



**Town of Cromwell
Planning and Zoning Commission**

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

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Public Comments
6. Development Compliance Officer Report:
7. Town Planner Report:
8. **New Business: Accept and Schedule Applications:**
 - 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.
 - b. 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.
 - c. Application #16-22: Request for a Special Permit to allow for the construction of more than 1000 square feet of garage space at 134 Coles Road. Paul S. Zigmont is the Applicant and Regina and John L. Vignone is the Owner.
 - d. 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.
 - e. Section 8-24 Mandatory Referral for proposed Improvements to Valor Green Park (aka Parcel ID# 0113400).
 - f. Application #16-24: Request for Site Plan Modification to allow for Improvements to Valor Green Park (aka Parcel ID# 0113400). The Town of Cromwell is the Applicant and the Owner.
 - g. Section 8-24 Mandatory Referral to Construct a Walking path at Hoffman Farm. The Town of Cromwell is the Applicant and the Owner.
 - h. Application #16-25: Request for Site Plan Modification to allow for construction of a Walking path at Hoffman Farm. The Town of Cromwell is the Applicant and the Owner.
9. **Old Business**
 - a. Discussion of Proposed Gas Infusion Project
10. **Approval of Minutes:**
 - a. April 19, 2016 and May 3, 2016
11. **Commissioner's Comments:**
12. **Adjourn**

RECEIVED FOR FILING
6-1 2016 at 10:40 A.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Dee Conroy
TOWN CLERK

To: Town Council
From: Stuart B. Popper Director of Planning and Development
Date: May 25, 2016
Re: Economic Development Coordinator Report for June

1. Economic Development

Advanced Auto Parts will be submitting an application in June for the Cobblestone Plaza site. I met with realtors working on single and multi-family development proposals. I continued to work with the CMA on the 4th Annual Memorial Day Car Show.

2. Planning and Zoning Commission

At its regular meeting on May 3, 2016 the Town of Cromwell Planning and Zoning Commission met and took the following actions:

- Issued a positive report on the Section 8-24 Mandatory Referral for the Town of Cromwell Fire District Water Division Raymond Place Neighborhood Water Project.
- Approved Application # 04-47: Request to Change the name of the Permit Holder to the Town of Cromwell (Use Permit for Temporary Storage of Equipment and Material) at 60 River Road. Marino Crane was the Applicant and Owner. The Town of Cromwell is now the Applicant and Owner.
- Approved with a condition Application # 16-16: Request for Site Plan Modification to add an LED lighting strip to the Chili's Restaurant building at 4 Sebeth Drive. National Sign Corporation is the Applicant and IRNM FEE Cromwell LLC is the Owner.

3. Nike Site Court Appeal

I prepared the court record for the appeal of Application #15-47: Request to amend the Zoning District from R-25 to PRD and the master plan for the 8.75 acre Nike site (aka Parcel Identification # 0033600) at the end of Country Squire Drive.

4. Coles Road LOTCIP Application

I inspected Coles Road with Jon Harriman and started to research bike and pedestrian issues that needed to be addressed in the application. I attended the Coles Road LOTCIP Application Public Hearing/Outreach meeting at 6:30 pm on Wednesday May 11, 2016.

5. Connecticut Brownfields Conference

I attended the Connecticut Brownfields Conference at the Connecticut Convention Center on Tuesday May 17, 2016.

6. Business Visitations

We met with the owners and staff at Tel Serv at 7 Progress Drive and at Garden's Dream Farm at 610 Main Street at 9:00 and 10:00 am on Wednesday May 18, 2016. Great visits!

7. Board of Education Safe Routes to School Sub Committee

I attended the Board of Education Safe Routes to School Sub Committee meeting at 6:00 pm Thursday May 19, 2016 at the Cromwell High School.

Memo

To: Planning & Zoning Commission

From: Fred Curtin

Date: May 31, 2016

Re: May 2016 Activity Report

6 Kirby Road: This property is still in Violation of my Cease and Desist order. I have withdrawn my zoning approval on this address. The property owner has cleared the Town Right of Way across the street and pushed all the material over the embankment.

Shady Lane Subdivision: This Subdivision was approved with a 25 foot buffer along the rear property line. It was brought to my attention of tree removal. My inspection revealed that the twenty five foot tree buffer is in place and one lot has no trees. No Violation(s).

123 Evergreen Road: Notice of Violation issued for the storage of a Construction Trailer, the Dumpster and Storage of Windows.

