



Town of Cromwell Planning and Zoning Commission

REGULAR MEETING **7:00 P.M. TUESDAY MAY 3, 2016** **ROOM 224 CROMWELL TOWN HALL 41 WEST STREET** **Minutes and Record of Votes**

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

Absent: Brian Dufresne

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

1. Call to Order

The meeting was called to order at 7:02pm by Chairman Kelly.

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 Jeremy Floryan 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 amend the agenda to add item 8c. Site Plan modification to Chili's at 4 Sebethe Drive, National Sign Company is the applicant. *All were in favor; the motion passed.*

5. Public Comments

6. Development Compliance Officer Report:

Fred Curtin said that on Kirby Road there is a Barber Shop with an upstairs apartment. He said they took out the front yard to put in a parking area. He said he asked them for an Engineering firm to present a site plan modification.

Mr. Curtin said that the Cromwell Cross Roads plaza has removed all of the signs. He said that there is a lift in front of the house on Coles Road that caught fire a few years ago. He is going to ask them to remove it. He said the vehicles are registered at 36 Court Street. Mr. Curtin also said that Pat Snow wants to remove a dead tree and retaining wall on 110 Court Street. He said the tree died and he wants to re-grade. Mr. Cannata asked if he needs to meet the tree requirements. Mr. Popper said not really, that only applies to subdivisions but I'm not really sure when this was approved. He said trees don't do well in containers. Mr. Popper said I suggest letting him remove the tree and repair the sidewalk and install with like landscaping. Mr. Cannata asked if they could look at the plot and see if it was a requirement. Mr. Popper said yes, but it will have be something whether it's landscaping or a new tree.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to let the staff approve the replacement of the tree or landscaping at 110 Court Street. *All were in favor; the motion passed.*

Mr. Curtin said that Chili's is adding LED around the building. He said I already approved the new sign with the logo.

7. Town Planner Report:

Mr. Popper said that there will be a public information meeting on Wednesday at 6:30pm to discuss the LOTCIP application for roadway improvements on Coles Road. He said there are state funds that the Town Engineer is working hard on getting for the area of Shunpike to Willowbrook. He said part of the application process is to have an open house. He said they will notify the residents of that part of Coles Road and the cul de sacs about the meeting.

Mr. Popper said that the grand re-opening of the McDonalds will be on May 12th. He said the car wash on the Shunpike is kicking around some ideas like converting one of the stalls into a doggy wash. He said this would require a site plan approval for pet grooming. He said another change would be to add more vacuums and parking spots. Chairman Kelly said they will need to come before us for this requests.

8. New Business: Accept and Schedule:

- a. Section 8-24 Mandatory Referral for the Town of Cromwell Fire District Water Division Raymond Place Neighborhood Water Project.

Mr. Popper said that Mr. Harriman was here at the last meeting and we approved the site plan. He said they want to install new water lines at the same time.

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to approve application 8-24 based on the information given to the Commission at the last meeting. *All were in favor; the motion passed.*

- b. Application # 04-47: Change of name for Permit Holder (Use Permit for Temporary

Storage of Equipment and Material) at 60 River Road. Marino Crane was the Applicant and Owner. Town of Cromwell is now the Applicant and Owner.

Mr. Popper said this is for a change of name for the permit holder. He said the Town of Cromwell purchased 60/61 River Road so the town is not asking to modify the permit just to change the name. He said there has not been any negative response from the last job done there. He said it is an advantage to us that the facility is there. Chairman Kelly asked if the permit is forever and Mr. Popper said yes, the agreement is to use the facility a certain number of times a year.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 04-47. *All were in favor; the motion passed.*

8c. 4 Sebethe Drive, Chili's Restaurant

Mr. Popper said that the sign package was already approved and the LED border goes around the front, left and right but not the rear. He said they are using the smallest size they can use.

Ms. from National Sign Company explained the foot candles and said the sign and pepper are both backlit. Mr. Cannata asked if the brightness can be turned down. He said there were problems at the gas station. Mr. Curtin said that was a lot brighter. Mr. Cannata said that if it ends up being too bright you would have to work with Mr. Curtin on toning it down.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve the LED border and if necessary work with staff to turn it down or to adjust. *All were in favor; the motion passed.*

9. New Business

a. Discussion of Proposed Gas Infusion Project

Mr. Popper said that Attorney Petrella would like to discuss a possible application to be submitted for a gas infusion facility.

Attorney Salvatore Petrella, 630 Main Street said this is not a formal application. He said the idea was first presented to Mr. Popper when he submitted a letter to him in December of 2015. He said the plant would be located near the Algonquin gas lines and we would infuse natural gas into that pipeline. Attorney Petrella said that Mr. Popper felt the area we were thinking might not fit into the zone. He said we hope to discuss that tonight. Attorney Petrella shared a document with the Commissioners dated February 5, 2016. He said you should consider the argument on why you should accept the application. He said we have plans to come in with an application on the current vacant property owned by Gardner's Nurseries. He said this property is located in the Business Industrial Park District.

Jim Cassidy, Hallisey, Pearson and Cassidy discussed the access points and said there is frontage

on Main Street from Property Mr. Gardner owns, there is access from Geer Street but that is residential and there is access off of Shunpike that would require an easement from Plummer landscaping. He said there are substantial amounts of wetlands on Shunpike and the access point needs to be in close proximity to the gas lines. He said the most realistic way is to access from Gardner's property on Main Street. Chairman Kelly said this area is a business park according to the regulations. Attorney Petrella said not according to the maps we looked at.

Attorney Petrella said this would be a temporary facility and has a 5, 10, 15 year shelf life. He said there is a shortage of natural gas in Connecticut because the lines are too small. He said his client would bring electric, water and all utilities into the Business Park and many that is an enticement. He said this encourages your town plan of development. He said your regulations have a wide disparity on what can go into the Business District. He said there are no consistencies to justify a denial of this project. He said that this facility has to be on the pipeline and no other business would want to go there. He said our regulations allow for the wholesale distribution of goods and gas is sold by the cubic feet.

Attorney Petrella said that this could be considered a public utility company so we may not need to come here but that has not been determined yet. Chairman Kelly asked if this has been built anywhere else yet and Attorney Petrella said that no, it would be the first in the Country to my knowledge. Chairman Kelly said so this would be new technology that has never been used anywhere. Attorney Petrella said we would only be asking you to approve this application to be considered in this zone. Mr. Cannata suggested asking the Town Attorney and Mr. Popper said we agreed it wouldn't be allowed in this zone but he can try to amend the regulations to allow it in this zone otherwise it's not really a fit. Mr. Popper said I can get her response in writing. Mr. Rozich said that gas is a wholesale good. Attorney Petrella said he will send analysis of the Industrial District vs. this district. He said my client spent a quite a bit of money based on the information that this is an Industrial and Business District.

Chairman Kelly asked how this should proceed and Mr. Popper said we can get the feedback of the Town Attorney in writing in time for the next meeting, if not, the first June meeting.

10. Approval of Minutes:

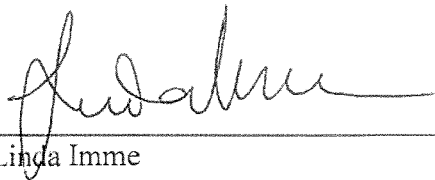
a. April 19, 2016

11. Commissioner's Comments:

12. Adjourn

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to adjourn at 8:20pm. *All were in favor; the motion passed.*

Respectfully Submitted,

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

Linda Imme
Recording Clerk