

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM TUESDAY, JUNE 15, 2021
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, John Keithan, Jeremy Floryan, Robert Donohue (alternate), and Ann Grasso (alternate)

Absent: Chris Cambareri, Nick Demetriades, Paul Cordone, Brian Dufresne, and Ken Rozich

Also, Present: Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, and Recording Clerk Michelle Armetta

1. Call to Order:

The meeting was called to order by Chairman Alice Kelly.

RECEIVED: TOWN RECORD
JUL 02, 2021 01:26P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

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 Robert Donohue and Ann Grasso as alternates. Seconded by Jeremy Floryan. *All in favor; Motion passed.*

4. Approval of Agenda:

Director of Planning and Development Stuart Popper asked the Commission to add the following items under #8 – Accept and Schedule New Applications.

a. Application #21-20: Request for Site Plan Modification at Chicago Sam's (Building façade and patio) at 51 Shunpike Road.

b. Application #22-21: Request for Site Plan Modification for new Signage for Five Below at 51 Shunpike Road.

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

5. Public Comments:

None.

6. Development Compliance Officer Report:

Development Compliance Officer Bruce Driska addressed the Commission and asked if anyone had questions on the attached report. Ann Grasso pointed out that Application #21-13 should be "Flour", not "Flower." Mr. Driska said the development on Country

Squire should be applying for a CO by the end of the month and the leasing office is open. He noted that there is still a lot of work to be done. Mr. Driska said Covenant Living is occupied and has some finishing work to be done. Ann Grasso offered a brief update on the sidewalks and paving. Mr. Driska said he is working with Walmart to correct existing site plan violations including dead landscaping and faded stop bars, arrows, and crosswalks. He noted that the parking lot painting has been completed and landscaping issues should be resolved by the end of the week.

Mr. Driska said violations for unregistered motor vehicles and junk occurring at two properties: 37 Coles Road a fine of \$100 per day has been incurred as of May 27, 2021 and at 222 Shunpike Road, a fine of \$100 per day has been incurred as of May 17, 2021. He said there is a hearing scheduled for the Shunpike Road property July 13, 2021.

Mr. Driska asked the Commission if there were any other questions. There were none and the Commission thanked Mr. Driska for his report.

7. Town Planner Report:

Mr. Popper said it appears the online auction of the Red Lion did not work out and the two mortgage holders will likely work together to sell the property to a developer. He said it could be a large-scale project with a variety of uses to blend in with the surrounding area. Mr. Popper said he met with bank representatives and eventually they will come to a Planning and Zoning Commission meeting to do an informal presentation of a concept plan. Robert Donohue asked for an update on police reports regarding break-ins and theft of copper pipes. Mr. Popper said he did not know the details on the the police activity. Mr. Donohue noted that the absence of plumbing makes the sprinkler system unusable.

Mr. Popper said Café Fiore is doing well, and Café Luna continues to have outdoor dining. He said the limited edition of the TPC is starting next week. Chairman Kelly pointed out that they are advertising on television for volunteers.

Mr. Popper said conversations continue with the property owners on Geer Street regarding potential development. He said he has heard from some of the neighbors that they have been contacted. Mr. Popper The national chain, Five Below is going into the ShopRite Plaza in the vacant Subway, Payless, and No Anchovies locations. He said currently the closest Five Below is in Plainville.

Vice Chairman Michael Cannata asked about Barb's Pizza and said they were closing the West Hartford location to focus on the Cromwell location. Mr. Popper said they still need their CO and sign off from the Health Department.

Mr. Popper asked the Commission if there were any other questions. There were none and the Commission thanked Mr. Popper for his report.

8. New Business: Accept and Schedule New Applications:

- a. Application #21-19: Request to modify the resubdivision in an R-25 Zone District at 60 to 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-19 to be heard tonight; Seconded by John Keithan. *All in favor; motion passed.*

- b. Application #21-20: Request for Site Plan Modification at Chicago Sam's (Building façade and patio) at 51 Shunpike Road. Archimage Group is the Applicant and HBN-CSC LLC C/O HBNITKIN Group is the Owner

Vice Chairman Michael Cannata made a motion to accept and schedule Application #21-20 to be heard on July 20, 2021; Seconded by John Keithan. *All in favor; motion passed.*

- c. Application #22-21: Request for Site Plan Modification for new Signage for Five Below at 51 Shunpike Road. CT Sign Service is the Applicant and HBN-CSC LLC C/O HBNITKIN Group is the Owner

Vice Chairman Michael Cannata made a motion to accept and schedule Applications #21-21 to be heard tonight; Seconded by Robert Donohue. *All in favor; motion passed.*

9. New Business:

- a. Application #21-19: Request to modify the resubdivision in a R-25 Zone District at 60 and 80 Hicksville Road. John Zaleski is the Applicant and Adelbrook Community Services, Inc. is the Owner.