29 New Lane: A Cease and Desist order for a 40 foot Storage Unit.

36 Court Street: The property owner has been advised to move the camper.

P & Z Permits

Permit #	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
15-01	West St. Commons	Mystique Lane	Site plan modification	PZ approved 1/20/15	Removed walking trail
15-02	JKE Property, LLC	1 Willowbrook Road	Site plan modification	PZ approved 2/17/15	Work in progress
15-04	National Sign Corp.	136 Berlin Road	Site plan modification	PZ approved 2/3/15	Signs installed - Burger King
15-05	Nadeka, LLC	40 Sebetha Drive	Resubdivision	PZ approved 3/3/15	Mylars Submitted
15-06	Nadeka, LLC	Lot #1 Sebetha Drive	Proposed office bldg.	PZ approved 3/3/15	No Activity-Drainage easement issues
15-07	The Sign Center	48 Berlin Road	Site plan modification	PZ approved 3/3/15	Sign installed - Friendly's
15-11	Baseline Surveying LLC	198 Evergreen Road	Create a rear lot	PZ approved 4/21/15	Filed Mylars
15-12	Baseline Surveying	198 Evergreen Road	Create two lot sub	PZ approved 4/21/15	Filed Mylars
15-13	Town of Cromwell	Pierson Park	Install splash pad	PZ approved 4/7/15	Withdrawn
15-14	Town of Cromwell	County Line Drive	E&S Control plan for reconstruction of road	PZ approved 4/17/15	Work in progress
15-15	Mattabeset Realty	24 Shunpike Road	Add parking space - Dunkin Donuts	PZ approved 8/4/15	Work in progress
15-16	Lighthouse Signs	136 Berlin Road	Signs for Pet Sense	PZ approved 4/21/15	Signs installed
15-20	Reed Builders	Thomas Court	Accept as Town Road	Approved 10/20/15	

P & Z Permits

Permit #	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
15-21	Sign Pro	1 West Street	New sign at firehouse	PZ approved 5/19/15	Sign installed
15-22	Sign Pro	82 Court Street	New sign at firehouse	PZ approved 5/19/15	Sign installed
15-23	Chris Cook	111-113 Berlin Road	Temp Fireworks Sale	ZEO approved 5/28/15	Event over
15-24	Ignacio Artaiz	179 Shunpike Road	Public Safety Antenna	Withdrawn	
15-25	Diane Whitney	Zoning Text Amendment	Planned residential multi-family district	PZ approved 8/18/15	
15-26	PZC	Zoning Text Amendment	Allow housing in Downtown district	Approved 8/4/15	
15--29	Plummer All Season Landscaping, LLC	224 Shunpike Road	Site plan modification for storage bins	PZ approved 7/7/15	Business is open
15-30	PGA Tour Design	1 Golf Club Road	Golf course maintenance and enhancement	PZ approve 8/4/15	Complete
15-31	GKN Aerospace	14 Hillside Road	Parking lot expansion	PZ approved 7/14/15	Complete
15-33	Town of Cromwell	Valor Green	Improvements parking area only	PZ approved 8/4/15	Parking completed
15-35	Wal-Mart	161 Berlin Road	Outside Storage	Approved 10/20/15	Storage bins in place - West side
15-36	Jeffrey Gilligan	678 Main Street	Rear Lot	Approved 10/20/15	No Activity Lots 4 sale
15-37	Jeffrey Gilligan	678 Main Street	3 Lot Subdivision	Approved 10/20/15	No Activity Lots 4 sale

P & Z Permits 2016

Permit #	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
16-01	Town of Cromwell	9 Capt. James Mann Memorial Drive	Watrous Park Splash Pad	Approved with conditions 1/5/16	Work in progress
16-02	Frank Acheampong	538 Main Street	Clothing Bin for Non Profit	Withdrawn	Withdrawn
16-03	Meghan Burt	199 Shunpike Road	Next Level Fitness Personal Training	Approved by ZEO 1/25/16	Open for business
16-04	Merritt Construction LLC	136 Berlin Road	Center for Vein Restoration	Approved by ZEO 1/25/16	Complete
16-05	Premier Partners Assoc.	192 Shunpike Road	Subdivision	Approved 4/19/16	
16-06	Applicant did not need to go to P&Z therefore # not used				
16-07	Town of Cromwell	9 Capt. James Mann Memorial Drive	Raymond Place area-improvements to Town Rds.		No Start Date
16-08	Use #16-13 instead				
16-09	Greater Hartford Community Foundation	100 Golf Club Road	Travelers Championship	Approved with conditions 4/19/16	August start date
16-10	Pinewood Landscaping, LLC	302 Main Street	Site Plan Modification	Approved 4/19/16	Sign Base compliance
16-11	Christian Plummer Plummer All Season Landscaping	224 Shunpike Road	Landscaping/Retail Sales	Approved 4/19/16	Open for Business
16-12	Michael Salonia Cromwell Fire Department	105 Coles Road	Flower sale for Mother's Day and Christmas Trees	Approved 4/19/16	Event over



16-18

Town of Cromwell
Planning and Zoning Commission

**APPLICATION FOR
TEMPORARY EVENT PERMIT**

Date Submitted: 4/28/2016 Zoning District: HB

Location (street name and number): 111-113 Berlin Road Cromwell, CT

Name of Business (if applicable): Keystone Novelties Distributors, LLC

Description of Proposed Activity: Temporary tent sale of CT legal
Sparkler products in Parking Lot from 6/24/2016
through 7/5/2016

