



## **Town of Cromwell Planning and Zoning Commission**

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

### **Minutes and Record of Votes**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Ann Grasso, John Keithan, Nick Demetriades, Chris Cambareri Douglas Kalinowski and Robert Donohue

**Absent:** Brian Dufresne, Paul Cordone and Ken Rozich

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

#### **1. Call to Order**

The meeting was called to order at 7:04 pm 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 Chris Cambareri to seat Robert Donohue and Douglas Kalinowski as alternates. All were in favor; the motion passed.

#### **4. Approval of Agenda**

Mr. Popper said he would like to amend the agenda to add three new applications to be accepted and scheduled this evening under New Business Accept and Schedule new applications. He said the applications were:

a. Application #23-36: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to construct an accessory building including an attached garage at 3 Crest Drive in the R-25 Zone. Erik Peryga is the applicant and owner.

b. Application #23-37: Request for Site Plan Approval under Section 2.2.B.3 of the Zoning Regulations to make site renovations at 20 James Martin Drive in the R-15 Zone. Town of Cromwell is the applicant and the owner.

c. Application #23-38: Request to modify the existing Special Permit under Section 7.5.A of the Zoning Regulations to permit a restaurant with the sale of alcoholic beverages at 546 Main Street in the Local Business Zone District.

A motion was made by Michael Cannata and seconded by Ann Grasso to approve the amended agenda.

**5. Development Compliance Officer Report:**

Mr. Driska gave an enforcement update on a complaint brought before this Commission at its last meeting regarding 39 Pasco Hill Road and 150 Sebethe Drive. Mr. Driska discussed his actions and the status of efforts to clean up 39 Pasco Hill Road and 150 Sebethe Drive.

**6. Director of Planning and Development Report:**

Mr. Popper said he wanted to report that at a special meeting of the Town Council last night a "Tax Abatement" was granted for 100 Berlin Road (the former Lord Cromwell/Radison/Red Lion site. He also said work continues on the Texas Road House, Arbor Meadows and other projects around town.

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

- a. Application #23-36: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to construct an accessory building including an attached garage at 3 Crest Drive in the R-25 Zone. Erik Peryga is the applicant and owner.

A motion was made by Michael Cannata and seconded by Nick Demetriades to accept and schedule application #23-36 for a public hearing on November 21, 2023. All were in favor; the motion passed.

- b. Application #23-37: Request for Site Plan Approval under Section 2.2.B.3 of the Zoning Regulations to make site renovations at 20 James Martin Drive in the R-15 Zone. Town of Cromwell is the applicant and the owner.

A motion was made by Michael Cannata and seconded by Robert Donohue to accept and schedule application #23-37 for a public hearing on November 9, 2023. All were in favor; the motion passed.

- c. Application #23-38: Request to modify the existing Special Permit under Section 7.5.A of the Zoning Regulations to permit a restaurant with the sale of alcoholic beverages at 546 Main Street in the Local Business Zone District.

A motion was made by Michael Cannata and seconded by Robert Donohue to accept and schedule application #23-38 for a public hearing on November 21, 2023. All were in favor; the motion passed.

## **8. Old Business:**

- a. Application #23-35: Request for a Site Plan Modification for the construction of the new middle school and administrative offices in a Residence Zone District at 9 Captain James Mann Memorial Drive. The Town of Cromwell Board of Education is the Applicant and the Town of Cromwell is the Owner.

Tom DiMauro, Vice President with Newfield Construction presented an update regarding the proposed access to the school construction site. He explained that town staff has agreed to allow Watrous Park Road to be used for the construction equipment entrance with the agreement that a five foot wide concrete sidewalk be installed on the west side of Watrous Park Road. Mr. Popper concurred with Mr. DiMauro.

A motion was made by Michael Cannata and seconded by Ann Grasso to approve application #23-35. All were in favor; the motion passed.

## **9. New Business:**

- a. Application #23-28: Request for a Site Plan Modification to construct 39 parking spaces and install electrical chargers at 14R Winchester Way (adjacent to 150 Country Squire Drive). Cromwell Village Associates, LCC is the Applicant and the Town of Cromwell is the Owner.

Rock Emond, Associate Civil Engineer, with SLR Consulting described the layout of the existing Landon multi-family development. He explained the need for the additional parking spaces and described the location and layout of the proposed parking lot. Mr. Emond also described the location and type of electrical charger units to be installed. He also discussed the proposed drainage improvements.

Mr. Popper said all staff comments have been addressed except for Mr. Bruce Driska's comments in his memo dated September 14, 2023.

A motion was made by Michael Cannata and seconded by Chris Cambareri to approve application #23-28 with the following conditions from Zoning Compliance Officer, Bruce Driska memo dated September 14, 2023:

1. Applicant shall provide an Erosion & Sedimentation Performance Bond spreadsheet.
2. Applicant shall provide the name and number of the individual responsible for 24/7 response to erosion & sedimentation control issues.
3. Applicant shall provide unobstructed access to emergency roadway at the conclusion of the workday.
4. Applicant shall provide site wide landscaping as indicated on application plan.

