



Town of Cromwell Planning and Zoning Commission

***SPECIAL MEETING
7:00 P.M. TUESDAY NOVEMBER 1, 2022
COUNCIL CHAMBERS CROMWELL TOWN HALL 41 WEST STREET***

Minutes and Record of Votes

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

Absent: Ken Rozich, Brian Dufresne, John Keithan

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

1. Call to Order

The meeting was called to order at 7:01pm by Chairman Kelly.

2. Roll Call

The presence of the above members was noted.

RECEIVED FOR RECORD
Nov 22, 2022 12:32P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

3. Seating of Alternates

A motion was made by Michael Cannata and seconded by Ann Grasso to seat Robert Donohue as an alternate. All were in favor; the motion was passed.

4. Approval of Agenda

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

5. Public Comments - none

6. Development Compliance Officer Report:

Mr. Driska asked if anyone had any questions about his report and Chairman Kelly said application #22-31 was not approved since it is not a permitted use in our regulations. It should say pending approval. Mr. Driska said he would make that correction.

Chairman Kelly asked what #22-36 was and Mr. Driska said it is for a small greenhouse at the Library and Mr. Popper said it is for the Library to start their seedlings.

7. Director of Planning and Development Report:

Mr. Popper said we are working on the STEAP grant for electric car chargers in the public parking lot on Community Field Road and hope to combine it with a grant from Eversource and hope to install chargers at Town Hall as well. He said the CrossRoads Plaza project is moving along and they are hoping to repave the parking lot and island before the winter.

Mr. Donohue asked about the Scannell Property and Mr. Popper said the Inland Wetlands application was denied 4-3 and the applicant has not filed an appeal. Mr. Cambareri asked if that window has expired and Mr. Popper said yes, it has.

Mr. Popper also said there has been no movement on the Friendly's building. He also said the medical office building application will be before the Wetlands Commission tomorrow evening.

8. New Business: Accept and Schedule New Applications:

- a. Application #22-39: Request for a Special Permit under Section 3.4.C.4 of the Zoning Regulations to allow for the construction of a new storage building at the Golf Course Maintenance facility at 1 Golf Course Road. PGA Tour is the Applicant and TPC of Cromwell is the Owner.
- b. Application #22-40: Request for Site Plan Approval to allow for the construction of a new storage building at the Golf Course Maintenance facility at 1 Golf Course Road. PGA Tour is the Applicant and TPC of Cromwell is the Owner.
- c. Application #22-41: Request to Amend the Section 5.2 of the Zoning Regulations to allow for electric car chargers to be permitted in Residential Zone District. Town of Cromwell Planning and Zoning Commission is the Applicant.

Mr. Popper read all three applications and said they all require a public hearing.

A motion was made by Michael Cannata and seconded by Paul Cordone to accept and schedule applications #22-39 and #22-40 for a public hearing on December 6, 2022. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to accept and schedule application #22-41 for a public hearing on December 6, 2022. All were in favor; the motion passed.

9. New Business:

10. Public Hearings:

- a. Application #22-32: Request for Special Permit for Dimensional Modifications to the approved Master Plan in a Mixed-Use Development Zone District under Section 4.6.F.1

of the Zoning Regulations at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.

b. Application #22-33: Request for Site Plan Approval in a Mixed-Use Development Zone District to redevelop the site at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.

c. Application #22-34: Request for Special Permit (Flood Plain) under Section 4.2.P to permit the redevelopment of the site a portion of which is in the Flood Zone AE at 100 Berlin Road. M360 Berlin Land Holdings is the Applicant and the Owner.

Mr. Popper read the public hearing legal notice for applications #22-32, #22-33, #22-34 dated October 18, 2022.

A motion was made by Michael Cannata and seconded by Chris Cambareri to open the public hearings for applications #22-32, #22-33, #22-34. All were in favor; the motion passed.

Peter Alter, Attorney with Alter and Pearson at 701 Hebron Avenue, Glastonbury, CT said he was here with Attorney Meghan Hope and the other members of the project to present the applications for 100 Berlin Road. He submitted the evidence of mailings to abutters and the affidavit attesting to posting the public hearing sign. Attorney Alter said that Attorney Hope submitted materials in support of the application and all requirements of the zoning regulations have been addressed by the materials submitted in advance for all three applications.