Applicant's Name: Chris Cook (Keystone Novelties Distributors, LLC)

Applicant's Mailing Address: 201 Seymour Street Lancaster PA 17603

Applicant's Email Address: ccook@keystonenovelties.com

Applicant's Telephone Number: 717-394-1078 717-394-1078
(daytime) (evening)

Property Owner's Name: Ganesh Hospitality, LLC dba Quality Inn

Property Owner's Address: 111 Berlin Road Cromwell CT 06416

Chris Cook
(circle one: owner applicant agent)

4/28/2016
date

Chris Cook
(printed name of signer)



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION FOR SPECIAL PERMIT

Type of Activity: Garage and Shed over 1000 sq. ft.
(Per Section 2.7.A.4 of the Cromwell Zoning Regulations)
Street Address: 84 North Road Zoning District: R-40
Parcel ID #: 11400200 Volume/Page: 1599/184

Applicant: John Vignore
Address: 84 North Rd Cromwell CT 06416
Telephone Number (daytime): (860) 729-3374
Email Address: jlvignore@gmail.com

Property Owner: John Vignore
Address: 84 North Rd Cromwell CT 06416

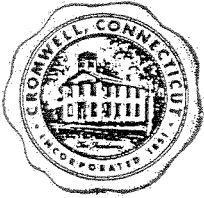
Description of Proposed Activity:
Install a shed creative over 1000 sq. ft.
of garage space.

"I have read and I am familiar with the Cromwell Zoning Regulations Article 8.7 ("Special Permit Application Procedures"), Article 8.10.G ("Notification of Abutting Property Owners") and Article 8.10.H ("Public Hearing Sign Posting Requirements"). An "Impact Statement" per Section 9.4.A is attached."

[Signature]
(Signature of Owner or Designated Agent)

(date)

John Vignore
(printed name of signer)



16-22

**Town of Cromwell
Planning and Zoning Commission**

APPLICATION FOR SPECIAL PERMIT

Type of Activity: Construction of an oversized private garage

(Per Section 2.7A4 of the Cromwell Zoning Regulations)

Street Address: 138 Coles Road Zoning District: R-25

Parcel ID #: 00493600 Volume/Page: 1490 / 38

Applicant: Paul S. Zigmont

Address: 19 Grove Road, Cromwell, CT 06416

Telephone Number (daytime): 860 798-3548

Email Address: _____

Property Owner: Paul S. Zigmont

Address: 19 Grove Road, Cromwell, CT 06416

Description of Proposed Activity:

To construct an oversized private garage in the rear yard of
138 Coles Road in Cromwell. The garage will be approximately 1164
square feet. 30' X 38'

"I have read and I am familiar with the Cromwell Zoning Regulations Article 8.7 ("Special Permit Application Procedures"), Article 8.10.G ("Notification of Abutting Property Owners") and Article 8.10.H ("Public Hearing Sign Posting Requirements"). An "Impact Statement" per Section 9.4.A is attached."

Paul Zigmont
(Signature of Owner or Designated Agent)

May 19, 2016
(date)

Paul S. Zigmont
(printed name of signer)

\$160 a
16-23

~~500~~

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: PROPANE - BBQ EXCHANGE
Street Address: 538 MAIN ST.
Volume/Page: 1339-143 PIN #: 00475000

Applicant Name: PARALO GAS
Address: 800 WESTCHESTER AVE
RYE BROOK NY 10573
Telephone: 860-876-3227 (day) _____ (evening)
Email Address: STAYLOR@PARALOGAS.COM

Property Owner Name: CROMWELL GULF - ABID, LLC
Address: 538 MAIN ST
CROMWELL CT 06416

Attached:

- () Application fee.
- () Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

- 1. *Is any part of the site within 500' of an adjoining town?* (Yes) (No)
- 2. *Will this project require an Inland Wetlands Agency permit?* (Yes) (No)
if yes, have you obtained it? (Yes) (No)
- 3. *Will this project require a DEP Stormwater Management Permit?* (Yes) (No)
if yes, have you applied for it? (Yes) (No)
- 4. *Will this Project Require an STC Permit?* (Yes) (No)
if yes, have you submitted a copy of the plans to the STC? (Yes) (No)
- 5. *Does the parking comply with the handicapped parking requirements as set forth in current version of the State Building Code?* (Yes) (No)

I hereby certify that the information presented above is correct to the best of my knowledge.