Mr. John Wagenblatt, Principal at LRC Group, 160 West Street, Cromwell, addressed the Commission. Mr. Wagenblatt was joined by the Applicant, Mr. Jay Zaleski, and Mr. Rich Reynolds, a Project Engineer from LRC Group. Mr. Wagenblatt explained that on May 18, 2021, Vista Estates Resubdivision was approved under Application #21-07 as an 8-lot subdivision. He said at that time, the Special Permit for rear Lot 2 was denied under Application #21-09. Mr. Wagenblatt said the former rear Lot 2 had 278 feet of road frontage along West Street and a 25-wide access along Hicksville Road between Lots 1 and 3.

Mr. Wagenblatt explained that the proposed revision will eliminate the 25-foot access off Hicksville Road and that area will be added to Vista Estates Lot 3. He said this would increase the area of Lot 3 by 4,606 square feet to a revised total lot area of 30,132 square feet. The new Lot 2 (the former rear lot) will retain the 278 feet of frontage along West Street and the proposed access will be via a 20-foot-wide easement over the southerly portion of the revised Lot 3 adjacent to Vista Estates Lot 4. Mr. Wagenblatt said in order accommodate that change, the proposed improvements on Lot 3 need to shift approximately 20 feet to the north of the lot.

He said by revising Lot 2 to a frontage lot (West Street), this will allow the proposed building to be moved to the west closer to Hicksville Road. Mr. Wagenblatt explained the proposed house on Lot 2 will be higher up the slope closer to Hicksville Road and thus the driveway will be shorter in length with a maximum slope of 5.8%. Mr. Wagenblatt noted that the revised Lot 2 will meet the minimum bulk requirements of the R-25 zoning district.

Mr. Wagenblatt explained that a stormwater management area is proposed for Lot 2 to attenuate the increase in stormwater runoff due to the change in surface coverage (from grass and grass/woods to proposed house, sidewalks, and driveways). He said the stormwater management area has been designed as an excavated depression at the bottom of the slope and Lot 2 is proposed as an underground chamber system consisting of Advantage Drainage Systems, Inc. (ADS) SC-310 Stormtech Chambers.

Mr. Wagenblatt said that Vista Estates had received approval from the Inland Wetlands and Watercourses Agency for Application #21-03 at their April 7, 2021 meeting. He also pointed out that Vista Estates received approval for the extension and construction of a proposed sanitary sewer along Hicksville Road at the March 8, 2021, meeting of the Cromwell Water Pollution Control Authority.

Mr. Popper said that in an email dated June 7, 2021, Chief of Police Denise Lamontagne stated that she had received the revised plans for Lot 2 and has no comments regarding the driveway to this residence. He said that in a memo dated June 8, 2021, Mr. Driska stated that after reviewing Application #21-19, he has no comments no comments.

Mr. Popper said, Town Engineer Jon Harriman stated in an email dated June 8, 2021 stated: As designed, this plan relies on overland flow of drainage from lots 3 and lot 1 onto lot 2. Drainage runs over the front yard and around the house (lot 2) and down toward the pond which I believe is only sized for lot 2. He noted that these concerns have been addressed by the Applicant.

Mr. Wagenblatt asked the Commission if they had any questions. Vice Chairman Mike Cannata commented that the changes are absolutely on target and a huge improvement and thanked the LRC Group and the Applicant. Chairman Alice Kelly also commented that the decrease in the driveway grade from 12% to 5.8% is much better and the swale is a good addition. She told them they did a good job.

