



## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY JUNE 21, 2016**  
**ROOM 224 CROMWELL TOWN HALL 41 WEST STREET**

### Minutes and Record of Votes

**Present:** Chairman Alice Kelly, Michael Cannata, Chris Cambareri, Paul Cordone, David Ftizgerald, Jeremy Floryan, Ken Slade, Ken Rozich, Rich Waters

**Absent:** Brian Dufresne

**Also Present:** Director of Planning and Development Stuart Popper, Town Council Liaison Richard Newton

1. **Call to Order** – The meeting was called to order at 7:03pm by Chairman Kelly.
2. **Roll Call** – The presence of the above members was noted.
3. **Seating of Alternates** –

A **motion** was made by Ken Rozich 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 Rich Waters to approve with amendments of adding items 8d. 16-20, 8e. 16-29 and 8f. 16-30. *All were in favor; the motion passed.*

Mr. Cannata asked if a permit for application 16-30 was needed. He said he thought loop houses didn't need a permit since they are not permanent. Mr. Popper said they are semi-permanent and are a non-conforming use in a residential zone. He said it is a permitted use and continued use of farming in a historical zone. He said they will show landscaping and buffering on Field Road. Mr. Cannata asked if this was a courtesy approval or was a permit needed and Mr. Popper said he would check.

#### 5. **Public Comments** - none

6. **Development Compliance Officer Report:** Mr. Popper said that Mr. Curtin was not in attendance but would let him know if anyone had any issues to discuss.

#### 7. **Town Planner Report:**

Mr. Popper said that we have a number of new applications. He said the date for the July meeting will be the third Tuesday of July. He said we also don't expect any new applications for August so we will only schedule one meeting for the month of August as well. He said the July 19<sup>th</sup> applications are pretty straight forward.

Mr. Popper said that One Willowbrook is moving along and the owners of the old X-pect location are hoping for a new tenant soon. Chairman Kelly asked about the Sunoco station. There was a discussion about both stations and Mr. Popper said his understanding is both are selling together.

Mr. Popper said item 8a. is a mistake and shouldn't be on the agenda.

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

- a. Section 8-24 Mandatory Referral for the Sale of 2 Wightman Place.

Should not have been on agenda.

- b. Application # 16-27 Request for Site Plan Modification at 76 Berlin Road (aka Cobblestone Plaza). Catapano Engineering & Architecture P.C. is the Applicant and Cobblestone Associates LLC is the Owner.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to accept and schedule application 16-27 for July 19, 2016. *All were in favor; the motion passed.*

- c. Application # 16-28 Request to Amend Section 7.1.A.3 (1) (2) Non-Conforming Use and Structures and Section 10.4.E.2 Variance Procedures of the Zoning Regulations. The Town of Cromwell Planning and Zoning Commission is the Applicant.

Mr. Popper said there are a number of properties that are non-conforming and we need to amend the regulations so when these building sell they can be used for other businesses. He said the regulation change would allow variances to be granted since right now they can't even be granted. Mr. Popper said ZBA needs to be given the option. There was a discussion about the Knights of Columbus building and how other halls or organization would be able to continue the use there.

A **motion** was made by Michael Cannata and **seconded** by Ken Rozich to accept and schedule application 16-28 for July 19, 2016. *All were in favor; the motion passed.*

- d. Application #16-20: Request to for a Site Plan Modification at 6 Kirby Road. The applicant is proposing to modify the site by installing additional parking in the front and side yards.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to accept and schedule application 16-20 for July 19, 2016. *All were in favor; the motion passed.*

- e. Application #16-29: Request to Re-subdivide 600 Main Street in two lots. Prides Corners Farms, Inc. and Garden's Dream Farm, LLC are the Applicants and Millane Nurseries in the Owner. The applicant is requesting to create two lots. One 10+/- acre parcel containing the retail facility and a 30+/- acre parcel containing the nursery.

Mr. Popper said this would be a re-subdivision so a public hearing is necessary.

A **motion** was made by Michael Cannata and **seconded** by Ken Rozich to accept and schedule a public hearing for application 16-29 on July 19, 2016. *All were in favor; the motion passed.*

- f. Application #16-30: Request to for a Site Plan Modification to install hoop houses at 600 Main Street. Prides Corners Farms, Inc. and Garden's Dream Farm, LLC are the Applicants and Millane Nurseries in the Owner. The applicant is requesting to construct hoop houses in the rear of the property.

Mr. Cannata said he will make a motion to schedule this application but Mr. Popper is going to research to see if a permit is needed.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to accept and schedule application 16-30 if necessary for July 19, 2016. *All were in favor; the motion passed.*

**9. New Business:**

- a. Application #16-18: Request for Temporary Event Permit to sell Fireworks at 113 Berlin Road. Keystone Novelties Distributors is the Applicant and Ganesha Hospitality LLC is the Owner.