STEPHEN TAYLOR ST 5.27.16
Applicant Name and Signature Date

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Valor Green Improvements
Street Address: Prospect Hill Rd.
Volume/Page: 1/1 PIN #: 05090000

Applicant Name: Town of Cromwell
Address: 41 West St
Cromwell

Telephone: 860 632 3465 (day) _____ (evening)

Email Address: jharriman@cromwellct.com

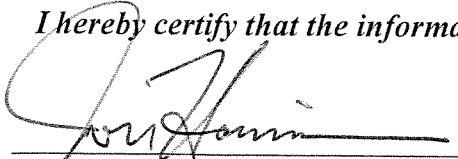
Property Owner Name: same
Address: _____

Attached:

- Application fee.
- Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

- | | | |
|---|-------|------|
| 1. <i>Is <u>any part</u> of the site within 500' of an adjoining town?</i> | (Yes) | (No) |
| 2. <i>Will this project require an <u>Inland Wetlands Agency permit</u>?</i> | (Yes) | (No) |
| <i>if yes, have you obtained it?</i> | (Yes) | (No) |
| 3. <i>Will this project require a DEP <u>Stormwater Management Permit</u>?</i> | (Yes) | (No) |
| <i>if yes, have you applied for it?</i> | (Yes) | (No) |
| 4. <i>Will this Project Require an <u>STC Permit</u>?</i> | (Yes) | (No) |
| <i>if yes, have you submitted a copy of the plans to the STC?</i> | (Yes) | (No) |
| 5. <i>Does the parking comply with the <u>handicapped parking</u></i> | (Yes) | (No) |
| <i>requirements as set forth in current version of the State Building Code?</i> | | |

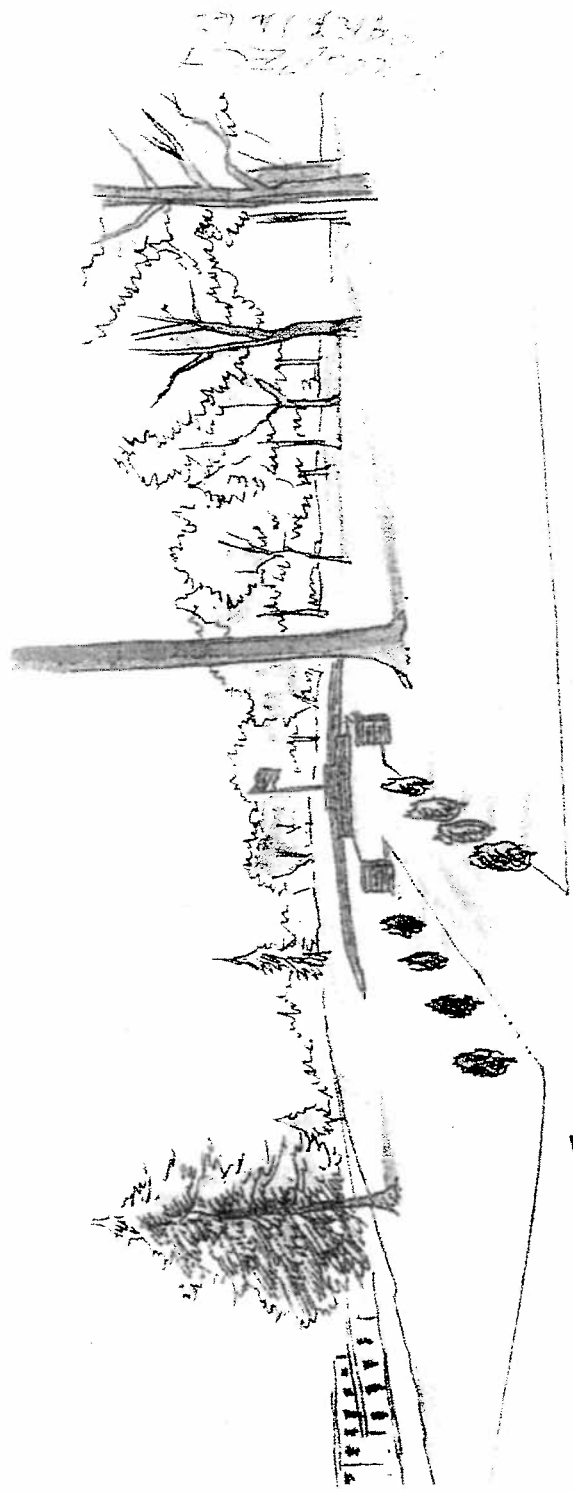
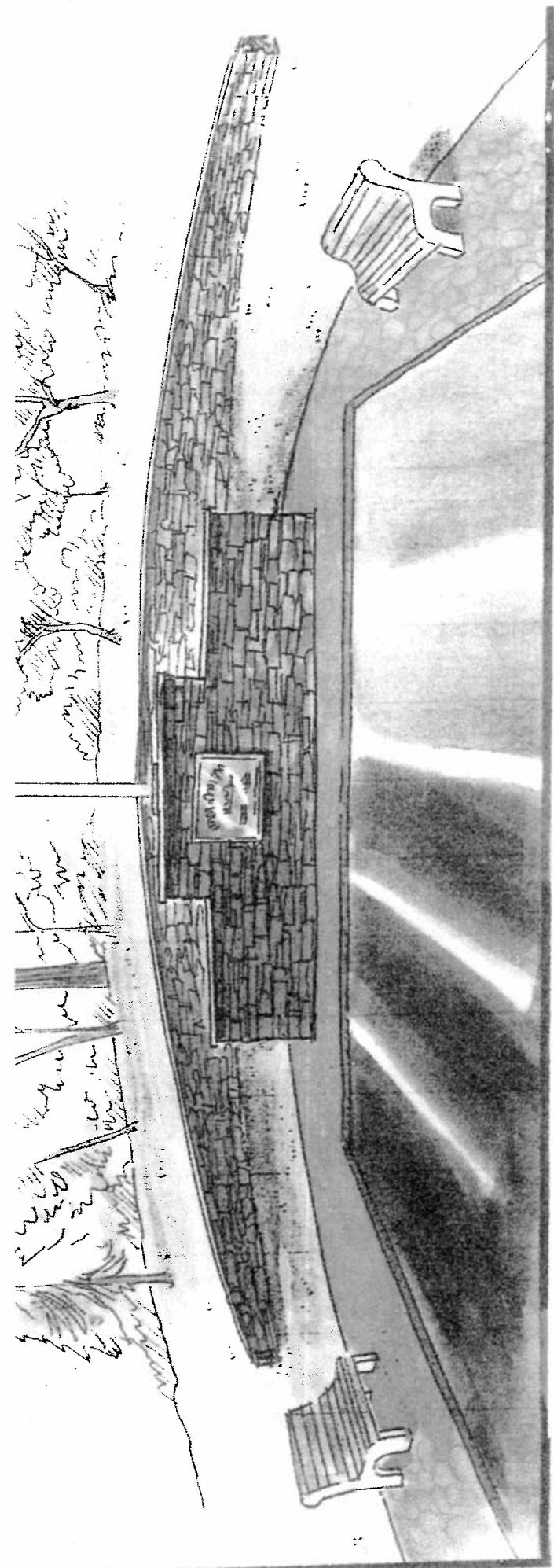
I hereby certify that the information presented above is correct to the best of my knowledge.



