Nike Site, Starbucks, Covenant Village and Arbor Meadows continues. He said that there has been discussion regarding further development of properties in the northern tier.

Mr. Popper said that the construction at Cromwell Landing is moving along. He said that work on the landscaping continues and as well as work on the paths and handicapped accessible fishing pier. Mr. Popper said we are still waiting for information regarding the delivery dates for the steel and wood. He at a minimum they will install the concrete piers.

Mr. Popper said that soil testing continues at former Chevron site. He explained that the cleanup was still an active operation with DEEP and the property owner investigating the extent of soil that will be removed. Mr. Popper said that there still is no schedule of when the work will be completed.

Mr. Popper said the new Public Works/Sewer facility is expected to be open and in operation by late December.

8. New Business: Accept and Schedule New Applications:
None

9. New Business:

Mr. Matthew Pegolo, Licensed Architect and owner of Pegarch Architecture & Design Service presented a proposal to amend the zoning regulations to allow for drive-thru service at the building located at 372 Main Street. The owner is by John Makara. Mr. Popper, Mr. Pegolo and the Commission members discussed the conditions and limitations surrounding the building and various issues related to installing a drive thru at this location. Commission indicated this plan has too many obstacles and declined to hear an application for this project. Mr. Pegolo thanked the Commission for their time and the Commission thanked Mr. Pegolo for his presentation.

10. Public Hearing:

Chairman Kelly noted that this was a continuation of the Public Hearing from October 20, 2020 meeting.

Vice Chairman Michael Cannata made a motion to open the public hearing; Seconded by Mr. Chris Cambareri. *All in favor, motion passed.*

- a. Application #20-48: Request for a Special Permit under Section 3.6.C of the Zoning Regulations to allow for the installation of digital billboards at 6 Piney Ridge Road. DFC of Cromwell, LLC is the Applicant and the Owner.

Attorney Dennis Ceneviva started the presentation by stating a revision to the special permanent application was submitted reducing the number of faces from four to two so that each board would have a single sign, a significant change from the last meeting. In a letter sent to Mr. Popper on November 5, 2020, it was requested to reschedule the continuation of the Public Hearing to November 17. Attorney Ceneviva thanked the Commission for rescheduling the Public Hearing for Application #20-48.

Attorney Ceneviva explained that Mr. Dominic DeMartino, owner of 6 Pine Ridge Road, proposes to erect two digital billboards with only two sign faces along the properties, which has unimpeded visual orientation to Route 9. The site plan that was submitted. Wayne Violette, Landscape Architect, BL Companies, showed a PowerPoint presentation of the specific locations of the proposed digital billboards.

Attorney Ceneviva said that these two locations comply with the requirement set forth and section 3.6.D subsection four of the commercial billboard district as they are placed at horizontal distance more than 750' from any other billboard on the same side of Route 9. Each digital billboard has a maximum sign area that complies with the CBD requirements and each face is oriented with an angled no greater than 35 degrees perpendicular to Route 9. The plan is also compliant with the requirement set forth 3.6.B of the District as the property has more than 700 linear feet of frontage along the Route 9 meeting all the other plot and yard requirements.

Attorney Ceneviva explained that the maximum height does not exceed 50' height when measured from the average grade of the closest lane of Route 9. They also comply with the requirements regarding display time transition time and brightness supporting 3.6.E of the regulation. Also, in compliance with 3.6.F, the boards are designed and equipped to discontinued operation in the event of a malfunction.

Attorney Ceneviva said that all non-face parts of the billboard are painted in a dark or neutral color. He noted that Mr. Violette has prepared a robust landscape plan to comply with section 5.1.H. Mr. Violette said the plan is designed to provide buffering of any visual impact from the view of the back side of the digital boards and to provide an additional sound attenuation benefit to neighbors along South Street. The landscape plans show that the area envisioned for cutting along Route 9 has been reduced to half because there is only one face so a smaller area of removal of that vegetation is required under this site plan. Trees will abut neighboring property, 8 to 10 feet, and neighbors may be able to see top of billboard. The Commission raised concerns that although White Pines grow quickly, they are easily damaged. Mr. Violette stated that they are open to changing the type of tree species.