Attorney Alter said this Commission approved a master plan in May and your regulations say that if there are changes to the approved master plan then we must request a special permit. He said these are minor footprint changes and they feel they are very insignificant. He said the intent of the project is to produce jobs, create housing and community development. Attorney Alter noted that the demolition of the former hotel building will cost \$2 to \$3 million dollars. He said Lexington Partners is the Developer of this project. Attorney Alter shows projects that they have developed and said they are well received projects in the community. He showed the master plan and said it will be a community gateway with multi-family residences, amenity buildings and townhomes offered for sale. He said there will also be a dog park on site. Attorney Alter discussed that they would be offer 5% of the apartments as affordable units if they receive a tax abatement. He said we would ask as a condition of approval that the affordable housing would be contingent on receiving a tax abatement. He said if we did receive a tax abatement we would return to Planning and Zoning and identify the units that would be offered as affordable housing. Attorney Alter gave Mr. Popper a proposed draft of that condition of approval.

Attorney Alter described the location and conditions of the current site and noted that the existing building is in disrepair. He said Mr. Chuck Coursey has been doing community outreach in an effort to meet with impacted neighbors to present the plan and address any concerns they have. He said Mr. Coursey went door to door and called people as well. He said the biggest concern is access to Christian Hill Road and he said that would not change. Attorney Alter said it is currently only accessible by emergency vehicles and that is how it will remain. He said there are concerns of a buffer but we are proposing a healthy buffers all around the property. Attorney Alter said there is a concern regarding the height of the buildings but we will be consistent with the surrounding area. He said this use will create less traffic than prior use. He said they will

also use the most up to date dark sky lighting. Attorney Alter said the proposed amenities on 15R Christian Hill Road have been relocated away from the existing neighborhood. Attorney Alter submitted 16 letters of support to Mr. Popper from residents of Christian Hill Road and also from local supporters such as Larry McHugh of the Middlesex County Chamber of Commerce. Chairman Kelly said we have copies and many are from residents from the other side of town. She said only a few are from Christian Hill Road and the surrounding area. Chairman Kelly asked if they solicited them and Attorney Alter said that Mr. Kenny of Lexington Partners is familiar with many people in town as he lives in Cromwell.

Mr. Grant Losapio, a landscape architect with Freeman Companies at 36 John Street, Hartford, CT gave a recap of the master plan and noted that the topography here is a challenge. He said there will be 254 rentals, 24 condos, 12,750 square feet of amenities, 30,000 square feet of commercial space and 441 parking spaces. He described the location of the buildings, parking lots and the landscaping at the site.

Mr. Mark Vertucci, Traffic Engineer with Fuss and O'Neill at 146 Hartford Road, Manchester, CT said this is a great site for traffic access. He said they analyzed the two highest hours per day and there is no huge influx of traffic expected from this site. Mr. Vertucci said the sight lines exceed the DOT criteria. He said that signal phasing/timing improvements can improve existing operations. He said the DOT made a recommendation of improvement for the widening of Route 372 at the northeast corner of the driveway by about 50 feet to allow for an eastbound left turn lane. He said we will do that and that will also mean we will shorten the right turn lane onto Route 91 to allow this.

Mr. Vertucci said there are 441 spaces and 40 of those spaces are dedicated to the townhomes. He explained that the town homes will have one garage space and one parking lot space. He said there are no other assigned spaces and that the remaining spaces will be shared with the residential, office, restaurant and retail and they expect the max demand will be 399 spaces so they have an 82-space surplus. Mr. Vertucci said I am very confident this is sufficient parking. Mr. Cannata asked if the charging stations are dual charging spaces.

Mr. Jim Cassidy an Engineer with Hallisey, Pearson and Cassidy pointed out that there 2 are single and 5 are dual creating a total of 12 charging stations.

Mr. Cassidy reviewed the utilities and said the present site has 330,637 square feet of impervious coverage and the proposed site will have 281,780 square feet of impervious surface. He said there will be a decrease in flow rates of 1.2% to 5.4% for various storm events. Mr. Cassidy said there are presently no storm water quality measures in place. He said they are proposing LID and BMP measures that will provide primary and secondary water quality treatments especially for first flush. He said these LID and BMP measures may consist of bio-retention swales and basins, rain gardens, vegetative filter strips and stormwater separators.

A recess was called at 8:17pm so the recording tape could be changed. The meeting was called back to order by Chairman Kelly at 8:22pm.

Mr. Cassidy prepared an extensive review of the sewer system and showed the sewage

connection and said there will be no impact to Christian Hill Road. He said the existing flow is 54,400 GPD and the proposed flow will be 70,325 GPD. He said Sewer Administration, Richard Peck confirmed there is ample capacity for this and it will go to the Cromwell Water Authority for approval.

Mr. Grant Losapio a landscape architect with Freeman Companies at 36 John Street, Hartford, CT showed the landscape plan and said special attention was paid to the buffer in the residential area and they are adhering to the 50-foot buffer.

Mr. Ernest Nepomuceno Architect at Tecton Architects, 34 Sequassen Street, Hartford, CT showed the aerial view of the buildings discussed the building materials saying they are using mostly stucco, white cement board, metal panels and buff brick. He showed sample boards to the Commissioners. He showed them perforated corrugated metal panels and said they will be used at the entry to the garages that will provide ventilation.

