



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

**REGULAR MEETING  
7:00 P.M. THURSDAY NOVEMBER 9, 2023  
COUNCIL CHAMBERS CROMWELL TOWN HALL  
CROMWELL TOWN HALL  
41 WEST STREET**

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

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

**Absent:** Brian Dufresne, Chris Cambareri, Paul Cordone,

**Also present:** Zoning Compliance Officer Bruce Driska, Director of Planning and Development Stuart Popper, Town Engineer Jon Harriman

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

The meeting was called to order at 7:00pm by Chairman Kelly.

#### **2. Roll Call**

The presence of the above members was noted.

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Nov 28, 2023 09:46A  
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 and Doug Kalinowski as alternates. All were in favor; the motion passed.

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

A motion was made by Michael Cannata and seconded by John Keithan to approve the agenda with the amendment of adding 2 applications to agenda item #6; #23-39, 150 Sebethe Drive, a liquor permit for Oliver Cromwell Tavern, formerly known as Tap House 150 and Application #23-40, a liquor permit for Texas Roadhouse Holdings and in agenda item #7b; and a Section 8-24 Mandatory referral for the improvements to Pierson Park. All were in favor; the motion passed.

#### **5. Director of Planning and Development Report:**

Mr. Popper said that the Texas Roadhouse is under construction along with Arbor Meadows and the Goldfish swim school. He said many new businesses have opened up in Cromwell. Mr. Cannata asked if the EV charging stations are working yet and Mr. Popper said they are just waiting for the Town Council to determine the rate to charge the consumer but the chargers are ready to be turned on. Ms. Grasso asked about the curbing of the road leading up to the Town Hall and asked if they could put reflective paint on them. Mr. Jon Harriman, Town Engineer said there are no plans to do so since it is not allowed. He said it is a proper 90 degree intersection and the DOT reviewed the project and told us what radius to use.

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

6a. Application #23-39: Request for a liquor permit; 150 Sebeth Drive, Oliver Cromwell Tavern

A motion was made by Michael Cannata and seconded by Robert Donohue to accept and schedule application #23-39 for a public hearing on December 19, 2023. All were in favor; the motion passed.

6b. Application #23-40; Request for a liquor permit; Texas Roadhouse Holdings, LLC.

A motion was made by Michael Cannata and seconded by John Keithan to accept and schedule application #23-40 for a public hearing on December 19, 2023. All were in favor; the motion passed.

**7. New Business:**

a. 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.

b. Mandatory 8-24 referral Pierson Park Improvements.

Mr. Popper said we will hear application #23-37 at the same time we hear the 8-24 mandatory 8-24 referral.

Jon Harriman, Town Engineer said the town has plans to make improvements at Pierson Park by demolishing several buildings and remodeling an existing building. He said they will relocate the fueling station on site and it will be accessed by a turnaround drive that will be fenced off with access by DPW and town employees only. Mr. Harriman said we will rehab the mechanics garage into team rooms for the high school football team, visiting team and officials. He said the town received notice they were deficit in having an area for each team that was dry and heated. He stated they would like to add an open pavilion, walking paths, benches, waste receptacles, sand volleyball and bocce courts with new lighting and landscaping. He said a wetlands permit was received and they are turning an industrial area into a recreational area. Mr. Harriman said they are looking for a positive 8-24 referral that will show this is a good use of town land.

Mr. Greg Lachcik, Alfred Benesch & Company 120 Hebron Avenue, Glastonbury said this project consists of minor field improvements and a new configuration of the parking lot. He said they will move the fueling station with gate access by the Department of Public Works and town employees only. He said there will be a 15 foot runoff in the end zones as required by the national football rules as well as 6 foot runoff on the sides. Mr. Lachcik said they plan to improve the parking and access to the field. He showed the area where an open air gazebo, bocci and volleyball courts would be. He stated there will be EV charging stations as well. Mr. Popper said there is a new state statute that says state funded projects must have charging stations but he is trying to get clarification on that. Mr. Lachcik said there will be new bleachers with ADA access and fencing around the field with privacy slats. There was a discussion about the fencing and whether it is appropriate around the entire field. Mr. Harriman said in discussion he found out they are enclosing the field with 6 foot high fencing as a response to ticket revenue concerns. He said this is not an engineering concern and we can take your concerns under advisement. Chairman Kelly said she is concerned about the plastic slots on the fence and she would prefer what Algonquin has.

Mr. Harriman said a \$1.5 million grant was received but we requested \$2 million and the project cost is trending over \$2 million. He said as a result of this it will be a two phase project with the team rooms, parking improvements, refueling station move and ADA compliance in phase one and the other enhancements in phase 2.

Mr. Lachcik showed the footprint and layout of the team rooms and said it will be a metal sheeted building with a canopy. Mr. Harriman said we will repaint the building but can put in an alt add for resheeting instead of painting.

Mr. Popper said staff comments should be a condition of approval.

Chairman Kelly asked about the sewage and said she thought it was an old system. Mr. Harriman said he is not opposed to replacing it but it is in working condition. Chairman Kelly also asked about Mr. Holmes comments about requiring reinforced turf. Mr. Popper and Mr. Harriman said they didn't know what that meant and Mr. Popper would follow up with Mr. Holmes. Mr. Harriman also said the fueling station is not the only one the town has available for use since they have the new station at the highway garage.

