



**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY APRIL 18, 2017
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 New Applications:
 - a. Application #17-14: Request for a Site Plan Modification to install new signs at Autumn Lake of Cromwell at 385 Main Street. Autumn Lake of Cromwell is the Applicant and Cromwell Realty LLC is the Owner.
 - b. Application #17-15: Request for a Temporary Use Permit to operate a Fireworks Retail Tent at 113 Berlin Road. Keystone Novelties Distributors LLC is the Applicant and Ganesha Hospitality LLC is the Owner.
9. New Business:
 - a. Application #17-10: Request for a Site Plan Approval to construct a 5,400 square foot single story building and 4,200 square foot canopy for truck parking at 70 County Line Drive. Two Men and a Truck is the Applicant and Brothers Property LLC is the Owner.
10. Commissioner's Comments:
11. Approval of Minutes:
 - a. March 7, 2017
 - b. March 21, 2017
12. Adjourn

RECEIVED FOR FILING
4-11-2017 at 11:21AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Lee Tomasegha, Asst.
TOWN CLERK

Memo

To: Planning & Zoning Commission

From: Fred Curtin

Date: April 11, 2017

Re: March 2017 Activity Report

49 River Road: The Cease and Desist order is still in place and daily citation fines are accruing.

123 Evergreen Road: The property owner is appealing my decision to remove the container from his rear yard.

8 South Street: Another unregistered vehicle has been removed.

520 Main Street: A Notice of Violation was issued for the Commercial Vehicle (Flat Bed Tow Truck), unregistered vehicles, and repairing vehicles.

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	Complete
16-02	Frank Acheampong	538 Main Street	Clothing Bin for Non Profit	Withdrawn	Withdrawn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.		Complete
16-08	Use #16-13 instead				
16-09	Greater Hartford Community Foundation	100 Golf Club Road	Travelers Championship	Approved with conditions 4/19/16	Event over
16-10	Pinewood Landscaping, LLC	302 Main Street	Site Plan Modification	Approved 4/19/16	Sign Complete
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

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
16-13	Town of Cromwell	Raymond Place Neighborhood	Roadway and Drainage Improvements	Approved 4/19/16	Work in progress
16-14	Town of Cromwell	41 West Street	Modify Site Plan for Parking Lot Expansion	Approved 4/19/16	Complete
16-15	Luca DiMichele	6 Kirby Road	Barbershop & Emporium	Approved by ZEO 4/7/16	Complete
16-16	National Sign	4 Sebethe Road	Chili Signage	Approved 5/03/16	Complete
16-17	Dana Woods	11 Appplewood Road	Add fill to yard	Approved 5/9/16 by ZEO	Work in progress
16-18	Keystone Novelities	111-113 Berlin Road	Temporary tent for fireworks	Approved by ZEO 6/21/16	Event over
16-19	John Vignone	84 North Road	Garage & shed over 1000 square feet	Approved 6/21/16	Complete
16-20	Elias DiMichele	6 Kirby Road	Parking lot modification	Approved 7/19/16	Open for business
16-21	Tatiana DeJesus	45 Shunpike Road	Sale of Fireworks	Approved by ZEO 5/24/16	Event over
16-22	Paul Zigmont	138 Coles Road	Construct oversized garage	Approved 7/19/16	Complete
16-23	Paraco Gas	538 Main Street	BBQ - Exchange	Approved 6/21/16	Complete
16-24	Town of Cromwell	Prospect Hill Road	Valor Green Improvements	Approved 6/7/16	Work in progress
16-25	Town of Cromwell	85 Coles Road	Walking Trail	Approved 6/7/16	Work in progress
16-26	Paraco Gas/S. Taylor	72 West Street	Propane Exchange Program	Withdrawn 6/7/16	Withdrawn

