

Town of Cromwell Planning and Zoning Commission

REGULAR MEETING **7:00 P.M. TUESDAY NOVEMBER 17, 2015** **ROOM 224 CROMWELL TOWN HALL 41 WEST STREET** **Amended Minutes**

Present: Chairman Alice Kelly, Michael Cantata, Ken Slade, Paul Cordone, Chris Cambareri, Jeremy Floryan, Alternate Dave Fitzgerald

Absent: Rich Waters, Ken Rozich, Brian Dufresne,

Also Present: Town Planner Stuart Popper, Town Engineer Jon Harriman, Zoning Enforcement Officer Fred Curtin

1. Call to Order

The meeting was called to order by Chairman Kelly at 7:06pm.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

A **motion** was made by Ken Slade and **seconded** by Michael Cannata to seat David Fitzgerald as an alternate. *All were in favor; the motion passed.*

4. Approval of Agenda

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

5. Public Comments - none

6. Development Compliance Officer Report:

Mr. Curtin said that 3 donation bins showed up in 3 different parking lots and within 3 days I had them gone. He said that One Willowbrook has pulled the signs out of the ground.

Mr. Popper said that the storage bins are in place at Walmart and they put them on the west side, to the right and to the back. He said that a new restaurant at 544 Main Street, Johnny Tomato's,

is not open yet.

Mr. Curtin said he pulls up signs once a week and throws them out.

Mr. Cambareri said there is some line of site issues with utility boxes. He said it is not safe. Mr. Curtin said he will get the box number and contact Frontier.

Mr. Floryan said that he had several people contact him about 62 Geer Street. He said the property has been occupied about 18 months and it is unkempt. He said there are several storage containers on the property and now the surrounding neighbors are having a problem with mice. Mr. Curtin said he will look into it.

7. Town Planner Report:

Mr. Popper said there is an application pending to the Connecticut Siting Council for a cell tower to be installed to the rear of Cromwell Concrete. He said there will be a public hearing here on November 30th and this will be sponsored by the CT Siting Council. He said the town is not involved but I am happy to share the information I have with anyone. Chairman Kelly said you can also go to their website for more information. Mr. Curtin said they floated a red balloon 125 feet in the air and took pictures from different locations. Mr. Popper said that Verizon Wireless is the actual applicant. Chairman Kelly asked Mr. Popper to please send a reminder and Mr. Popper said he will forward the notice.

8. New Business:

a. Approval of Planning and Zoning Commission Meeting Dates for 2016

Chairman Kelly said we need to change the November meeting to November 3, 2016 due to the 1st being on Election Day.

A **motion** was made by Michael Cannata and **seconded** by Dave Fitzgerald to approve the 2016 meeting dates as amended. *All were in favor; the motion passed.*

b. Application #14-31: Shady Lane Conservation Subdivision Request for Reduction of Letters of Credit.

Mr. Popper said there are emails from Mr. Cassidy in your package. He said they are looking to reduce the roadway improvement letter of credit and the Erosion control letter of credit. Mr. Harriman said he is ok with reducing the roadway improvement letter of credit and Mr. Curtin said he is ok with reducing the erosion letter of credit.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to approve the reduction of the roadway improvement letter of credit to \$86,650.50. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to approve the reduction of

the Erosion control letter of credit to \$8,421. *All were in favor; the motion passed.*

9. New Business Accept and Schedule New Applications:

- a. Application 15-45: Request to modify the existing Special Permit for Signage (Section 5.3.B.2 (2) at 31 Berlin Road. Replace existing manual pump topper with electronic numbers. Carolyn Parker is the Applicant and Cumberland Farms Inc. is the Owner.

Mr. Popper said that the signs would be on the pumps themselves.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to accept and schedule application 15-45 for December 15, 2015. *All were in favor; the motion passed.*

10. Old Business:

- a. Application #15-44: Request to Modify Site Plan at 30 Shunpike Road. McDonald's Corporation is the Applicant and the Owner.

Mr. Popper said we will hear application 15-44 with application 15-43, which is a public hearing.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to allow applicants for application 15-43 to reduce the number of parking spaces to 59 from the required 86. This is based on the submitted report that there is no need for them. *All were in favor; the motion passed.*

A motion was made by Michael Cannata and seconded by Ken Slade to approve application 43. All were in favor; the motion passed.