Applicant Name and Signature

6/1/16

Date



← Fitch →

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Hoffman Hill Farm Walking Trail
Street Address: 80 Coles Road
Volume/Page: 763/344 PIN #: 03050000

Applicant Name: Town of Cromwell
Address: 41 West Street

Telephone: 860 632 3465 (day) _____ (evening)
Email Address: jharriam@cromwellct.com

Property Owner Name: same
Address: _____

Attached:

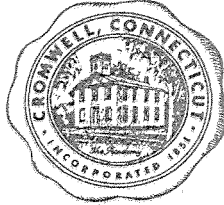
- Application fee.
- Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

- | | | |
|---|-------|--|
| 1. <i>Is any part of the site within 500' of an adjoining town?</i> | (Yes) | <input checked="" type="radio"/> (No) |
| 2. <i>Will this project require an Inland Wetlands Agency permit?</i>
<i>if yes, have you obtained it?</i> | (Yes) | <input checked="" type="radio"/> (No) |
| 3. <i>Will this project require a DEP Stormwater Management Permit?</i>
<i>if yes, have you applied for it?</i> | (Yes) | <input checked="" type="radio"/> (No) |
| 4. <i>Will this Project Require an STC Permit?</i>
<i>if yes, have you submitted a copy of the plans to the STC?</i> | (Yes) | <input checked="" type="radio"/> (No) |
| 5. <i>Does the parking comply with the handicapped parking requirements as set forth in current version of the State Building Code?</i> | (Yes) | <input checked="" type="radio"/> (No) <i>N/A</i> |

Thereby certify that the information presented above is correct to the best of my knowledge.

[Signature]
Applicant Name and Signature

6/1/16
Date



Town of Cromwell
Office of the Mayor
Nathaniel White Building
41 West Street
Cromwell, CT 06416

May 12, 2016

David Fitzgerald
2 Holly Hill Drive
Cromwell, CT 06416

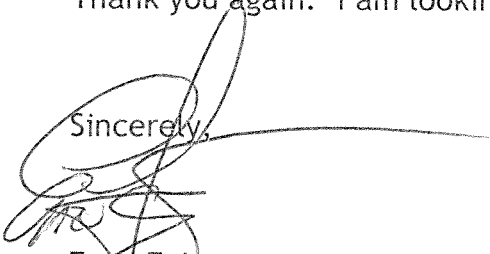
Dear Mr. Fitzgerald,

I am pleased to advise you that at their meeting of May 11, 2016 the Town Council re-appointed you as an Alternate Member to the Planning and Zoning Commission. Your term will expire January 2017.

Congratulations, and thank you for serving our community in this way.

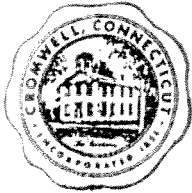
Thank you again. I am looking forward to working with you.