Ms. Grasso said the 6 foot fence is not a good idea to have up all year round for a handful of games that are ticketed. Mr. Popper said a condition of approval can be to deny the 6 foot fence. Ms. Grasso asked about sinkholes in the walkways now and Mr. Harriman said we fill or make repairs as needed now since this was an old quarry. He said this new construction will be outside of that area.

A motion was made by Michael Cannata and seconded by Robert Donohue to issue a positive 8-24 referral for the Pierson Park improvement project. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Robert Donohue to approve application #23-27 with staff comments from Mr. Parisi, Mr. Holmes, Mr. Egan and Mr.

Palmieri as conditions of approval and the 6 foot high fence enclosing the field is not permitted. All were in favor; the motion passed.

## **8. Public Hearing**

- a. 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.

Chairman Kelly read the public hearing notice for application #23-38 dated October 25, 2023.

A motion was made by Michael Cannata and seconded by Ann Grasso to open the public hearing for application #23-38. All were in favor; the motion passed.

Mr. Popper said you approved the special permit for this restaurant on October 17, 2023. He said Mr. Began told him that he was able to negotiate a 5 year deal with the owner of Asian Market but the owner was not interested in a forever contract or other permanent easements for the additional parking that the Commission required. Mr. Popper said Mr. Began would like to open the restaurant with the 5 year agreement. Mr. Popper said he suggests the Commission can approve this with the condition that he has to return before the 5 years is up.

Robert Began and his son Tyler Began said they have been negotiating with the owner of the Asia Market. Mr. Cannata asked how many parking spots you need per the number of seats. Mr. Popper said they have 7 spots so they can have 28 seats but they have 48 seats. Mr. Cannata asked about cutting the wall and Tyler Began said they would like to do that and are talking with the owner about that. Tyler Began said that walking around the building into the front entrance is safe and there are no problems with that. He said we are working diligently on a plan and will have something before the 5 years is up.

Chairman Kelly asked if there was anyone in the public who wanted to speak regarding application #23-38. No one came forward.

A motion was made by Michael Cannata and seconded by Robert Donohue to close the public hearing for application #23-38. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Doug Kalinowski to approve application #23-38 with the condition that this is a five year agreement and the applicant will return in 4 years and 6 months for a review and this agreement will be filed with the land record. All were in favor; the motion passed.

## **9. POCD**

Mr. Popper said everyone should have received the copies of the Plan of Conservation and Development (POCD) and the recommendations.

Mr. Robert Collins, SLR Corporation said this is the final draft along with appendices, survey results and data analysis. He said you have all seen this many times before and we need to get this into the adoption phase so I am looking for any comments you have. Chairman Kelly asked several questions about items contained with the document. She said she was concerned with the amount of color in the document and Mr. Collins said it should mostly be viewed digitally. Chairman Kelly asked about impaired waterway and Mr. Collins said the state regulations call some of the waterways impaired and it does not mean the drinking water. Chairman Kelly asked him to change the word waterways to rivers and streams. Mr. Collins said he would look at pages 23 and 24 and the maps which Chairman Kelly said were confusing. Chairman Kelly also asked him to remove some pictures and Mr. Collins asked Mr. Popper to submit some new photos to put in the places of those pictures.

A recess was called by Chairman Kelly at 8:18pm to change the recording tape. She called the meeting back to order at 8:22pm.

Chairman Kelly continues with questions while reviewing the document.

Mr. Collins said we need to move to the adoption phase and it would make sense to accept the plan tonight and then we establish a public hearing date. He said January 9, 2024 would be the earliest we can have a public hearing. Mr. Popper said January 24, 2023 would be the best date. Mr. Collins said we will provide the town council with a letter and copy of the POCD 35 days prior to January 23rd and the document has to be posted on the website as well.

Chairman Kelly asked if the town departments have approved and reviewed the POCD and Mr. Popper said they will do that over the next 65 days.

A motion was made by Michael Cannata and seconded by Robert Donohue to find the POCD in substantial completion and to move forward to start the adoption process. Comments received tonight will be incorporated into the POCD before the Town Council reviews it and a public hearing will be scheduled for January 23, 2024 to adopt the plan. All were in favor; the motion passed.

#### **10. Commissioner's Comments:**

John Keithan said he was resigning from the Planning and Zoning Commission effective tomorrow. He said it has been a pleasure to serve on the Commission but he has to step down. Mr. Keithan handed Mr. Cannata his letter of resignation.

#### **11. Approval of Minutes:**

##### **a. October 3, 2023**

A motion was made by Michael Cannata and seconded by Nick Demetriades to approve the minutes of October 3, 2023. All were in favor; the motion passed.

##### **b. October 17, 2023**

A motion was made by Michael Cannata and seconded by Nick Demetriades to approve the minutes of October 17, 2023. All were in favor; the motion passed.

**12. Adjourn:**

A motion was made by Michael Cannata and seconded by Robert Donohue to adjourn at 8:55pm. All were in favor; the motion passed.

Respectfully submitted,

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

Linda Imme  
Recording Clerk