



Town of Cromwell Planning and Zoning Commission

REGULAR MEETING 7:00 P.M. TUESDAY JANUARY 17, 2023 COUNCIL CHAMBERS CROMWELL TOWN HALL 41 WEST STREET

Minutes and Record of Votes

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Robert Donohue, Paul Cordone, John Keithan

Absent: Brian Dufresne, Ken Rozich, Nick Demetriades, Ann Grasso,

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 7:02pm by Chairman Kelly.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

A motion was made by Michael Cannata and seconded by John Keithan 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 with the amendment of adding 2 items; Application #23-02 Tim Farrell, 562 Main Street; special permit to park an oversized vehicle and to nominate and approve the election of officers. All were in favor; the motion passed.

5. Public Comments - none

6. Development Compliance Officer Report:

Mr. Driska said there was a report in the package. Chairman Kelly asked why application 22-38 showed

pending and Mr. Driska said that is actually the withdrawn application for the oversized sign on Nooks Hill Road.

7. Director of Planning and Development Report:

Mr. Popper said that construction continues around town and there are new businesses moving into the Shop Rite center. He said they are all permitted uses so we won't see them come before the commission. Mr. Popper said one is a weight loss center and the other is a poke bowl restaurant. He said there is also a possible tenant for the old pet store. Mr. Popper said he has talked to the owner of the 99 Restaurant building and he informed him they are in talks with several restaurants and they hope to fill the space soon. He said there has not been any movement with cannabis shops yet but he knows that 5 Berlin Road was sold. Mr. Popper said the billboard prep at the old Citgo station is complete but the property owner still does not have the approval from the State. He said I haven't heard from them since they were here with their attorney a few months ago.

8. New Business: Accept and Schedule New Applications:

a. Application #22-45: Request for Site Plan Modification to construct a Texas Road House Restaurant at 51 Shunpike Road. HBN-CSC, LLC c/o HB Nitkin is the Applicant and the Owner.

A motion was made by Michael Cannata and seconded by Paul Cardone to accept and schedule application #22-45 for February 7, 2023. All were in favor; the motion passed.

b. Application #23-01: Request for a Site Plan Modification to install electric car charger units at 110 West Street (Covenant Village). Covenant Living of Cromwell Inc., Covenant Village of Cromwell is the Applicant and the Owner.

A motion was made by Michael Cannata and seconded by Robert Dononhue to accept and schedule application #23-01 for February 7, 2023. All were in favor; the motion passed.

c. Application #23-02: Request for a Special Permit to park an oversized vehicle at 562 main Street. Tim Farrell is the applicant and owner.

A motion was made by Michael Cannata and seconded by Chris Cambareri to accept and schedule application #23-02 for a public hearing on February 21, 2023. All were in favor; the motion passed.

d. Election of Officers

Michael Cannata asked Alice Kelly to stay on as Chairman; Chairman Kelly accepted.

A motion was made by Michael Cannata and seconded by Chris Cambareri to nominate Alice Kelly as Chairman. All were in favor; the motion passed.

Chairman Kelly asked Michael Cannata to stay on as Vice Chairman; Vice Chairman Cannata accepted.

A motion was made by Alice Kelly and seconded by Chris Cambareri to nominate Michael Cannata as Vice Chairman. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to nominate Ken Rozich as Secretary. All were in favor; the motion passed

9. New Business:

- a. Application #21-32: Request to Release the Scheu Farm Subdivision Erosion and Sedimentation Control Bond at 20 Woodside Road. Reed Builders, LLC is the Applicant and the Owner.

Mr. Driska said there are ample funds remaining if we reduce the bond from \$12,331 to \$4,354.
Mr. Driska said each house has their own Erosion and Sediment Control bonds.

A motion was made by Michael Cannata and seconded by Chris Cambareri to retain \$4,354 out of the Scheu Farm Subdivision Erosion and Sediment Control Bond and release the remaining amount with interest. All were in favor; the motion passed.

- b. Application #22-44: Request for Site Plan approval for a medical office building adjacent to 80 Shunpike Road. Opportunity Real Estate Equities, LLC is the Applicant and Margaret E. Chernock, Trustee, Etals is the Owner.

Mr. Popper said we can hear application #22-44 with the Public hearing for application #22-43.

10. Public Hearings:

- a. Application #22-43: Request to create a two lot Resubdivision at 162 West Street. Opportunity Real Estate Equities, LLC is the Applicant and Margaret E. Chernock, Trustee, Etals is the Owner.

Mr. Popper read the public hearing notice dated January 5, 2023.

A motion was made by Michael Cannata and seconded by Chris Cambareri to open the public hearing for Application #22-43. All were in favor; the motion passed.