Sincerely,



Enzo Fajenza
Mayor

Copy: Joan Ahlquist, Town Clerk
Chairman Planning & Zoning



Town of Cromwell Planning and Zoning Commission

SPECIAL MEETING
7:00 P.M. TUESDAY APRIL 19, 2016
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
Minutes and Record of Votes

- Present:** Chairman Alice Kelly, Michael Cannata, Chris Cambareri, Jeremy Floryan, Ken Slade, Rich Waters, David Fitzgerald, Paul Cordone (arrived 7:30pm)
- Absent:** Brian Dufresne, Ken Rozich
- Other Present:** Town Planner Stuart Popper, Town Engineer Jon Harriman, Zoning Enforcement Officer Fred Curtin, Town Manager Anthony Salvatore, Town Council Liaison Ed Weners

1. Call to Order

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

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

A **motion** was made by Michael Cannata and **seconded** by Rich Waters 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 Jeremy Floyran to approve the agenda. *All were in favor; the motion passed.*

5. Public Comments - none

6. Development Compliance Officer Report:

Fred Curtin, Zoning Enforcement Officer said that he received two appeals for cease and desist orders and both were upheld at the last Zoning Board of Appeals meeting. He said he received the first request for fireworks at Kmart plaza. Mr. Popper said that in the past, some requests

have gone before the commission for approval. Chairman Kelly asked the Commissioners if they would like to allow the town staff to approve requests for firework tents.

A **motion** was made by Rich Waters and **seconded** by Ken Slade to allow town staff to approve requests for firework tents. *All were in favor; the motion passed.*

Mr. Curtin continued to review his report. Mr. Cambareri said there is a small blue cape on Court Street and Woodside with a few cars and trailers behind the garage. He said he will send the address to Mr. Curtin for follow up.

7. Town Planner Report:

Mr. Popper said that Dream Garden opened in Milane's retail center. He said there are continued discussions at the K-Mart plaza about future tenants at the X-pect site. An Advanced Auto application for 72 Shunpike should be at the next meeting and there could possibly be other retail operation applications for that site.

8. New Business: Accept and Schedule:

- a. Application #16-10: Request to modify the Site Plan at 302 Main Street to install a new sign and landscaping. Pinewood Landscaping LLC is the Applicant and MK Ventures LLC is the Owner.

Mr. Popper said that last week you received a copy of the sign and Mr. Curtin reviewed it and determined it was in compliance. They would like to pave the parking lot and move forward with retail operations in the back so they will be coming back to this Commission with an application. Would you consider accepting the sign application and hearing it this evening. Chairman Kelly asked Mr. Curtin if the sign meets the requirements and Mr. Curtin said yes. Chairman Kelly asked if it was illuminated and Mr. Curtin said he wasn't sure but would find out. She asked if it was exactly as pictures and Mr. Popper said yes.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to accept applications for agenda items 8a through 8h. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 16-10. *All were in favor; the motion passed.*

- b. Application #16-11: Request to modify the Site Plan at 224 Shunpike Road to add retail sales, signage and parking. Plummer All Season Pinewood Landscaping LLC is the Applicant and Mountain Springs Associates LLC is the Owner.

Mr. Popper said that Mr. Plummer was here before and said he would be back for a retail side. He will also be formally striping the parking lot.

Tommy Groat of Plummer Landscaping said it is a pleasure to work with you. Mr. Groat explained the parking, signage and seasonal sales. He said they might reserve an area for plant sales and will sell mulch by the bag and in bulk. He said there will be stop signs in place for customers and employee parking would be created.

Chairman Kelly asked Mr. Popper if these changes were ok for the zone they are in. Mr. Popper said yes. He also said that the Fire and Police Departments as well as the Town Engineer looked at the parking and had no issues.

Mr. Waters said the application says All Season and Mr. Groat said that was a misprint.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 16-11. *All were in favor; the motion passed.*

c. Section 8-24 Mandatory Referral for the Town of Cromwell Raymond Place Neighborhood Roadway and Drainage Improvements Project.

Mr. Popper said that if you issue a favorable 8-24 I would also ask that you move to the site plan approval.

Jon Harriman, Town Engineer said that project has been in the works for a number of years and it included 9 streets in town. They are north of Geer and west of Main. He said they are all older streets and received the lowest rating in roadway ratings. Mr. Harriman said that the drywells were installed in the 50's and are failing. He said we received the wetlands permit last week. We will do away with the drywells and install catch basins. He said the water will be routed into the rear portion of Watrous Park and will be sized to handle the 100 year storm. Mr. Waters asked if they will replace the water and sewer lines at the same time. Mr. Harriman said yes but only water lines and the Water Division will come to you for an 8-24. He said Yankee Gas wouldn't get on board with running gas lines.

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to issue a favorable 8-24 referral for the Raymond Place Neighborhood Roadway and Drainage Improvements Project. *All were in favor; the motion passed.*

d. Application #16-13: Request for Site Plan Approval for Raymond Place Neighborhood Roadway and Drainage Improvements. The Town of Cromwell is the Applicant and the Owner.

Chairman Kelly asked when they would start the project. Mr. Harriman said they will go out to bid early summer so hopefully they can start in early August or September. He said they would have to begin by building the storm water pond so it would depend on the winter.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 16-13. *All were in favor; the motion passed.*

e. Section 8-24 Mandatory Referral for the Town Hall Parking Lot Expansion at 41 West Street.