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to approve application 15-44. *All were in favor; the motion passed.*

- b. Application #07-23: Pondview Subdivision: Request to Accept Deming Lane and Robbie Road as Town Roads.

Mr. Popper said that we are still waiting for the deed warranty.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to table application 07-23. *All were in favor; the motion passed.*

11. Public Hearing:

- a. Application #15-43: Request to Modify Special Permit for the Drive-Thru Improvements at 30 Shunpike Road. McDonald's Corporation is the Applicant and the Owner.

Mr. Popper reads the public hearing notice dated November 2, 2015. He said the sign was posted

and the applicant mailed the certified mailing to abutters.

A motion was made by Michael Cannata and seconded by Ken Slade to open the public hearing for application '15-43. All were in favor; the motion passed.

Eric Dubrule of Bohler Engineering said that they had come in with a similar application in 2012 for a site plan review. He said they made the submission then withdrew the application. He said this is similar with some updated plans. He said they are not aware of any outstanding issues. He said this will be a typical McDonald's and explains the changes. He showed the existing trash area and said the play scape will be removed. He said they will maintain the driveways and the curbing will stay the same. He said there will be an 80 square foot addition to the building. Mr. Dubrule said this will be a new modern look. He said they will be rebuilding the existing trash enclosure and will remove the play area and replace with parking. He said a single drive thru will go to two lanes and alleviate stacking. He said there will be reduction in parking. The regulations require 86, we were approved with 63 and now we are proposing 59 spaces. He said a parking study was done and it shows adequate parking even with less. He said the drive thru will be better so less people are going inside. He said there are two small changes including a curb ramp in front and a ramp with rails in the back. Mr. Popper asked if the designs would be similar to the Berlin Road McDonald's. Mr. Dubrule showed the rendering, which he said is not an exact model, to give an idea of materials being used. He said these are more subtle sign packages than allowed.

There was a discussion on the parking stalls for people who needed to wait for drive-thru orders. Chairman Kelly asked them to move the stalls to side closer to the restaurant. Mr. Dubrule said that should be fine and showed where the 4 stalls were being eliminated. Mr. Popper said that access to the restaurant and handicap parking will stay the same. Mr. Dubrule said that there will be adequate space to pass by the two drive-thru lanes; they tested it with a large delivery truck.

Mr. Cambareri said that is great for the town when owners reinvest in their property.

Nick Haskos, Owner of McDonald's said that he and his son John have operated in Cromwell since 1996. He said we love this town and try to give back. They said this remodel will look like the one on Berlin Road and will take about 2-3 months once they start the remodel.

Chairman Kelly asked for anyone in the public who wanted to speak for or against this application. No one came forward.

- b. Application #15-38: Request to amend Sections 1.7, 2.2.B, 2.2.C, 2.7.A.5 of the Zoning Regulations. The Town of Cromwell Planning and Zoning Commission is the Applicant.

Mr. Popper referred to a memo from Jillian Massey dated July 21, 2015. There was a discussion on some of the definitions and a few changes were made. Glass was deleted from the greenhouse definition. Mr. Popper said I need to confirm that we have the authority to say where the utilities

and sub-stations can be located. He said these applications have gone through Wetlands before.

Mr. Cordone asked if the coop definition could be open for interpretation since no size is indicated. There was a discussion on what size is allowed and decided to limit the size to 100 square feet maximum.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to approve the recommended text amendments to sections 1.7, 2.2.B, 2.2.D, 2.7.A.5, with the discussed revisions. *All were in favor; the motion passed.*

12 Approval of Minutes:

a. October 20, 2015

A **motion** was made by Michael Cannata and **seconded** by Paul Cordone to approve the minutes of October 20, 2015. *Chris Cambareri abstained, the rest approved; the motion passed.*

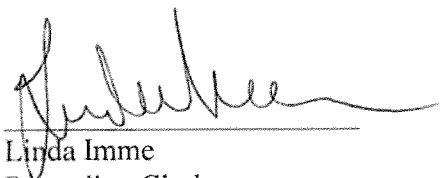
13. Commissioner's Comments:

Chairman Kelly said that Nick Demetriades sent a note to her saying that he was no re-elected to Planning and Zoning Commission but it was a privilege to serve and best wishes to all those who were elected.

14. Adjourn

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to adjourn at 8:08pm. *All were in favor; the motion passed.*

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Linda Imme', written over a horizontal line.

Linda Imme
Recording Clerk