



Town of Cromwell Planning and Zoning Commission

REGULAR MEETING **7:00 P.M. TUESDAY MARCH 3, 2015** **ROOM 224 CROMWELL TOWN HALL 41 WEST STREET** **Minutes and Record of Votes**

Present: Chairman Alice Kelly, Michael Cannata, Rich Waters, Nick Demetriades, Chris Cambareri, Ken Rozich, Paul Cordone, Alternate Jeremy Floryan, Alternate Fred Hayward

Absent: Brian Dufresne

Also Present: Town Planner Stuart Popper, Zoning Enforcement Officer Jillian Massey

1. **Call to Order** –The meeting was called to order by Chairman Kelly at 7:00pm.
2. **Roll Call**
3. **Seating of Alternates**

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to seat Alternates Jeremy Floryan and Fred Hayward. *All were in favor; the motion passed.*

4. Approval of Agenda

A **motion** was made by Michael Cannata and **seconded** by Fred Hayward to approve the agenda with the addition of 8e. 136 Berlin Road Façade Improvements and the relocation of 8d. Sunset Ridge Subdivision bond reduction to old business. *All were in favor; the motion passed.*

5. Public Comments - none

6. Development Compliance Officer Report:

Jillian Massey discussed the updated permit report and described a couple of new use permits that had been issued since the last Commission meeting.

7. Town Planner Report:

Stuart Popper discussed his memo to the Commission dated February 24, 2015 which outlined all of the items on the meeting agenda that evening.

8. New Business: Accept and Schedule New Applications:

- a. Application # 15-07: Site Plan Modification – New Sign for Friendly Ice Cream at 48 Berlin Road. The Sign Center is the Applicant and O Ice LLC is the Owner.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to accept Application #15-07. *All were in favor; the motion passed.*

Stuart Popper stated that the proposed signs were in compliance with zoning.

Jay Kahn of The Sign Center represented the applicant. He presented the details of each sign proposed and described its compliance with the zoning regulations.

Alice Kelly confirmed with Mr. Kahn that none of the signs would be flashing.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve Application #15-07. *All were in favor; the motion passed.*

- b. Application #15-10: Request for a Temporary Use Permit to conduct the Travelers Championship Tournament at 100 Golf Club Road. The Greater Hartford Community Foundation is the Applicant and the Tournament Players' Club of Connecticut is the Owner.

A **motion** was made by Michael Cannata and **seconded** by Nick Demetriades to accept and scheduled Application #15-10 for a public hearing on March 17, 2015. *All were in favor; the motion passed.*

- c. Application #11-21: Special Permit (Retail Store in Excess of 50,000 square feet) at 161 Berlin Road. Wal-Mart Real Estate Business Trust, applicant; Infinity Cromwell Properties LP, owner. Request to release erosion and control bond.

A **motion** was made by Fred Hayward and **seconded** by Rich Waters to approve the release of the erosion control bond for Application #11-21. *All were in favor; the motion passed.*

- e. 136 Berlin Road Cromwell Commons Façade Improvements

Stuart Popper stated that he wanted the Commission to review the proposed changes to determine whether a site plan modification application should be submitted or if it could be handled administratively.

Jon Marcus, representing Cromwell Commons, presented the proposed exterior modifications which included a new parapet wall and the removal of some decorative columns.

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to allow the staff to

handle the proposed exterior modifications at 136 Berlin Road administratively. *All were in favor; the motion passed.*

9. Public Hearing:

- a. Application #15 -05: Proposed Resubdivision at 40 Sebethe Drive. NADEKA LLC is the Applicant and SNH Medical Offices Property Trust is the Owner

A **motion** was made by Michael Cannata and **seconded** by Paul Cordone to open the public hearing for Application #15-05. *All were in favor; the motion passed.*

Attorney Sal Petrella, representing the applicant, made an introduction which described the joint effort with the owners of 40 Sebethe Drive for the past 9 years to develop the property.

Jim Cassidy, the engineer, presented the proposed Resubdivision of 40 Sebethe Drive and site plan development. He stated that they proposed to use 40 Sebethe Drive for driveway access to the parcel to be developed. He also presented an overview of zoning, drainage, building layout, parking, and the traffic study. He stated that the proposal would have to get a permit from the State Traffic Commission.

The architect, Carmelo Rosa of Hibbard & Rosa Architects, made a presentation regarding the proposed building design. Fred Hayward asked if they were considering using solar. Gary Dayharsh, the builder, stated that they were considering it. He stated that the building would be gas powered AC and heat and that there would be insulated windows.

The landscape architect, Stephanie White of Fuss & O'Neil, made a presentation on the proposed landscape plan and describes the plant materials.

Fred Hayward complimented Ms. White on the landscape plan. He asked that on page 1 she consider mixing other trees with the row of Red Maples to add some diversity. He stated that he really liked the plant selection on page 2 but had concerns with using Red Oaks so close to the building.

Stuart Popper asked Ms. White to describe the residential buffer. She stated that it was made up of primarily existing deciduous trees.

Jim Cassidy described the location of existing gardens by the neighbors on the proposed property to be developed. Paul Cardone asked about the view from the house to the north. Mr. Cassidy stated that the view will eventually be blocked by new plantings.

Mr. Cassidy summarized the staff comments and stated that there would be no problem complying with all of them. He continued on to address the Town Engineer's comments in more detail. He described the plans for removing the detention basin and building the underground drainage basin.

