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**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
SPECIAL MEETING**

Don Conway, Jr., Asst.
TOWN CLERK

**7:00 PM TUESDAY DECEMBER 5, 2017
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Michael Cannata, Chris Cambareri, Jeremy Floryan, Paul Cordone, Brian Dufresne, Nicholas Demetriades, David Fitzgerald (alternate)

Absent: Ken Rozich, John Keithan (alternate)

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

1. Call To Order

The meeting was called to order by Chairman Kelly at 7:05 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

Michael Cannata made a motion to seat David Fitzgerald; Seconded by Brian Dufresne.
All in favor; motion passed.

4. Approval of Agenda

A motion to approve the agenda was made by Michael Cannata and Seconded by Nick Demetriades. *All in favor; motion passed.*

5. Public Comments

There were no public comments at this time.

6. Development Compliance Officer

Mr. Driska referenced his report included in the Commission's packet. Nick Demetriades asked if there were any regulations requiring new construction to be gated off to protect public safety; Mr. Driska stated that was a building code matter. Chairman Kelly asked Mr. Driska to follow up and confirm his notes on several applications as listed in his report, namely 17-08, 17-19, 17-23, and 17-36.

7. Town Planner Report:

Mr. Popper asked the Commission members about their availability for a special meeting for the purposes of discussing the application for 120 County Line Drive, as the size of the proposed warehouse had changed to 403,000 square feet and it requires a mandatory

referral for a land swap, which would need to be presented to the Town Council. The Commission agreed to the holding of a Special Meeting on December 12, 2017 at 5:30 p.m.

8. Election of Officers

Michael Cannata made a motion to nominate Alice Kelly as Chairman, Seconded by Chris Cambareri. *All in favor; motion passed.* Chairman Kelly made a motion to nominate Michael Cannata as Vice Chairman; Seconded by Nick Demetriades. *All in favor; motion passed.* Michael Cannata made a motion to nominate Nick Demetriades as Secretary; Seconded by Chris Cambareri. *All in favor; motion passed.*

9. New Business Accept and Schedule New Applications:

- a. Application #17-55: Request to modify the Site Plan Approval at 153 West Street and 50 Mystique Lane to construct a building addition and more parking spaces. Orlando Cardenas is the Applicant and is the Owner.

Michael Cannata made a motion to accept and schedule this application as a business item for the January 2, 2108 meeting; Seconded by Paul Cordone. *All in favor; motion passed.*

- b. Application #17-56: Request to modify the Site Plan Approval at 23 Shunpike Road to remove the existing self-serve bays and replace with more vacuums. Splash Car Wash is the Applicant and Vincent Vento is the Owner.

Michael Cannata made a motion to accept and schedule this application as a business item for the January 2, 2108 meeting; Seconded by Brian Dufresne. *All in favor; motion passed.*

- c. Application #17-57: Request to modify the Site Plan Approval at 95 Berlin Road to install new sign signs. 95 Berlin Road LLC is the Applicant and the Owner.

Michael Cannata made a motion to accept and schedule this application as a business item for the January 2, 2108 meeting; Seconded by Paul Jeremy Floryan. *All in favor; motion passed.*

- d. Application #09-16: Request to lower the Bond for Northwoods Estates Subdivision North Road. Northwoods of Cromwell LLC is the Applicant and Owner. This is a request to lower the existing \$249,749.40 Road Performance and Maintenance bond.

Michael Cannata made a motion to accept and schedule this application as a business item for tonight's meeting; Seconded by Nick Demetriades. *All in favor; motion passed.*

Mr. Harriman was present and referenced his Memorandum dated November 30, 2017. He stated that the matter of road acceptance would not be dealt with tonight. He

said there were three separate performance bonds. He recommended the release of the entire Phase I bond as the required year had passed. He recommended a one year hold back of ten percent for the Phase II and III bonds as only punch list items remained. He said that there was a minor issue of a hump between the Phase II and III roadways but he was confident the developer would address it.