Vice Chairman Michael Cannata made a motion to approve Application #21-19. Seconded by Ann Grasso. *All in favor; Motion passed.*

- b. Application #22-21: Request for Site Plan Modification for new Signage for Five Below at 51 Shunpike Road. CT Sign Service is the Applicant and HBN-CSC LLC C/O HBNITKIN Group is the Owner

Mr. Popper said the applicant, Mr. Hemming from CT Sign Services could not be

present this evening due to a conflict with another meeting. Mr. Popper said he offered to present it to the Commission rather than wait for the July meeting. He said the Five Below store is going into the space formerly occupied by Payless, Subway, and No Anchovies restaurant in the ShopRite Center. Mr. Popper said the store will have two frontages one on the ShopRite side and one on the former No Anchovies side. He explained that both signs meet the size requirements of the Zoning Regulations. Mr. Popper provided the Commission members with color copies of the plans. He said the sign will be lighted at night just as the other signs in the shopping center. Mr. Popper said a sign for Five Below would also be added to the shopping center pylon sign. He said that in a memo dated June 15, 2021, Mr. Driska said the proposed signage improvements for Five Below retail store meet all zoning requirements.

Vice Chairman Michael Cannata made a motion to approve Application #21-21. Seconded by Jeremy Floryan. *All in favor; Motion passed.*

10. Public Hearings:

Chairman Alice Kelly read the Legal Notice into the record.

- a. Application #21-18: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to allow for combined garage facilities not to exceed 1,600 square feet at 45 Lincoln Road. Sean Flanigan is the Applicant and Owner.

Vice Chairman Michael Cannata made a motion to open Public Hearing for Application #21-18; Seconded by Robert Donohue. *All in favor; motion passed.*

Mr. Popper explained to the Commission according to Section 2.7.A.4. of the Zoning Regulations, the total combined private garage facilities in connection with a single-family dwelling may not exceed 1,000 square feet in area except by Special Permit in which total garage facilities on a conforming lot may exceed 1,000 square feet but shall not exceed 1,600 square feet. He said the site plan provided by Sean Flanigan shows the proposed breezeway, studio, single car garage and barn in the back. Mr. Popper said with the addition of this attached garage Mr. Flanigan will be up to about 1,500 square feet and, therefore, needs a Special Permit.

Mr. Sean Flanigan, 45 Lincoln Street, addressed the Commission and described the proposed addition and changes to the house. Mr. Flanigan explained that he is proposing a garage and studio on the left side of the house. He said the existing garage will be removed, along with basically everything on the left side of the house. Mr. Flanigan said the new garage door will be facing the road, as would a dormer above the door. He said once construction is complete, the entire house will be resided. He said the existing shrubbery, including arborvitaes will remain, but the tree in front of the house will need to be removed to move the driveway over.

Mr. Popper reported that the staff reviewed this application and there were no comments by any of the staff except by Mr. Driska. Mr. Driska asked that prior to

construction starting that the appropriate erosion control be established.

Vice Chairman Michael Cannata made a motion to close Public Hearing for Application #21-18; Seconded by Robert Donohue. *All in favor; motion passed.*

Vice Chairman Michael Cannata made a motion to approve Application #21-18 with conditions set forth in Mr. Driska's memo of June 14, 2021. Seconded by Robert Donohue. *All in favor; Motion passed.*

11. Commissioner's Comments:

Vice Chairman Michael Cannata had a suggestion for Mr. Popper. Mr. Cannata suggested that whenever there is an application that may have a questionable proposal, it may be appropriate to have the applicant come in and give the Commission an idea of their plan. He said the Commission can give them any positive or negative feedback regarding the plan. Mr. Cannata feels that in the case of the rear lot in the resubdivision on Hicksville Road, it could have saved time. Mr. Popper agreed that this was a good suggestion.

Mr. Popper advised the Commission that there is nothing yet pending and the next meeting would be July 20, 2021.

12. Approval of Minutes:

a. May 18, 2021

Vice Chairman Michael Cannata made a motion to approve the minutes of May 18, 2021; Seconded by Ann Grasso. *All in favor; motion passed. (Jeremy Floryan abstained.)*

13. Adjourn:

Vice Chairman Michael Cannata made the motion to adjourn at 7:51 PM. *All in favor, motion passed.*

Respectfully submitted,

 ^{SLP}

Michelle L. Armetta
Recording Clerk