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
16-27	Maria Ceccacci	76 Berlin Road	Advanced Auto Parts	Approved 7/19/16	No Activity
16-28	P & Z Commission	Zoning Regs.	Amend Sections 7.1A3 (1) (2) and 10.4E.2	Approved 7/19/16	
16-29	Three Sons Realty Pride Corner Farms, Inc.	600 Main Street	Millane Nurseries	Approved 7/19/16	Open
16-30	Three Sons Realty Pride Corner Farms, Inc.	600 Main Street	Millane Nurseries	Approved 7/19/16	Open
16-31	Mukesh A. Patel	164 West Street	Proposed Bldg. Conversion - Retail Store	Approved with conditions 9/20/16	Site cleaned up
16-32	Walmart Real Estate Trust	161 Berlin Road	Add seasonal storage trailers in parking lot	Approved with conditions 10/18/16	
16-33	Victor Torza	180 Sebehe Drive	Outside Halloween Party	Approved 10/4/2016	Event over
16-34	Allan Spotts	321R Main Street	Cromwell Rep. Town Committee Headquarters	Approved by ZEO 9/9/16	Event over
16-35	Fibredust Realty LLC	30 New Lane	Site Plan Modification for outdoor storage	Denied 10/4/16	
16-36	Rodnella Realty LLC	241 and 251 Main Street	Amend zoning map	Approved 10/18/16	
16-37	Blue Rhino of New England	207 West Street	Outside storage and sale of propane tanks	Approved 10/18/16	Tanks installed
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status

16-38	Julie Cranick	199 Shunpike Road	Stretch Fitness	Approved by ZEO 10/7/16	Open for Business
16-39	Sign Pro Inc.	14 Hillside Road	Site Plan Modification for installation of signs	Accepted & Approved 10/18/16	Complete
16-40	Sign Pro Inc.	1000 Corporate Row	Site Plan Modification for installation of signs	Accepted & Approved 10/18/16	Complete
16-41	Joseph Moruizzi	199 Shunpike Road	Energy Zone Fitness	Approved by staff 10/7/16	Open for business
16-42	Bishop's Automotive	140 Berlin Road	Replace signs with LED	Approved 12/6/2016	
16-43	Scovill Landscape	25 Cider Hill Road	Fill - level backyard	Approved by ZEO 11/9/2016	Work in progress
16-44	Tressan Gengler	588 Main Street	Oversized garage	Approved 12/6/2016	No Activity
16-45	Planning & Zoning Comm.	Industrial Zone District	Section 3.5.C.4 Sperm for sale & consumption of alcoholic beverages in ID Zone	Approved 3/7/2017	
16-46	Planning & Zoning Comm.	Industrial Zone District	Section 7.5,7.5A,7.5B Location requirements for alcoholic beverages in ID zone	Approved 3/7/2017	
16-47	Planning & Zoning Comm.	Industrial Zone District	Section 3.5.C.4 Special Permit for sales and small engine repairs	Approved 3/21/2017	
16-48	NGA Nguyen	25 Shunpike Road	3,500sf Retail Building	Approved 1/17/17	No Activity
16-49	NGA Nguyen	25 Shunpike Road	New Building	Approved 1/17/17	No Activity

		P & Z Permits 2017					
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status		
17-01	Greater Hartford Comm. Foundation	One Golf Club Road	Travelers Championship	Approved with conditions 2/2/17	Event pending		
17-02	Town of Cromwell		Amend Section 1.7 of the Zoning Regulations	Approved 3/7/2017			
17-03	Jonathan Gerolami	321/323 Main Street	Recreation games	Approved by ZEO 1/20/2017	No Activity		
17-04	Sommer Nelson	547 Main Street	VCA Cromwell Animal Hospital- Dog Training classes	Approved by ZEO 1/27/2017	No Activity		
17-05	Michael Santangelo	17 Jennerifer Lane	Oversized Garage	Approved 3/21/2017	No Activity		
17-06	Town of Cromwell - Public Works Dept.	Willowbrook Rd at 372	Roadway reconstruction filling within flood hazard area	Approved 3/21/2017	No Activity		
17-07	Town of Cromwell	Willowbrook Rd. (South end)	Widening & pavement rehabilitation	Approved 3/21/2017	No Activity		
17-08	Stanley Jasiecki	33 Shadow Lane	Leanto Greenhouse	Approved with conditions 3/21/2017	No Activity		
17-09	Edward Alnas	136 Berlin Road	Pizzapie Restaurant	Approved by ZEO 3/3/2017	No Activity		