- b. Application #23-33: Request for a Site Plan Approval to construct an AutoZone Retail Store at 48 Berlin Road in the Highway Business Zone District. AutoZone, Inc. is the Applicant and Orion Pro Friend SL, LLC is the Owner.

Mr. Popper explained that we would hear the site plan application along with the

Special Permit application.

**10. Public Hearing:**

- a. Application #23-32: Request for a Special Permit under Section 4.2.O of the Zoning Regulations to allow for the installation of paving, curbs, sidewalks and utility upgrades within the Special Flood Hazard Area at 48 Berlin Road. AutoZone, Inc. is the Applicant and Orion Pro Friend SL, LLC is the Owner.

Chairman Kelly reads the public hearing notice for application #23-32.

A motion was made by Michael Cannata and seconded by Chris Cambareri to open the public hearing for application #23-32. All were in favor; the motion passed.

Mr. Kevin Leddy, P.E., with Kimberly Horn 1 North Lexington Avenue suite 505 White Plains New York introduced himself and said he is here representing the applicant AutoZone. He described the location of the site and the surrounding land uses. Mr. Leddy explained that the project calls for the demolition of the existing Friendly's building and construction of a new AutoZone building. He presented a detailed description of the site plan: the access drive, the building location, parking lot layout, dumpster location, loading area and landscaping. Mr. Leddy explained that there was a small area of floodplain located in the south east corner of the site where they will be milling and overlaying the existing parking lot, replacing curbing and an inlet structure. He also noted that they will be installing a new sidewalk along the frontage on Berlin Road connecting to the sidewalk at the corner.

Mr. Popper thanked the applicant for the all their efforts and especially for all the landscaping that was proposed at the site. He suggested that as a condition of approval that some type of irrigation system be installed or a maintenance agreement be provided for the watering of the landscaping.

Mr. Popper said all staff comments have been addressed except for Mr. Bruce Driska's comments in his memo dated October 4, 2023. Mr. Popper said the comments are as follows and apply only to the site plan application:

1. Revise page C-6.2. Erosion & Sedimentation Control (E&SC) Note #1- Include Town Staff.
2. Revise page C-6.2. Erosion & Sedimentation Control (E&SC) Note #13- Replace the words "Building Inspector" with Zoning Enforcement Officer.
3. Revise page C-8.1- Add the following to notes for compliance with §5.1, LANDSCAPING: All trees will be staked for one (1) year. Stakes shall be removed at the completion from one (1) year of planting.
4. Provide a variety of groundcover planting along the slopes facing the intersection of Berlin Road with Country Squire Drive.
5. Provide a variety of groundcover planting within the grassed areas the proposed entrance from Country Squire Drive.
6. Revise page LT-1.0- Provide height of luminaire poles to show compliance with §5.6, OUTDOOR LIGHTING

Chairman Kelly asked if there was anyone who wished to address the Commission.

Mr. Louis Beauchem of 8 Springdale Road spoke against the application for the AutoZone.

A motion was made by Michael Cannata and seconded by Chris Cambareri to close the public hearing for application #23-32. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Ann Grasso to approve application #23-32. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to approve application #23-33 with the requirement for an irrigation system or a maintenance agreement for the landscaping and Mr. Bruce Driska's comments in his memo dated October 4, 2023

**11. Commissioner's Comments:** None

**12. Minutes:**

**a. May 4, 2023**

A motion was made by Michael Cannata and seconded by Ann Grasso to approve the minutes of May 4, 2023. All were in favor; the motion was passed.

**b. July 18, 2023**

A motion was made by Michael Cannata and seconded by John Keithan to approve the minutes of July 18, 2023. All were in favor; the motion was passed.

**c. August 15, 2023**

A motion was made by Michael Cannata and seconded by Douglas Kalinowski to approve the minutes of August 15, 2023. All were in favor; the motion was passed.

**d. September 5, 2023**

A motion was made by Michael Cannata and seconded by Ann Grasso to approve the minutes of September 5, 2023. All were in favor; the motion was passed.

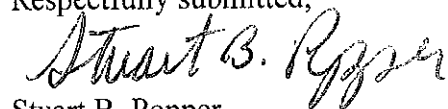
**e. September 19, 2023**

A motion was made by Michael Cannata and seconded by Douglas Kalinowski to approve the minutes of August 15, 2023. All were in favor; the motion was passed.

**13. Adjourn:**

A motion was made by Michael Cannata to adjourn at 8:01pm. All were in favor; the motion passed.

Respectfully submitted,



Stuart B. Popper

Temporary Recording Clerk