Michael Cannata made a motion to release the entire Phase I Bond, which was \$37,964.40 plus interest, to hold \$42,852.85 of the Phase II Bond for one year from the date of road acceptance, and to hold \$65,510.75 of the Phase III Bond for one year from the date of road acceptance, as based on staff recommendations; Seconded by Chris Cambareri. *All in favor; motion passed.*

10. New Business:

a. Mr. Popper asked the Commission to consider Application #17-52, Request for Site Plan Approval to construct a new golf course club house and associated infrastructure at TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner, at the same time as the public hearing on Application #17-50.

b. He asked that Application #17-54 be tabled as they were still working with the application and engineer. Michael Cannata made a motion to table Application #17-54, Request to modify the Site Plan Approval at 11 Progress Drive to construct a building addition and additional parking spaces. Snyder Civil is the Applicant and Yedem Properties LLC is the Owner, Seconded by Jeremy Floryan. *All in favor; motion passed.*

c. This item was previously addressed. Mr. Popper stated that he would add the matter of road acceptance to the December 12, 2017 special meeting agenda.

11. Public Hearing:

Nick Demetriades read the legal notice.

a. Application #17-50: Request for a Special Permit under Section 6.6 of the Zoning Regulations to create a rear lot at 680 Main Street. Patricia Deperry is the Applicant and Anna Dubik is the Owner.

Michael Cannata made a motion to open the Public Hearing; Seconded by Brian Dufresne. *All in favor; motion passed.* Mr. Popper stated that the existing house was at the back of the lot, so the application was essentially to create a front building lot. The property was at 680 Main Street, a R-25 zone, with the proposed front lot to be 25,000 square feet and the proposed rear lot to be 50,000 square feet. There were no staff comments. He had received the sign affidavit and mailing receipts.

Patricia DePerry of 6 Marshal Lane, presented the application. She was proposing to subdivide the property and submitted aerial maps showing the property lines. She

said this would be the first split. The existing lot contained a house, two car garage, driveway, and outbuilding. No utilities would be moved and the boundary lines were lined by trees and a fence was already up. She said no building was currently planned for the proposed lot. Mr. Popper stated that a curb cut would have to be obtained from the state for the building lot.

Chris Cambareri asked whether the outbuildings were occupied by tenants and Ms. DePerry said that they had been occupied previously, but were not currently. There was some discussion among the Commission members whether it was appropriate to add conditions to the approval that would bar the outbuildings from being rented in the future, thus bringing the currently non-conforming property into conformance.

There were no public comments.

The Commission continued their discussion regarding whether to condition the approval with the prohibition of renting the outbuilding. Mr. Driska stated that enforcing a regulation against renting the outbuildings to non-family members would be difficult to enforce.

Michael Cannata made a motion to approve Application #17-50, Request for a Special Permit under Section 6.6 of the Zoning Regulations to create a rear lot at 680 Main Street. Patricia Deperry is the Applicant and Anna Dubik is the Owner, with the condition that the existing accessory building only be used for family, non-rental use; Seconded by Brian Dufresne. *All in favor; motion passed.*

Michael Cannata made a motion to close the public hearing; Seconded by Paul Cordone. *All in favor; motion passed.*

- b. Application #17-51: Request for a Special Permit under Section 2.2.C.4 of the Zoning Regulations to construct a new golf course club house at the TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner.

Michael Cannata made a motion to open the public hearing; Seconded by Paul Cordone. *All in favor; motion passed.*

Nate Russell with GZA presented the application. He said that the existing clubhouse was proposed to be replaced to enhance its function and aesthetics. Michael Johnson, VP, with the PGA Tour Construction, said that the building was deteriorating and they could not keep it up. Mr. Russell reviewed the current site layout and the proposed site plan with parking areas. He said that it meets the zoning regulations as planned. He reviewed the grading and drainage plans and said that enhanced drainage treatment was proposed to address the increased impervious surface area. He reviewed the landscaping plan, the architectural and 3D renderings as well as the floor plan. He said that the increased event space was meant to replace the tent that was currently in use. Mr. Russell next discussed the construction traffic, stating that

all trucks would use the “tournament entrance” off Route 99, with primary access via Golf Club Road. David Corrado, General Manager of the TPC, reviewed the plans for the temporary facilities (trailers and storage pods) and said that he would have a finalized plan for those facilities at a later date.