Mr. Harriman said they have received approval from the Zoning Board of Appeals for the variance they requested. He said he started working on this project with the former Town Manager. He said the parking lot is over-parked with the use of the building.

Paul Cordone arrived at 7:30pm.

Mr. Harriman said he conceded there is space in the islands but the regulations don't permit that. He said they have a request to the DOT for the right-a-way. He said we would gain 16 spaces and lose 1 existing. Mr. Harriman explained the counter-clock wise movement around the building. He said the new spots would be made available to employees during the day and open to all at night. He said at the same time they would entirely reconstruct the parking lot. Mr. Waters asked if they had state approval and Mr. Harriman said that is pending. He said they are considering whether to lease or give us the land. He said they would need to remove 5 trees and the Christmas tree has a disease and is in sad shape so that might need to be replaced no matter what happens with this. He said the sign would stay where it is.

A **motion** was made by Michael Cannata and **seconded** by Paul Cordone to issue a favorable 8-24 referral for the Town Hall Parking Lot Expansion at 41 West Street. *All were in favor; the motion passed.*

f. Application #16-14: Request to Modify the Site Plan for Town Hall Parking Lot Expansion at 41 West Street. The Town of Cromwell is the Applicant and the Owner.

A **motion** was made by Michael Cannata and **seconded** by Paul Cordone to approve application 16-14. *All were in favor; the motion passed.*

g. Section 8-24 Mandatory Referral for Town of Cromwell Lighting Improvements at Pierson Park.

Mr. Popper said this was requested by the Bond Council and the Board of Finance. If an 8-24 was issued we would come back with a site plan. He said that is the nature of the bond.

A **motion** was made by Michael Cannata and **seconded** by Paul Cordone to issue a favorable 8-24 referral for Lighting Improvements at Pierson Park. *All were in favor; the motion passed.*

h. Application #16-12: Request for Temporary Event Permit for the Annual Sales of Christmas Trees and Mother's Days Plants and Flowers at Coles Road and West Street Firehouses. Town of Cromwell Fire District is the Applicant and the Owner.

Mr. Popper said we are requesting that you let Staff approve these requests on an annual basis.

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to approve application 16-12 and allow staff to handle all future requests for all Fire District tree and plant sales. *All were in favor; the motion passed.*

9. New Business

- a. Notification of Zoning Board of Appeals Applications # 16-01 and 16-05.

Mr. Popper said that there is a formal process in the regulations that you need to be advised of application. He said both applications are included in your package. He said both applications are continued until May 10, 2016.

10. Public Hearing:

- a. Application #16-09 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.

Mr. Cordone read the legal notice dated April 5, 2016.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to open the public hearing for application 16-09. *All were in favor; the motion passed.*

Attorney Daniel Kleinman Hinckley Allen said this is a milestone for us since it is the 65th anniversary of the tournament and 33 years in Cromwell. The other 32 years were in Wethersfield. He thanked Cromwell and said this is a true partnership. He said there is a change to the tournament this year with the dates being August 1 – August 7, 2016. He said there are a number of conditions the Applicant has agreed to in previous years and Attorney Kleinman referenced a letter from Chairman Kelly dated March 30, 2015. He said we will communicate to the Homeowners if there are any changes to their conditions.

Kevin Harrington, Greater Hartford Community Foundation explained the timeline of the construction of the temporary structures. He said they will have brief events at the conclusion of play and musical entertainment will be open to ticket holders and these events are drivers to charitable giving. He said we will continue to work with Fire and Police to conduct safe events. Mr. Harrington reviewed possible plans for offsite parking locations.

Chairman Kelly asked for any members of the public who wanted to speak regarding application 16-09.

Barbara Gallo, 32 Glenwood Terrace thanked Mr. Harrington for his help. She asked if the set up time has been extended and how will it affect my house. She asked if the tear down of the stands would adhere to the 2 week time limit.

Mr. Harrington said we intend to do the same time frame as we did last year. He said we always try to be sensitive to the areas closest to your home. He said we will address the structures close to Ms. Gallo's home quickly. Ms. Gallo asked if the stands would be up for July 4th. Mr. Harrington said he guesses it will be close but they agreed to chat after the meeting about it. Ms. Gallo asked if there were any major differences and Mr. Harrington said they could potentially have a hospitality venue but that would be further away from your house.

Mr. Popper said we have condition numbered 1-15 and the homeowners have conditions numbered 1-6.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to close the public hearing for application 16-09. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to approve application 16-09 with the 15 conditions found on a memo dated March 30, 2015 signed by Chairman Kelly. *All were in favor; the motion passed.*

- b. Application #16-05: Request to resubdivide 192 Shunpike Road to create a 15,384 square foot lot containing the existing house and Lot #2 (4.86 Acres) for future development. Premier Partners Associates LLC is the Applicant and the Estate of Helen M. Ewald, Sybil C. Martin Executrix is the Owner.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to open the public hearing for application 16-05. *All were in favor; the motion passed.*

Mr. Waters told Mr. Popper that people were told that the public hearing was not going to happen tonight and they were being turned away. Mr. Popper said that is incorrect that he told people what the subject of the matter was. He said I didn't turn anyone away. He said I explained the subject and that this doesn't involve the property on Court Street.