Mr. Popper said he couldn't find minutes from last year. He said that they would ask the applicant to call town staff for tent placement and this is OK with the Police Department and Fire Department.

Mr. Cannata said he would like to have an agenda item that discusses the idea of not allowing retail sales in parking lots for businesses that don't brick and mortar in town.

Neal Shaw said he represents Keystone Novelties.

Chairman Kelly asked if the map is accurate on how it will be set up. Mr. Shaw said yes, they are pretty strict about it. Mr. Cambareri asked if someone stays in the trailer and Mr. Neal said there is 24 hour security and the tent sides come down.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to approve application 16-18 this year pending final staff review. *All were in favor; the motion passed.*

- b. Application #16-23: Request for Site Plan Modification to add a Propane Tank Retail unit to 538 Main Street. Paraco Gas is the Applicant and Five Thirty Eight Main Street

LLC is the Owner.

Mr. Popper said we did receive comments from the Fire Department and the Police Department and they have no comments and signed off on the application.

Steven Taylor from Paraco said they want to put this on the back of the building where the drive thru area was constructed some time ago. He said it is a typical propane exchange location with a 36 unit cage. He said the cage needs to be 10 feet from any ignition source. Chairman Kelly has pictures she took of the building. Mr. Cambareri asked if this was a temporary or permanent use. Mr. Taylor said a permanent use.

Mr. Cannata said there are businesses and a building behind the building and Mr. Cambareri asked if they could require future screening. Mr. Popper said any future owner could put up screening of his own. Chairman Kelly said the gas station building is less than pristine.

Mr. Taylor said he is the local rep out of Essex and this is about a \$2,000 investment for the company so they take care of it. He explained the theft resistance locks.

A **motion** was made by Michael Cannata and **seconded** by David Fitzgerald to approve application 16-23. *All were in favor; the motion passed.*

#### **10. Public Hearing:**

- a. Application #16-19: Request for a Special Permit to allow for the construction of more than 1000 square feet of garage space at 84 North Road. John L. Vignone is the Applicant and Regina and John L. Vignone is the Owner.

Mr. Popper said this is to construct a 336 square foot shed. He said staff had no comments.

John Vignone passed out pictures of the shed. He said the shed would be 24 x 14 and that would put him over the allowable 1000 square feet of garage space since I already have a 3 car garage. He said the shed would have a walk up attic and the shed would be 16 feet high. He said it will be placed on a bed of rocks. He showed a picture of where it would go on the property. He said he plans to put electricity there eventually but no plumbing or water.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to open the public hearing for application 16-19. *All were in favor; the motion passed.*

Chairman Kelly asked for any members of the public who wanted to speak regarding application 16-19.

Sal Lisitano, 22 Jennifer Lane said he doesn't have a problem with the structure but is it a shed or a barn. He asked if they had any plans for farm animals. He said your wife told my wife that you were going to have chickens.

Mr. Vignone said yes, possibly. Mr. Popper said it is a right in Cromwell to keep chickens we just ask for the coup to be closer to your home than to your neighbors. Mr. Lisitano said my only concern is the animals.

Mr. Popper said the shed would have to be 5 feet away from your property line and this is 55 feet from the property line. He said that the applicant would meet those requirements. He said the coup would have to be 10 feet from the property line so he couldn't put them in the shed. Mr. Cannata suggested not clearing the property line and to keep the existing shrubbery there now. Mr. Vignone said he would move the shed 100 feet away from the property line.

Mr. Popper clarified that a special permit is needed to construct up to 1,600 square feet of total garage.

A **motion** was made by Michael Cannata and **seconded** by Ken Rozich to close the public hearing for application 16-19. *All were in favor; the motion passed.*

Mr. Lisitano asked if they were going to approve chicken now. Mr. Cannata said no, the permit is for the shed but they would approve with a revised plot plan to move the shed further away from the property line.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 16-19 with the caveat to allow the applicant to move the shed further away from 22 Jennifer Lane with staff level approval. *All were in favor; the motion passed.*

**11. Approval of Minutes:**  
a. June 7, 2016

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to approve the minutes with the correction of changing the date on page 2 for application 16-18 from a meeting date of June 19<sup>th</sup> to June 21, 2016. *All were in favor; the motion passed.*

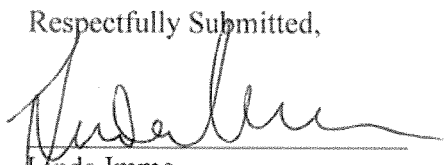
**12. Commissioner's Comments:**

Mr. Popper clarified that the Andover gas infusion project application was withdrawn and will be re-submitted with a new plan showing a second exit. He said the Board of Selectman voted against and urged the Planning and Zoning Commission to deny.

**13. Adjourn**

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to adjourn at 7:59pm. *All were in favor; the motion passed.*

Respectfully Submitted,

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

Linda Imme  
Recording Clerk