John Wagenblatt, Principal with LRC Group, 160 West Street, Cromwell, CT said the applicant is proposing a two 2 story medical office building at the site. He said it is a 4 acre parcel located within a 31.18 acre parcel. He said the entrance and exit will be via an existing driveway at 80 Shunpike Road. Mr. Wagenblatt said the applicant is also the owner of 80 Shunpike and will grant all access to the site. He said we have flagged the wetlands and did receive approvals from the Cromwell Inland Wetlands Commission. Mr. Wagenblatt said the Shunpike Creek is located within the parcel but not within the 4 acre proposed lot. He said this is a business park zoning district bordered by businesses and residential. He said the site is a mature forest with an abandoned stone foundation on the property. Mr. Wagenblatt said they are proposing a two-story building consisting of two 10,402 square feet stories and a possible expansion of 3,000 square feet on each floor. He said we are proposing the correct number of parking spaces to correlate with the future building. He said 153 spaces actually exceeds the requirement. Mr. Wagenblatt said they are proposing a pedestrian connection with stairs and a concrete walkway between the existing 80 Shunpike building and the new building. He said light fixtures will be dark sky compliant and there

will be no lights leaking to adjoining properties. He said they will get power and water off of Shunpike and they have been working with the water department. He said they will propose a construction entrance and erosion control blankets for the slopes. He also said there will be retaining walls with the highest point of the wall being 24 feet and they will propose a fence around the dumpster pad. Mr. Wagenblatt said they will add pine trees to the other side of the stormwater treatment area as was discussed at the Wetlands meeting to provide a buffer to the abutter.

Mr. Wagenblatt said they will have two signs, one monument sign at the entrance which will be on a stone base and will be 24 square feet sign and the other sign will be wording mounted on the building on the west side. He said there will be no ambulatory services at this building and will have operating hours of 8:00am to 6:00pm Monday through Friday and possibly some Saturdays from 8:00 am to noon.

Mr. Popper asked Mr. Wagenblatt for a picture of the building in color. Mr. Wagenblatt said we don't have that and said it will be an insulated metal panel building with a mirror image on the other side. He said the building height will be 25 feet, 10 inches from the finished grade. He said the first floor of this building will be 10 feet lower than the 80 Shunpike building.

Chairman Kelly said a color rendering is part of our zoning requirements and we would want to see that before we say yes or no. She said you should also have samples of the materials you will be using. Mr. Cannata said we can approve the concept and site with the condition of seeing the building to ensure we like it.

Mr. Richard Reynolds, LRC Group, 160 West Street, Cromwell, CT said the total impervious area coverage increased so the onsite stormwater management system required a drainage system designed to accommodate future expansion. He said we have addressed town comments and have provided a response to the various letters we received from them. Mr. Reynolds said the erosion control plan will handle construction vehicles, debris and a temporary sediment trap.

Mr. Popper asked Mr. Reynolds to talk about the retaining walls and address the height. He asked if he could show pictures of the walls. Mr. Reynolds said they will be versa lock concrete blocks in a gray color but he does not have a picture. Mr. Cannata asked if Mr. Harriman has reviewed the retaining walls and Mr. Popper said yes, he has reviewed the plans and knows some areas will be 20 feet high. Mr. Reynolds confirmed the wall will range in height from zero to 20 feet. He also said there will be a chain link fence on top of the wall behind the guide rail. Mr. Popper asked about the drainage and Mr. Reynolds said the excavated catch basins will collect water with a roof leaders collection system. He said the storm water chamber system will be inspected annually or semiannually. He said the Town Engineer requested the maintenance and an operation manual. He said the manual will be filled out annually by the owner and submitted to the Town Engineer to comply with the maintenance of the drainage systems. Mr. Popper said that there will be a note on the plans in the mylars. Mr. Popper also said there have been comments from numerous town departments and with the exception of the Town Engineer they have been addressed. He said the Town Engineer's comments should be a condition of any approvals. Mr. Reynolds said we have replied to Mr. Harriman's so we are just waiting for his reply to indicate if our responses are ok or if we need changes.

Chairman Kelly said this will add substantial water to the wetlands and Mr. Reynolds said this was a 25 year storm design and the Town Engineer asked us to do analysis with a 100 year storm so the plans have been revised to address that.

Mr. Cannata asked about sprinklers and Mr. Reynolds said yes, the building will have them. Mr. Cannata asked about the Fire District made comments. Mr. Reynolds said that they have uncovered an existing water main and are verifying it for size so they are having conversations about adding another hydrant.