The proposed construction dates were as follows: March 2018: construction mobilization and delivery would begin, June 25, 2018: demolition and construction, July 2018 to May 2019: active construction and June 2019: occupy and open prior to the start of the tournament.

Mr. Popper said that he had the certified mail receipts. The hearing was open to public comment.

Dan Kleinman spoke on behalf of the Greater Hartford Community Foundation, Inc., in support of the application. He said that a new clubhouse was needed and would benefit the public, club members, and the players.

Kathy Ekstrom of 1 Ridge Road, Cromwell, asked about delivery access and Mr. Corrado confirmed that it would proceed through Meadow Road. Ms. Ekstrom said she supported the construction but was concerned about noise, and dust, and traffic, and the staging area being in her backyard. She asked about safeguards and measures to mitigate. Mr. Russell said that there was a noise ordinance in place and that the staging would be for specialty equipment and large assemblies. He did not anticipate a lot of shuttling back and forth from the staging area to the active site. He said that site work would be in summer and fall of 2018 and then move inside to the finish work. He was willing to work with the residents to address their concerns. Ms. Ekstrom asked why traffic did not proceed through River Highlands and was told it was a private road. She said that she wanted some consideration for the impact it would have on her. Mr. Corrado said that the staging area could be shifted back behind the tree line. Ms. Ekstrom asked for a point of contact and Mr. Corrado said it would be him.

Kurt Anderson, 15 Ridge Road, stated that he was concerned about traffic and asked if a bike/cart path could be created between the road and First Tee.

Michael Millane, 34 Field Road, said the renovation was long overdue, suggested that Ms. Ekstrom and the neighbors have a point of contact for their concerns and agreed with the suggestion for a bike/cart path. He also suggested a “no truck traffic” sign on Golf Club Road and penalties for violators. He wished the project well.

There was some brief discussion among the Commission members. Chris Cambareri asked how they could help the neighbors. Michael Cannata said he wasn’t worried as it was a one time project and the TPC had shown themselves capable of managing large, aggressive projects in the past. Paul Cordone asked that the applicant be communicative and responsive to the neighbors’ concerns. Mr. Driska suggested that the land use office have periodic meetings for updates on construction and to address

neighbor concerns.

Mr. Popper said that the proposed sign was too big and need to be limited to regulation size. He referenced Mr. Harriman's memo dated November 30, 2017 regarding the management plan and annual reporting requirement as two conditions of approval.

There was a brief discussion regarding the proposed grading and lighting plans and proposed parking spaces. Mr. Popper said that the proposed number of spaces was based on the individual uses' square footage and explained the methodology. He also said that they could not require off site improvements, such as a bike/cart path. He also said that the applicant needed to contact the Office of the State Traffic Administration regarding the required permitting. Chairman Kelly thanked the applicant for being so helpful and generous to the Town of Cromwell and wished them well.

Michael Cannata made a motion to close the public hearing; Seconded by Brian Dufresne. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #17-51: Request for a Special Permit under Section 2.2.C.4 of the Zoning Regulations to construct a new golf course club house at the TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner, Seconded by Brian Dufresne. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #17-52, Request for Site Plan Approval to construct a new golf course club house and associated infrastructure at TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner, on two conditions: that the letter from Jon Harriman dated November 30, 2017 be complied with, and that the Town Zoning Enforcement Office be made aware of job meetings and work with the applicant to resolve any issues; Seconded by Chris Cambareri. *All in favor; motion passed.*

12. **Commissioner's Comments:** Nick Demetriades was re-seated. There were no comments.
13. **Approval of Minutes:**
 - a. November 21, 2017: Michael Cannata made a motion to accept the minutes as

presented; Seconded by Brian Dufresne. *All in favor; motion passed.*

- 14. Adjourn:** A motion to adjourn was made by Michael Cannata; Seconded by Brian Dufresne. Meeting adjourned at 9:13 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Julie C. Petrella".

Julie C. Petrella
Recording Clerk