

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
7:00 PM TUESDAY, DECEMBER 21, 2021  
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Nick Demetriades, John Keithan, and Ann Grasso

**Absent:** Brian Dufresne, Ken Rozich, Chris Cambareri, Robert Donahue and Zoning Enforcement Officer Bruce Driska

**Also, Present:** Director of Planning and Development Stuart Popper

**1. Call to Order:** The meeting was called to order by Chairman Alice Kelly at 7:07PM.

**2. Roll Call:**

The presence of the above members was noted.

RECEIVED FOR RECORD  
Jan 04, 2022 02:32P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT



**3. Seating of Alternates:**

No no seating of alternates.

**4. Approval of Agenda:**

Mr. Popper said he would like to amend the agenda to add an item under New Business:

a. Section 8-24 Mandatory Referral for the acceptance of 575 square feet of land adjacent to the town right of way at 110 Court Street for future sidewalks and road widening. Kane Street Associates LLC is the Owner.

Michael Cannata made a motion to approve the amended agenda. Seconded by Ann Grasso. *All in favor, Motion passed.*

**5. Public Comments:**

There were no public comments

**6. Development Compliance Officer Report:**

Mr. Driska was absent and a report was not given.

**7. Town Planner Report:**

Mr. Popper gave an update on the Geer Street project. He said at the Inland Wetlands and Watercourses Agency meeting on December 1<sup>st</sup>, the Agency requested a peer review of the submitted engineering plans and wetland plans for the proposed warehouse operation on Geer Street. Mr. Popper said he has hired a firm to do the peer review which will be paid for by the applicant. He explained that the firm selected cannot have had any previous or current or pending relationship with the applicant. Mr. Popper said he had

interviewed a number of firms and has hired LandTech Engineering out of Westport to prepare the peer review.

He said we will probably get the peer review back in mid-January, and that we will continue the Public Hearing on January 5, 2022 to the February meeting or the Agency may hold a special meeting in late January. Mr. Popper said the application will only come before the Planning and Zoning Commission if it is approved by the Inland Wetlands and Watercourses Agency.

Mr. Popper mentioned that RiverCOG is preparing a regional housing plan and in conjunction with this, the consultant preparing the plan would like to come in and do a presentation on the regional housing plan component for Cromwell. He noted that Cromwell is a model because of our variety of housing types and in addition to having both water and sewer utilities. Mr. Popper said that the meeting with the consultant will be done in a zoom format. The Commission members and Mr. Popper discussed best dates for the presentation to the Commission. He said he will confirm the best date with the RiverCOG staff and consultant.

Mr. Popper said RiverCOG is doing a zoom presentation on the Regional Housing Plan for all the towns in the region and that will be held at 7:00 pm on Monday, January 24<sup>th</sup>.

**8. New Business: Accept and Schedule New Applications:**

Mr. Popper noted that the only new business is the Section 8-24 Mandatory Referral for the acceptance of land along Court Street and asked Commission to act upon it this evening.

**9. New Business:**

a. Application #18-55: Request to the Release Erosion Control Bond for the construction of a hotel at 76 Berlin Road/ AVA Group is the Applicant and Cobblestone Associates, LLC is the Owner.

Mr. Popper said that Cobblestone Associates LLC is no longer the owner, AVA Realty Cromwell LLP is now the owner. He read a memo from Bruce Driska, Zoning Enforcement Officer stating that he recommends the Planning and Zoning Commission release the \$7,700 (subject to accrued interest) Erosion and Sedimentation Control Bond for Marriot Spring Hill Suites at 76 Berlin Road.

Mr. Cannata made a motion to release the Erosion and Sedimentation Control Bond for Marriot Spring Hill Suites at 76 Berlin Road. Seconded by Paul Cordone. *All in favor, Motion passed.*

b. Section 8-24 Mandatory Referral for the acceptance of 575 square feet of land adjacent to the town right of way at 110 Court Street for future sidewalks and road widening. Kane Street Associates LLC is the Owner.

Mr. Popper explained that the previous approval of the apartment project called for the construction of an additional right-hand turn lane on Court Street turning onto Shunpike Road. He explained that the construction of the right-hand turn lane and the adjoining sidewalks would require more town right of way and hence the need for the additional 575 square feet plus or minus. The Commission members briefly discussed the project and the right-hand turn lane.

Mr. Cannata made a motion to issue a positive 8-24 referral for Center Points Apartment project at 108 Court Street and 106 Shunpike Road. Seconded by John Keithan. *All in favor, Motion passed.*

#### **10. Old Business:**

- a. Application #21-32: Request for a Special Permit under Section 6.6 of the Zoning Regulations to create a Rear Lot at 20 Woodside Road. Reed Builders is the Applicant and Constance J. Scheu is the Owner.
- b. Application #21-33: Request for a Special Permit under Section 6.6 of the Zoning Regulations to create a Rear Lot at 20 Woodside Road. Reed Builders is the Applicant and Constance J. Scheu is the Owner.

Mr. Popper asked the commission to re-open the Public Hearing. He noted that during the last public hearing we allowed the applicant to present the two related applications together.