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: April 11, 2017
Re: Comments for the April 18, 2017 Meeting Agenda

8. New Business Accept and Schedule New Applications:

a. Application #17-14: Request for a Site Plan Modification to install new signs at Autumn Lake of Cromwell 385 Main Street. Autumn Lake of Cromwell is the Applicant and Cromwell Realty LLC is the Owner. The existing sign would be removed and replaced with two new signs. *Staff is requesting that the Commission accept the application and schedule it to be considered on April 18, 2017.*

b. Application #17-15: Request for a Temporary Use Permit to operate a Fireworks Retail Tent at 113 Berlin Road. Keystone Novelties Distributors LLC is the Applicant and Ganesha Hospitality LLC is the Owner. *Staff is requesting that the Commission accept the application and schedule it to be considered at the May 2, 2017 meeting.*

9. New Business:

a. Application #17-10: Request for a Site Plan Approval to construct a 5,400 square foot single story building and 4,200 square foot canopy for truck parking at 70 County Line Drive and the western portion of 60 County Line Drive. Two Men and a Truck is the Applicant and Brothers Property LLC is the Owner.

The proposed new lot combines 70 County Line Drive (30,587 square feet) and the western portion of 60 County Line Drive (14,862 square feet) and will contain 45,449 square feet. In addition to the above mentioned building and canopy the site will contain 14 parking spaces. The property is located in the Industrial Zone and the use of the property as a warehouse and office space is a permitted use requiring Site Plan Approval. Staff reviewed the plans and requested several modifications. The applicant has submitted revised plans addressing the staff comments.

The site does contain wetlands and at the March 2, 2017 meeting the Cromwell Inland Wetlands and Watercourses Agency approved Application #17-02: Request to conduct Regulated Activities (construct a parking lot) within the Upland Review Area at 70 County Line Drive and on the westerly portion of 60 County Line Drive.

17-14

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL MOD

Name of Project: Autumn Lake at Cromwell

Street Address: 385 Main St.

Volume/Page: _____ PIN #: 00108600

Applicant Name: Bill Dunaway

Address: 385 Main St. Cromwell, CT 06416

Telephone: 860-635-5613 (day) 860-841-6468 (evening)

Email Address: bdunaway@autumnhc.net

Property Owner Name: Cromwell 11c

Address: 385 Main Street
Cromwell, CT 06416

Attached:

