

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
7:00 PM THURSDAY, JULY 19, 2022
COUNCIL CHAMBERS CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Ann Grasso, Robert Donohue Nick Demetriades and Chris Cambareri

Absent: Paul Cordone, Brian Dufresne, Ken Rozich and John Keithan

Also present: Director of Planning and Development Stuart Popper and Zoning Enforcement Officer Bruce Driska

1. **Call to Order:** The meeting was called to order by Chairman Alice Kelly for 7:00 PM.
2. **Roll Call:**
The presence of the above members was noted.
3. **Seating of Alternates:**
Michael Cannata made a motion to seat Robert Donahue as an alternate; Seconded by Chris Cambareri. *All in favor, Motion passed.*
4. **Approval of Agenda:**
Michael Cannata made a motion to approve the agenda. Seconded by Ann Grasso. *All in favor, Motion passed.*

RECEIVED FOR RECORD
AUG 05, 2022 01:35P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

Mr. Popper said he would like to amend the agenda to add two applications. He asked the commission to accept and schedule the following applications to be heard on September 6th, 2022. Michael Cannata and Ann Grasso rescinded their approval of the agenda.

e. Application #22-21 Request for Site Plan Approval for retail Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the owner. Chris Cambareri made a motion to accept and schedule Application #22-21 to be heard September 6, 2022. Seconded by Nick Demetriades. *All in favor, Motion passed.*

f. Application #22-17 Request for Special Permit to build an underground garage under an existing driveway at 6 River Park Drive. John Paul Golino is the Applicant and the owner. Michael Cannata made a motion to accept and schedule Application #22-17 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

5. Public Comments:

There were no public comments

6. Development Compliance Officer Report:

Mr. Driska said there is steady progress at the Carrier project. The 3rd phase is moving along very smoothly. He said there have been complaints about the extra parking spaces that the PZC approved at the Landon. Mr. Driska said he spoke to the property manager and explained as of August 1, 2022, this department shall begin enforcement of obstructed travel lanes from doubled parked vehicles in conflict with the requirements of the Planning & Zoning Special Permit and Site Plan approvals. He said that enforcement shall take into account reasonable periods of time allowed for loading, unloading etc. and is intended to target long term parking in travel lanes posing a safety hazard. Mr. Driska said any documented violations shall result in the issuance of a notice to the property owner. Continued violations post 30 days shall result in the issuance of Municipal Fines (to the owner) in the amount of \$150 per occurrence.

Chairman Alice Kelly said she thought the approved tandem parking was for the employees only. Mr. Popper said he will look at the minutes from the meeting.

7. Director of Planning and Development Report:

Mr. Popper said the Public Hearing on the Geer Street Warehouse will continue at the IWWA August 3rd meeting. He said discussions regarding possible medical office buildings continue and we are waiting for some applications to come in. Mr. Popper said discussions continue regarding possible site for more assisted living facilities and people are very interested in Cromwell for that kind of development. He said hopefully, in the Fall, we will see an application for a small medical office building and the application for the Lord Cromwell site. Mr. Popper said there is wetlands application for a six-lot subdivision on Willowbrook Road near Evergreen Road. He said a wetlands application was also received from Cromwell Automotive to build a storage building in the back of the property behind the existing garage.

Mr. Popper said this evening the town council decided they want to submit a STEAP grant to rehab the old sewer building into a community meeting space and the grant is due August 15, 2022. He said he will be working on the grant in August. Mr. Popper suggested to the commission that we cancel the PZC meeting in August and resume in September. The commission agreed.

8. New Business: Accept and Schedule New Applications:

Michael Cannata recused himself at 7:18PM. Mr. Popper asked the commission to accept and schedule the following applications to be heard on September 6th, 2022.

a. Application #22-16: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-16 to be heard

September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

b. Application #22-18: Request for a Special Permit under Section 6.11.B of the Zoning Regulations to allow for the retail sales of Cannabis and Cannabis related products at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-18 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

c. Application #22-19: Request for Site Plan Approval to construct a 5,000 square foot building at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-19 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

d. Application #22-20: Request for a Special Permit under Section 4.1 of the Zoning Regulations to construct a building within the Flood Zone at 5 Berlin Road. Bantry Bay Ventures, LLC & Michael J. Cannata are the Applicants and Michael J. Cannata is the Owner.