Jim Cassidy an Engineer with Hallisey, Pearson and Cassidy said the sequencing of the project would be to obtain local approvals, utility disconnects and abate hazardous materials. He said they would then mobilize large scale equipment for demolition and dismantle the hotel, the east side of the parking garage and the infrastructure. Mr. Cassidy said the work would proceed from east to west and then from south to north. He said construction would probably take around 2 years after approvals and demo. Mr. Cannata asked if they would be crushing during the demo to reuse any materials and Mr. Cassidy said he wasn't sure yet but he knows they will need another permit for that activity.

Attorney Alter summarized the project and said that concludes their presentation.

Chairman Kelly asked if any members of the public wanted to speak regarding these applications.

Ms. Eugenia Falco, 20 Christian Hill Road asked about the height of building 3 and said when I look out my front window I will see the mechanicals on top of the building. She said the building will be 107 feet high. She said this will impact us a lot. She said that Route 372 has crashes all of the time and even Lowe's doesn't let you take a left hand turn out of the parking lot without sending you to the exit with the light.

Mr. James Demetriades of 272 Skyview Drive said he only has a question and that he is looking for some clarification of the contingency regarding affordable housing and a tax abatement.

Mr. Popper said the applicant is advising the Commission that their proposal could change if they don't receive a tax abatement. He said this won't be a condition of approval. Mr. Demetriades said we could place conditions on abatement and Mr. Popper said I have never heard of that and this is a matter for the town attorney. Chairman Kelly said the tax abatement is not under our purview.

Ms. Patricia Dickenson of 31 Coles Road said we walk Route 372 almost daily and people are rushing and speeding to get onto Route 91. She said we will hear more sirens with this

development. She said if there is an accident on 91 they send traffic to Coles Road and Christian Hill Road. She also asked the walkway to the sewer line and said they are not supposed to clear cut trees. Mr. Popper said they have a right to cut in wetlands and the flood plains as long as you don't stump. Ms. Dickenson also asked about lights and Mr. Popper said they will use shield lights with a downcast. Ms. Dickenson said the light from Lowe's blinded us and we had to speak to them about it but they fixed it.

Mr. Victor Novoa of 22 Christian Hill Road said he doesn't see how they won't kill our privacy. He said Christian Hill was quite for a long time and he agrees with Ms. Falco that this will impact us and asked the Commission to please do something.

Ann Halibozek of 7 Christian Hill Road asked how the property lines will be delineated and how will people know where to walk. She asked if the walkway would be marked. She also asked about the picnic area and if food scraps would be left behind and who will pick up the trash from the area.

Jim Cassidy said we are replacing all lighting with high efficiency LED dark sky friendly lights. He said the townhouses will shield the lighting to homes on Christian Hill Road. He said we are also not planning any major clearing just cleaning up the edge of the slope. He said it is an existing sewer line so no additional clearing is needed. He said there will be no other pathways out to Christian Hill Road. He said we did hear of concerns of amenity areas so we moved the dog park to the west side of the site. He said there are no other amenities proposed on the east side adjacent to the Christian Hill Road neighbors. Mr. Cassidy said the building management company will maintain the walking trail and picnic area as well.

Mr. Cassidy explained the building height of building B and said it is not 107 feet high but 50 feet. He said the peak of the houses will be the same peak of the building. He said this would be similar to any other commercial building.

Grant Losapio said he would speak to the delineation of the property and said the 50-foot buffer would include trees, shrubs and lawn. He said they will use what is there and add anything that is needed.

Attorney Alter said this project has been subject extensive review by town staff. He said the local police have reviewed this and have no concerns. He said there is not a significant increase to traffic on Berlin Road and we are not responsible for what is going on now on Route 372. Attorney Alter also said that with all due respect to 22 Christian Hill Road we are completely compliant with all requirements and have done everything we could to prevent intrusion. He said a 150-lot subdivision would be much worse. He said they are trying to offer the residents of the townhome's privacy as well.

Mr. Popper said the question of property lines was raised and Attorney Alter said we are trying to change as little as possible and a fence would require us to clear the woods and we don't want to do that. He said if there is a problem we would address it immediately. Mr. Losapio said there is existing vegetation on the west side and they are adding to it to ensure there is a 50-foot buffer. He said we won't cut the existing vegetation except for a selective cutting for utilities.

Mr. Donahue asked if the fire marshal had any comments and Mr. Popper said the fire marshal signed off on the new plans on Friday.

Ms. Grasso said it was a great presentation but the townhouse roofline surprised me. She said they don't transition well and don't look like New England. She asked what the backside looked like and asked if there was an exit there that invaded privacy.