Mr. Cassidy discussed the proposed roadway improvements to the driveway that would be required to meet Town specifications. He also described the proposed sidewalks to the cul-de-sac from the site.

Dave Roman, the owner of Safe Homes Security, made a presentation about the firm's growth and need for space as they have grown out of the current building they are in. He stated that the DMS tenant in their current building also needs more space. He stated that Safe Home Security has 230,000 customers across the country. He stated that the new building will add 80 new jobs and their tenant will add 40 new jobs. He discussed how because the nature of the business is a call center, that there are staggered shifts that will not have a large impact on traffic during rush hours.

Chris Cambareri stated that the proposal is the highest and best use of the property.

Alice Kelly asked Gary Dayharsh, the builder, about the proposed lighting. He stated that it would be maintained on the property and not shine onto any of the abutting properties.

Dennis King of 14 North Ridge Drive stated that he will be the neighbor who will have plain view of the building from his home. He asked what could be done to mitigate the appearance of the building. Jim Cassidy discussed that the gas line prevented any more landscaping to be planted within their property boundaries. Dave Roman suggested that they could plant trees on the neighbor's property.

Alice spoke about the planting of trees as a compromise. Mr. Cassidy stated that they would work with the neighbor to come up with a reasonable solution. He discussed possibly planting Arbor Vitae at various locations that would mitigate the view of the building for the neighbor. Mr. King agreed that he would work with the applicant to come to a compromise.

Mr. Cassidy stated that construction would begin in June. Mr. Dayharsh stated that he will work with Mr. King. The possibility of moving the dumpster location was also discussed.

Mr. Popper stated that the application could be approved with the following conditions: 1) the comments outlined in the staff memos from the Chief Salvatore dated March 2, 2015. Jillian Massey, Zoning Enforcement Officer dated March 3, 2015 and Jon Harriman Town Engineer dated February 9, 2015 and March 1, 2015; 2) the applicant works with staff to come up with a reasonable landscape buffer plan for Mr. King's property; 3) that the Town staff work with the landscape architect to address Commissioner Hayward's concerns.

Rich Waters asked why the sidewalks were bituminous. Mr. Cassidy stated that the issue was cost. Alice Kelly stated that the sidewalks should be concrete and would be more aesthetically appealing.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to close the public hearing for Application #15-05. *All were in favor; the motion passed.*

Alice Kelly asked if there were any questions from the Commissioners. Nick Demetriades, Chris Cambareri and Michael Cannata stated they felt the proposal was a good plan and a positive addition to the neighborhood. Alice Kelly also stated it was a good plan and that the applicant made a good presentation.

It was agreed that the landscaping to accommodate the neighbor and the revisions to the overall landscape plan would be reviewed and approved at the staff level.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve Application #15-05 with the following conditions: 1) the comments outlined in the staff memos from the Chief Salvatore dated March 2, 2015. Jillian Massey, Zoning Enforcement Officer dated March 3, 2015 and Jon Harriman Town Engineer dated February 9, 2015 and March 1, 2015; 2) the applicant works with staff to come up with a reasonable landscape buffer plan for Mr. King's property; 3) that the Town staff work with the landscape architect to address Commissioner Hayward's concerns. *All were in favor; the motion passed.*

10. Old Business:

- a. Application #15-06: Request for Site Plan Approval for Parcel #00066400 Sebeth Drive. NADEKA LLC is the Applicant and the Owner.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve Application #15-06 with the following conditions: : 1) the comments outlined in the staff memos from the Chief Salvatore dated March 2, 2015. Jillian Massey, Zoning Enforcement Officer dated March 3, 2015 and Jon Harriman Town Engineer dated February 9, 2015 and March 1, 2015; 2) the applicant works with staff to come up with a reasonable landscape buffer plan for Mr. King's property; 3) that the Town staff work with the landscape architect to address Commissioner Hayward's concerns. *All were in favor; the motion passed.*

- b. Application #11-31: Sunset Ridge Subdivision Pasco Hill Road. Request for Bond Reduction. Reed Builders LLC is the Applicant and Owner.

Stuart Popper gave a brief history of the development and described how the snow shelf had been reduced.

Jim Cassidy explained how a 10' snow shelf would not work and why a 5' snow shelf would be better.

Alice Kelly stated that the drainage from the development had been an issue since 2012.

The Town Engineer, Jon Harriman, gave his opinion based upon his memo. He recommended that the performance bond be reduced to \$18,000 from \$128,532.02 and that the erosion and soil control bond be reduced to \$3,500.

Fred Hayward asked about hydro seeding.

The Commission discussed the reduced bonds proposed by Mr. Harriman.

Alice Kelly asked that staff look into open space funds in lieu of open space.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve Jon Harriman's recommendations in regards to the bond reductions for Sunset Ridge. *All were in favor; the motion passed.*

11. Approval of Minutes:

a. February 17, 2015

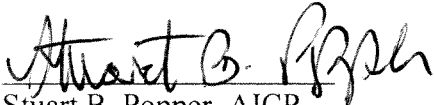
A **motion** was made by Fred Hayward and **seconded** by Rich Waters to approve the minutes from February 17, 2015. *All were in favor; the motion passed.*

12. Commissioner's Comments – None

13. Adjourn

The meeting adjourned at 9:50pm

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Stuart B. Popper".

Stuart B. Popper, AICP

Director of Planning and Development

Acting Recording Clerk