Attorney Ceneviva explained that the boards are readily accessible for fire and police as required in the special permit route regulations. There is no parking issue because all the changes to the board are done remotely. He said there are letters of support from both the Chamber of Commerce and the Chief of Police indicating that the boards would be available to the town for municipal messages, emergency messages, and things of that nature to provide additional benefit to the town.

Mr. Dominic DeMartino, the owner of DFC of Cromwell, presented information about the illumination and how it can be buffered or protected from any of the residential properties. He explained his commitment again having gone through the process with this Commission over the past few months and noted that if this

application is approved, Town of Cromwell will be able to advertise community projects, such as Farmers' Market or Movies on the Green, etc.

Mr. DeMartino explained that currently the hours of operation presented are 24/7. The Commission members asked if this could be modified to perhaps 6:00 AM to 12:00 AM. The Commission members suggested having the schedule revisited in one year to increase or decrease hours but does not want 24/7.

Commission Cannata also suggested deed restriction, indicating that there will be no further development of the property without removal or revisiting the billboards. Attorney Ceneviva said the current zoning is only for billboards, but Mr. DeMartino would agree to that condition. The Commission members indicated there needs to be more discussion about size, location, etc. as there is more visual impact with single-sided. Attorney Ceneviva noted that a new application would be needed to change where the pole is located. He said the boards themselves are 14' by 48' with a single pole which is installed into a concrete base on the ground. Attorney Ceneviva said the size is consistent in the industry; the smaller signs are less apt to be marketed.

Attorney Ceneviva asked to keep hearing open to provide the Commission members with additional photos from the neighbor's yards as this is the best time to see without the leaves on the trees. He said we will have more discussion regarding landscaping with BL Companies and the Town Planner. The Commission members indicated that they would like to see architectural rendering of the different billboard sizes.

Public Comments:

Mr. Al Waters of 86 South Street said he had questions and concerns regarding state permits and regulations regarding brightness and distractions to drivers. He said he had heard that Fire District was considering installing billboards on their property abutting I-91. Mr. Waters noted that according to State regulations, no billboards can be installed in highway ramp zones.

James Demetriades, Town Council Liaison said I think the applicants have done a good job of addressing some of the concerns, however, I think the residents still have concerns. He said but ultimately, it is up to this Commission as to how they want to plan and develop the area and I yield to your decision-making and your acumen. I hope you take into consideration not only the precedent you would be setting but whether or not this is an appropriate use for this property and an appropriate use of this location.

Mr. Popper read three letters into record against the installation of billboards. Concerns include unsightliness, devaluation of surrounding property, distraction to drivers and potential risk to wildlife. A few hundred people have signed petitions against the installation of billboards.

Vice Chairman Michael Cannata made a motion to continue the Public Hearing on Tuesday, December 1, 2020 at 7:00 p.m. in Room 224. Seconded by Paul Cordone. *All in favor, motion passed.*

11. Commissioner Comments:

Commission may consider Zoom Meetings in response to the closure of the Town Hall to the public effective November 18, 2020.

12. Approval of Minute:

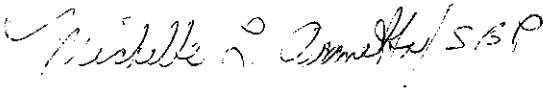
a. **November 5, 2020**

No action taken.

13. Adjourn:

Vice Chairman Michael Cannata made the motion to adjourn at 8:43 PM. Seconded by Jeremy Floryan. *All in favor, motion passed.*

Respectfully submitted,

A handwritten signature in cursive script, reading "Michelle L. Armetta / S.B.P.", written in dark ink.

Michelle L. Armetta
Recording Clerk