Mr. Nepomuceno showed the clapboard backside and said the eastern townhomes have a patio on the North and the north townhomes have a patio on the north towards Christian Hill Road. He said the townhomes descend a bit.

A recess was called at 9:34pm to change the recording tape. The meeting was called back to order by Chairman Kelly at 9:39pm.

Mr. Martin Kenny, Lexington Partners, 1 Financial Plaza, Hartford, CT said that Cromwell needs contemporary architecture and I didn't just come up with this. He said his company has done lots of research with other developers and real estate companies in town. He said he also lives in Cromwell. Chairman Kelly asked if he has ever built townhomes like this and Mr. Kenny said no, but I have never built townhomes condominiums before.

Mr. Cambareri thanked Mr. Kenny for the professional presentation and said hopefully we can approve this tonight. He said it looks amazing and you met all the regulations. He said to please keep an eye out for what the neighbors are looking for.

Mr. Demetriades said that some homes will look into the back of these townhomes and he hopes they will keep the line of sight as green as possible. He asked about the open parking concept and Mr. Alter said it is an urban attitude where people understand they may have to walk to get to their car. Mr. Demetriades also asked about the affordable housing. Attorney Alter said they have to satisfy the CT Department of Housing Standards to offer 5% of the units at a price of 80% of the medium income. He said those units must remain like that for 40 years. He said the tenant must re qualify every year. Attorney Alter said Cromwell doesn't have a housing authority but Mr. Kenny does have a system in place for this and would share his reporting with the town. Mr. Kenny said this project doesn't work without a tax abatement. Attorney Alter said if that falls apart they would come back to work that out.

Mr. Cordone asked about the type of trees they would use in the buffer and Mr. Losapio said they will pick two different types of trees and try to use native planting wherever possible. Mr. Cordone asked if they would use a screening around any mechanical units on the roofs of the building to ensure their neighbors don't have that view. Mr. Kenny said they haven't finalized energy systems yet but sometimes they could require less infrastructure on the roofs but we can put screenings around them regardless. Mr. Cordone said the presentation was awesome.

Mr. Cannata asked about the 5% affordable housing and Attorney Alter said in their binders there was a spreadsheet which showed the proportionate spread of studios, one bedroom and 2-bedroom units that would be available for the 5%. Mr. Cannata asked about solar energy and Mr. Kenny said they are interested in this and we have met with some contractors regarding this. Mr.

Cannata asked what would happen if they didn't get the tax abatement and asked if they would change the scope of the project. Mr. Popper said I haven't seen any tax abatement denied by the town but we just don't know the amount and time of the abatement. Mr. Kenny said we would have a problem. Attorney Alter said his client would not walk away from the project if this doesn't go forward and we will do anything we can and will look to other resources.

Chairman Kelly said I applaud this presentation but don't like the townhomes.

Mr. Popper said the public hearing is still open and there are 13 letters of support for the project with two from residents on Christian Hill Road. John and Doreen Danek are concerned the emergency access could be turned into public access. Mr. Popper said we can see on the site plan it won't ever be open to the public and the developer has assured us it won't change and will always be gated. He said there is also a letter of support from the Middlesex County Chamber of Commerce.

Mr. Popper said all town comments have been submitted and Mr. Egan's comments from October 17th haven't been addressed and Mr. Harriman's memo from October 25th haven't been addressed so any approval should have these conditions. He said that they meet the parking requirements that the police chief had. Chairman Kelly asked about snow removal plans and Mr. Cassidy said there is a specific snow plan where we would store the snow.

A motion was made by Michael Cannata and seconded by Ann Grasso to close the public hearing for applications #22-32, 22-33, 22-34. All were in favor; the motion passed.

Mr. Popper said the applicants should be decided in the order of #22-32, #22-33, #22-34.

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve application #22-32 with the condition that comments from Mr. Egan's memo dated October 17th and Mr. Harriman's memo dated October 25th be adhered to. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to approve application #22-34 with the condition that comments from Mr. Egan's memo dated October 17th and Mr. Harriman's memo dated October 25th be adhered to. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Paul Cordone to approve application #22-33 with the condition that comments from Mr. Egan's memo dated October 17th and Mr. Harriman's memo dated October 25th be adhered to. All were in favor; the motion passed.

11. Commissioner's Comments:

12. Approval of Minutes:

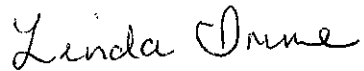
a. October 6, 2022

Mr. Popper said we will have the minutes at our next meeting.

13. Adjourn:

A motion was made by Michael Cannata and seconded by Robert Donohue to adjourn at 10:16pm. All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda Imme".

Linda Imme
Recording Clerk