Mr. Cannata made a motion to re-open the Public Hearing. Seconded by Ann Grasso. *All in favor, Motion passed.*

#### **11. Public Hearing:**

Chairman Kelly asked Mr. Popper if he received email or letter from Sewer Administrator Richard Peck regarding the recent approval from the WPCA of the sewer for the proposed subdivision. Mr. Popper stated he had been notified by Mr. Peck of the recent approval of the sewer system for the subdivision.

Mr. Popper said the town staff had met with Mr. Jim Cassidy to resolve the issue of the detention pond on the north side of the road and the issue of the drainage easements in the backyard. He said they have come up some solutions that Jim will present in his presentation.

Mr. Jim Cassidy, a professional engineer with Hallisey Pearson & Cassidy at 630 Main Street in Cromwell said he is here this evening representing the developer Mr. Sean Hussey. He noted that as part of the presentation on the rear lot he would also be describing Application #21-32: Request to Create an 8 lot Subdivision at 20 Woodside Road. Reed Builders is the Applicant and Constance J. Scheu is the Owner. He noted he and Mr. Hussey had met with town staff to work out a solution to the drainage issues.

Mr. Cassidy said the proposed detention basin is located on the north side of the road. He explained that basin itself is small with gradual side slopes, is a sandy gravel material with a

maximum depth of 2 ½ feet of water. Mr. Cassidy said that with the sandy gravel material the basin will not retain water for a long period of time and the town staff has agreed for the town to own and maintain the detention basin. He explained the town will mow the basin one or two times a year and the residents will be welcome to mow it themselves if they want to keep it looking more like a lawn.

Mr. Cassidy said the property owners will be responsible for keeping the drainage easement in their backyards clear of all structures and landscaping. He said they will also be responsible for the maintenance of the drainage structure. Mr. Cassidy explained the that easement will be shown on the subdivision plan, the plot plans for each lot and in the deeds for each lot. He said we are proposing to install a concrete monument that will be six feet tall by six inches square in the corner of each lot that indicates this is a drainage easement and the property owner is to keep this area free of structures, debris and landscaping. Mr. Cassidy said it will be the responsibility of the property owner to make sure their drainage easement stays clear and to maintain the drainage structure.

Mr. Cassidy said the sidewalk will end at the northwest corner of the cul-de-sac and it will be part of the lot #8 the rear lot. He noted that at the direction of the Board of Education the proposed path connection from the sidewalk through the school fence to the Woodside School has been removed.

Mr. Popper asked Mr. Cassidy to briefly describe the subdivision and the rear lot. Mr. Cassidy described the 4.67-acre vacant parcel of land located in the R-15 Zone District on the west side of Woodside Road and south of the Woodside Intermediate School. He noted the property contains no wetlands and the current owner of the property lives at 10 Woodside Road. Mr. Cassidy said the plans call for an eight-lot subdivision including one rear lot. He said seven of the lots will front on a new town road (Cortland Way) ending in a cul-de-sac and will vary in size from 15,113 square feet to 30,479 square feet and meet all the requirements of the zoning regulations. Mr. Cassidy said the development includes proposed rear lot located at the end of the cul-de-sac. He noted that the proposed 30,479 square foot rear lot meets all the requirements of Section 6.6 of the Zoning Regulations. Mr. Cassidy explained how the proposed rear lot addresses all the standards of Section 6.6.C General Requirements of the Zoning Regulations.

Chairman Kelly asked who goes out during the project with a transit to make sure the grade elevation for each lot is correct. Mr. Cassidy explained that the surveyor for each plot plan is required to submit to the town as as-built drawing showing the final grades and location of the house on each lot.

Mr. Popper said if the Commission is to act favorably on the applications this evening it would be with the conditions in the Town Engineer Jon Harriman's memo dated 12/21/21.

Mr. Cannata made a motion to close the Public Hearing. Seconded by John Keithan. *All in favor, Motion passed.*

Mr. Cannata made a motion to grant the waiver from Section 3-25 of the Subdivision Regulations. Seconded by Ann Grasso. *All in favor, Motion passed.*

Mr. Cannata a motion to approve Application #21-32, 8-Lot Subdivision 20 Woodside Road, with the with the conditions in the Town Engineer Jon Harriman's memo dated 12/21/21. Seconded by John Keithan. *All in favor, Motion passed.*

Mr. Cannata a motion to approve Application #21-33, Request for a Special Permit under Section 6.6 of the Zoning Regulations to create a Rear Lot at 20 Woodside Road. Seconded by Ann Grasso. *All in favor, Motion passed.*

**12. Commissioner's Comments:**

Chairman Kelly said there is a revision in the minutes from December 7<sup>th</sup>. She noted that John Keithan was absent and Ken Rozich was present.

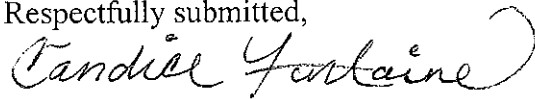
**13. Approval of Minutes:**

Mike Cannata made a motion to approve the amended minutes from December 7<sup>th</sup>. Seconded by Ann Grasso. *All in favor, Motion passed.*

**14. Adjourn:**

Mike Cannata made a motion to adjourn at 7:45PM. Seconded by Ann Grasso. *All in favor, Motion passed.*

Respectfully submitted,

A handwritten signature in cursive script that reads "Candice Fontaine". The signature is written in black ink and is positioned above the printed name and title.

Candice Fontaine  
Recording Clerk