Attorney Joe Williams, Shipman and Goodwin said he had housekeeping items including the notice of letters sent to abutters and the photos of the signs being up. He gave those to Mr. Popper. Chairman Kelly asked if all abutters were notified and Mr. Popper said yes. Mr. Popper said this hearing is to only subdivide the single family house parcel. Mr. Popper clarified for the Commission that the previous application submitted by the applicant is pending in Middletown Superior Court.

Attorney Williams said that we have tied up the estate property for 2 years. He said your charge tonight is to determine that the proposed lot complies with the regulations not determine the use. He said it is currently a non-conforming use as a single family use. Attorney Williams reads a statement on land law use and the temporary suspension of non-conforming use. He said the previous owners passed away so it that is not voluntary. He said the estate has been marketed properly and entered into an agreement.

Attorney Julie Petrella, 630 Main Street said the Mrs. Ewald passed away on December 20, 2012. The estate was created on January 31, 2013. Mrs. Ewald wanted the property to be offered to family before a public sale. The public sale began in July of 2013. She said it has two listings since it is a residential use in a commercial zone. We agree we did not abandon the residential use.

Christopher Jiuliano, Licensed Engineer at 405 Main Street Wallingford said they are looking to subdivide an existing house. He said we would create a 20,701 square foot parcel which is the exact size and dimension of the previous application. He said we will install sidewalks on all sides including Court and Shunpike with minor grading. He said the Town Engineer submitted a bond estimate for sidewalks and trees and we have no problems with that. He said it is very straight forward. Mr. Popper said there were no comments from the Police or Fire Departments. Mr. Jiuliano said we will replace trees if we take any down. Mr. Cannata said the public notice size is different than the size you have on sheets 2 and 3. Mr. Jiuliano said yes, that is a typo. Mr. Cannata asked if the legal notice is correct and Mr. Popper said no, that is my fault, I read the wrong sheet. Attorney Williams said that doesn't require a re-notice. He said the letter we sent went out twice. What is required is that we notify people so they have the opportunity to come speak and that has been provided. Mr. Popper said I tend to agree with that, people are aware we are asking to create a subdivision so in essence this doesn't change the application.

Attorney Petrella said she was in agreement.

A break was called at 8:21 and the meeting was called back to order at 8:27pm.

Chairman Kelly asked for any members of the public who wanted to speak regarding application 16-05. No one came forward.

Mr. Cordone asked if the size of the lot was ok. Mr. Popper said it is ok for it to be bigger in local business zone but not in a residential zone. Attorney Williams said the bulk requirements on page 42 allow for a minimum lot of 15,000 square feet so we exceed that. Chairman Kelly said this is residential use in a commercial zone. She said the zoning regulations only matter to the requirements of the lot and the regulations don't allow for residential use. Attorney Williams said the lot conforms to the requirements. There was a discussion on the commission powers and planning versus zoning. He said planning only looks at lot requirements not use.

Mr. Popper said you are questioning use and continued use of a non-conforming use. He said you don't have authority to tell someone you can't subdivide a non-conforming use since they are not changing anything. Chairman Kelly said that doesn't agree with the Plan of Conversation and Development. She said for 4 years no one has been there. Mr. Cannata said it would have to go to Zoning Board of Appeals to be substantially changed. Attorney Williams said, true it would have to be used to conformity. Mr. Cannata said so it will remain a house until a permit is sought and Attorney Williams said yes.

Chairman Kelly again asked for any members of the public who wanted to speak regarding application 16-05. No one came forward.

Mr. Popper asked that if the Commission were to approve the application tonight it would be with the requirements contained in Jon Harriman's memo dated 3/29/2016.

A **motion** was made by Michael Cannata and **seconded** by Paul Cordone to close the public hearing for application 16-05. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to approve application 16-05 to create a 20,701 square foot lot and a 211,803 square foot lot for future development with conditions contained in Jon Harriman's memo of 3/29/2016. *All were in favor; the motion passed.*

11. Approval of Minutes:

a. April 5, 2016

A **motion** was made by Paul Cordone and **seconded** by Jeremy Floryan to approve the minutes of April 5, 2016. *All were in favor; the motion passed.*

12. Commissioner's Comments:

13. Adjourn

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to adjourn at 8:50pm. *All were in favor; the motion passed.*

Respectfully Submitted,



Linda Imme
Recording Clerk



**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 Sebeth 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 inconsistencies 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:

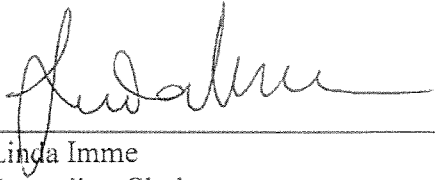
a. April 19, 2016

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