Chris Cambareri made a motion to accept and schedule Application #22-19 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

e. Application #22-21 Request for Site Plan Approval for retail Cannabis and Cannabis related products at 33 Berlin Road. 6 West Ave, LLC is the Applicant and Mary Ann Marchio is the owner.

Chris Cambareri made a motion to accept and schedule Application #22-21 to be heard September 6, 2022. Seconded by Nick Demetriades. *All in favor, Motion passed.*

f. Application #22-17 Request for Special Permit to build an underground garage under an existing driveway at 6 River Park Drive. John Paul Golino is the Applicant and the owner. Chris Cambareri made a motion to accept and schedule Application #22-17 to be heard September 6, 2022. Seconded by Ann Grasso. *All in favor, Motion passed.*

Michael Cannata returned at 7:20PM.

9. New Business:

Mr. Popper said there is no new business.

10. Public Hearing:

Chairman Kelly read the Legal Notice.

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday July 19, 2022 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #22-13: Request to amend Section 5.2 of the Zoning Regulations to allow for the installation of electric charging units in parking lots. Miodrag Delict, Delmic Properties, LLC is the Applicant.
2. Application #22-15: Request for Special Permit under Section 3.5.C.4 for a Contractor Yard for vehicles, equipment, materials and/or supplies at 150 Sebethe Drive. Alvin Ravizza is the Applicant and RANDA LLC is the Owner.

At this hearing interested persons may appear and be heard and written testimony received. This application is available for public inspection in the office of the Town Planner.

Alice Kelly
Chairman

Dated in Cromwell, Connecticut this the 29TH day of June 2022.

Michael Cannata made a motion to open the Public Hearing. Seconded by Chris Cambareri. *All in favor, Motion passed.*

Mr. Popper passed out photos of the electric chargers.

Attorney Peter Alter, with Alter & Pearson LLC, at 701 Hebron Ave in Glastonbury said he is here to ask the commission to consider amending Section 5.2 Off-Street Parking and Loading to allow for the installation of electric charging station within commercial parking lots. He handed out the proposed amendment to the Commission.

He gave a brief background regarding the application. Attorney Alter said his client has invested in a Cromwell Commons Shopping Center a commercial property in Cromwell and they are planning to renovate and reconstitute it. Attorney Alter said part of his client's plan is to install a number of electric vehicle charging stations. He said when his client and contractor came to The Town Hall, they learned this would not be permitted under the current regulations. Attorney Alter said people are seeing the benefit of having electric vehicles due to the price of gas and there are not enough charging stations for the number of electric cars.

Attorney Alter read the proposed amendment:

Purpose and intent. The Planning and Zoning Commission finds that electric vehicles emit substantially less carbon dioxide (CO₂) than average fossil-fueled vehicles. Pure battery electric vehicles do not emit tailpipe pollutants such as benzene and nitrogen oxide, which negatively impact air quality and resident health. Providing for infrastructure to promote and support electric vehicle use will lead to improvement of air quality and reduce the production of greenhouse gasses. Electric vehicles require chargers, or Electrical Vehicle Supply Equipment (EVSEs.) The vast majority of parking

facilities are not currently equipped to accommodate electric chargers. The Commission wishes to encourage the construction and retrofitting of commercial parking **and or municipal facilities** that have the capacity to provide EVSEs. It is appropriate that EVSEs be treated as an application for **site plan approval or site plan modification** in any commercial parking **and or municipal** facility.

Proposed Section 5.2.P. Electric Vehicle Supply Equipment as an Accessory Use.

1. ELECTRIC VEHICLE OFF STREET PARKING REQUIREMENTS. Any new commercial development that requires 25 or more parking spaces as calculated by these regulations, *shall* becomes **may** (have a minimum of 1 charging space or 3% of the total number of spaces allocated to Electric Vehicles (EVs (whichever is greater) and must have a Level 2 or 3 charging station/connection per EV parking space. Parking spaces shall be well lit and shall be for public use. Applicants may request a waiver or reduction of electric vehicle parking requirements from the Planning and Zoning Commission during site plan approval.
2. ELECTRIC VEHICLE CHARGING STATION REQUIREMENTS. Electric Vehicle Charging Stations (EVCSs) shall be regularly maintained to ensure proper functionality. EVCSs shall have clear, legible signage stating the volt and amp levels, hours of operation, safety information, usage fees and contact information for maintenance department.
3. *REQUESTS FOR REDUCTION OF GENERAL PARKING SPACES IN EXCHANGE FOR ADDITIONAL EV PARKING. For any development that exceeds the minimum number of EVCSs as required, the applicant may ask the Commission for a reduction in required parking spaces equal to the number of EV parking spaces above the minimum required 3%. The reduction of parking cannot be greater than 10% of the total amount of parking for the proposed development.*
4. EVCS AS ACCESSORY USE TO EXISTING PARKING FACILITIES. Provided that the Electric Vehicle Charging Station Requirements in 5.2.P.2 above are satisfied, and owner of commercial property shall be allowed to add charging stations as an additional accessory use to an existing parking facility. Such accessory use shall be a permitted use subject to the review and approval of the plan for location and installation as provided in Section 8.2 **8.6** of the Zoning Regulations. EVSE parking spaces as an accessory use in existing parking facilities shall be in addition to the number of spaces otherwise required for the commercial use.