Mr. Reynolds confirmed there will be 153 parking spaces for the proposed building. Chairman Kelly asked if they would do this in 2 phases and Mr. Reynolds said yes and they have a landscaping plan in place in case they don't add the expanded area.

Chairman Kelly asked if any member of the public wanted to speak regarding this application.

Donna Vickers, 92 Shunpike Road, Cromwell said she and her neighbors that live up to Evergreen Road are concerned about the increase of traffic this will bring. She said I am aware this is zoned for commercial but I have to currently wait minutes to get out of my driveway. She said this will result in a massive increase in traffic coming onto Shunpike and this is encroaching on homes with lots of children. Ms. Vickers said I expected the entrance and exit to be somewhere else. She said a traffic light would not be an acceptable solution since it would create further backups and more trash. Ms. Vickers said I am concerned about the entrance and exit impact.

James Rude, 25 Highridge Road asked where the construction trucks will go in and out. He also said the public hearing sign on the property didn't include the address and Mr. Popper said it did include the application number. Mr. Rude said that if a picture of the building is required for an application then we should be able to see it. He said if it is approved with a condition that the Commission sees it later than the public would not have a say.

A recess was called at 8:19pm so the recording tape could be changed.

The meeting was called back to order at 8:25pm

Mr. Rude said he is aware the Plan of Conservation and Development is being updated and he said that the Transportation portion of that plan says the roads are over capacity. He also said that it is hard to believe that the lighting won't leak out and have an impact on the residences. Mr. Rude asked how tall the light poles are and will the lights be on all night or are they motion sensors. He said they are proposing to remove a lot of trees and the noise from the highway will increase. He said a barrier by the road should be considered. Mr. Rude said he would also like to know if the signs will be backlit.

James Kerr, 10 Summer Brook Lane said the tree buffer on the existing property at 80 Shunpike has been killed off by the snow plow. He suggested an escrow account be created to fund the trees being grown there. He asked if the water situation would kill trees and vegetation. He said he agreed with a sound barrier as he can already hear noise from the shopping center. Mr. Kerr said my backyard is lit up from the existing building. He asked if any of the Commissioners have a financial interest in this project and Chairman Kelly said no, if they did they would recuse themselves from the public hearing. Mr. Kerr also said the dumpster is picked up now at 6:00am and with two dumpsters it will be a double whammy. He said they plow the snow into my property so no trees in the back of my property can grow. Mr. Kerr showed on the map where his tree line stopped on his property. Chairman Cannata asked him to show where the dumpster was now and Mr. Kerr pointed to the location on the map.

James Jordan, 30 Highridge Road, Cromwell said he is concerned that future commercial access on the remainder of the lot would be in his backyard.

Mr. Wagenblatt, LRC Group said that access would be impossible from the Shunpike to the rest of the site due to the wetlands and West Street would be the only option.

Chairman Kelly asked if there was anyone else from the public who wanted to speak. No one came forward.

Mr. Popper told the applicant that this will be tabled until the February meeting and to please provide answers to these questions.

Mr. Cannata said they wanted color architectural, elevations from appropriate sides and the materials being used. He asked how high the light poles are and Mr. Wagenblatt said 16 feet. Mr. Cannata asked if that is what is on the existing building now and Mr. Wagenblatt said he would have to get back to him on that. Mr. Cannata said he also wanted to know if the dumpster can be moved to the southeast corner of the site. He said he also wanted more information on the engineering of the 20 foot wall, with a color rendering and a letter from Mr. Harriman regarding the retaining wall.

Mr. Cannata asked Mr. Driska about a sound barrier and Mr. Driska said he would research it. Mr. Cannata said he wanted to know about the devastation from the salt at the existing site, a response from Harold Holmes on the fire hydrant and an updated letter from Mr. Harriman.

A motion was made by Michael Cannata and seconded by Robert Donohue to table application #22-44 until February 27, 2023. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Chris Cambareri to continue the public hearing for application #22-43 until February 7, 2023. All were in favor; the motion was passed.

11. Commissioner's Comments:

12. Approval of Minutes:

a. November 15, 2022

A motion was made by Michael Cannata and seconded by John Keithan to approve the minutes of November 15, 2022. All were in favor; the motion was passed.

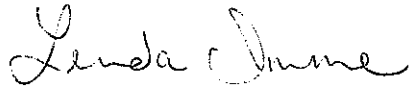
b. December 6, 2022

There was not a quorum present to vote on the minutes of December 6, 2022.

13. Adjourn:

A motion was made by Michael Cannata and seconded by Robert Donahue to adjourn at 8:48pm. All were in favor; the motion passed.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda Imme". The signature is fluid and elegant, with the first name "Linda" and last name "Imme" clearly distinguishable.

Linda Imme
Recording clerk