The Commission members and Attorney Alter and Mr. Popper discussed the proposed amendment and the wording of the regulation and a format for reviewing future applications to install chargers. Mr. Popper suggested that the format for review would be as a Site Plan Approval or Site Plan Modification. The Commission members and Mr. Popper decided that paragraph #3 would be deleted and the following changes be made to the language of the remaining three paragraphs as shown above. Please note the words in italics are to be deleted and the words in bold are the new text.

Mr. Popper said for the record, he received comments from RiverCOG and CROG and they do not have any comments for the proposal.

Michael Cannata made a motion to accept with the proposed changes Application #22-13: Request to amend Section 5.2 of the Zoning Regulations to allow for the installation of electric charging units in parking lots. Miodrag Delict, Delmic Properties, LLC is the Applicant. Seconded by Ann Grasso. *All in favor, Motion passed.*

Michael Cannata made a motion to close the Public Hearing. Seconded by Chris Cambareri. *All in favor, Motion passed.*

b. Application #22-15: Request for Special Permit under Section 3.5.C.4 for a Contractor yard for vehicles, equipment, materials and/or supplies at 150 Sebethe Drive. Alvin Ravizza is the Applicant and RANDA LLC is the Owner.

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

Mr. Robert Gallitto owner of Gallitto Construction said he is here with Mr. Alvin Ravizza to get approval for outside storage at two locations on Sebethe Drive. He said the properties are owned by Mr. Ravizza.

Mr. Popper told the Commission both areas are being leased month to month, and the area adjacent to the driving range is being leased by Patterson Line Construction in Lebanon, New Jersey. He said the area contains a variety of trucks being used for the installation of fiber optic cables and the storage and assorted materials. Mr. Popper said the other area is across from Joseph Auto Body which is being leased by Parkside Utility. He said they have an office at 50 Sebethe Drive and the area contains fiber optic cable spools and other related equipment. Mr. Popper said this is a month to month lease operation that Mr. Ravizza is running, and he is in front of the commission this evening for a Special Permit for outside storage at these two locations.

Mr. Ravizza said he has had several tenants on his properties and some are long term and others are short term. Mr. Popper recommended Mr. Ravizza have each tenant, long or short-term file an application for a use permit. He explained that this way the Town and especially the Police and Fire Department will know who is in what space and what they are doing or storing. Mr. Ravizza agreed and said he would have his tenants file for Use Permits.

Chairman Kelly asked if anyone from the public wished to address the Commission.

Ms. Penelope Damiata of 43 North Road is an abutter of Mr. Ravizza's property, and she does not have any issues with this. She said Mr. Ravizza has been very respectful as far as running his business next to her. Ms. Damiata thanked the commission.

Michael Cannata made a motion to approve Application #22-15: Request for Special Permit under Section 3.5.C.4 for a Contractor Yard for vehicles, equipment, materials and/or supplies at 150 Sebethe Drive. Alvin Ravizza is the Applicant and RANDA LLC is the Owner. Seconded by Robert Donohue. *All in favor, Motion passed.*

Michael Cannata made a motion to close the Public Hearing. Seconded by Chris Cambareri. *All in favor, Motion passed.*

10. Commissioner's Comments:

Nick Demetriades told the Commission there is still time to make comments regarding the Affordable Housing Plan.

11. Approval of Minutes:

June 21, 2022

Michael Cannata made a motion to accept the minutes on June 21, 2022. Seconded by Nick Demetriades. *All in favor, Motion passed.*

12. Adjourn:

Mike Cannata made a motion to adjourn at 8:22 PM. *All in favor, Motion passed.*

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Candice Fontaine".

Candice Fontaine
Recording Clerk