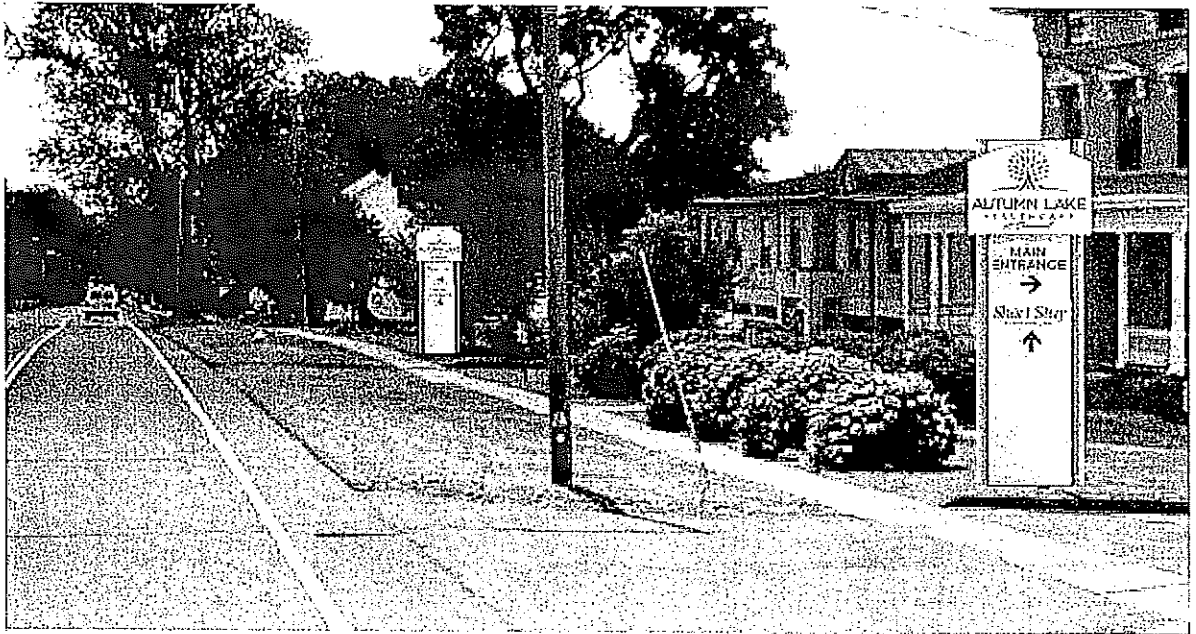
- Application fee.
- Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

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

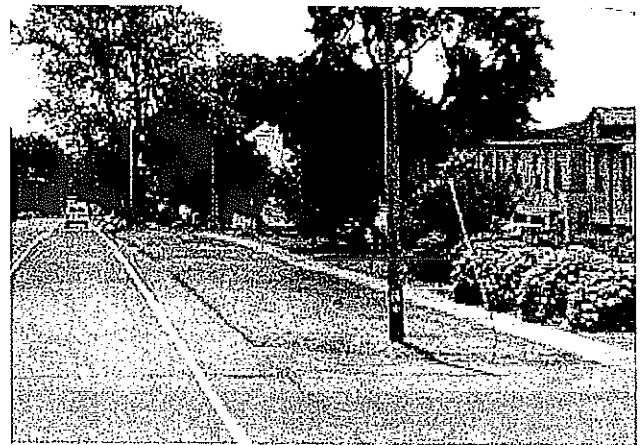
I hereby certify that the information presented above is correct to the best of my knowledge.

Bill Dunaway
Applicant Name and Signature

Date

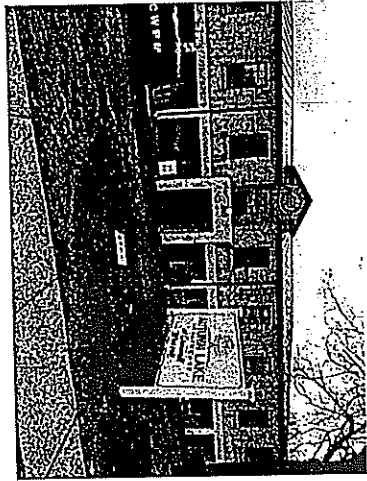
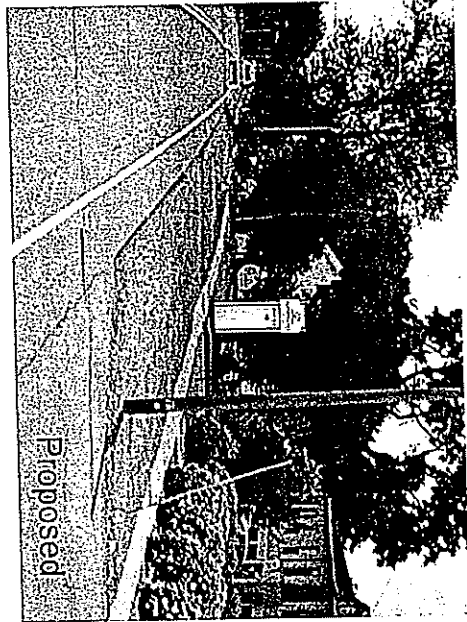


Proposed

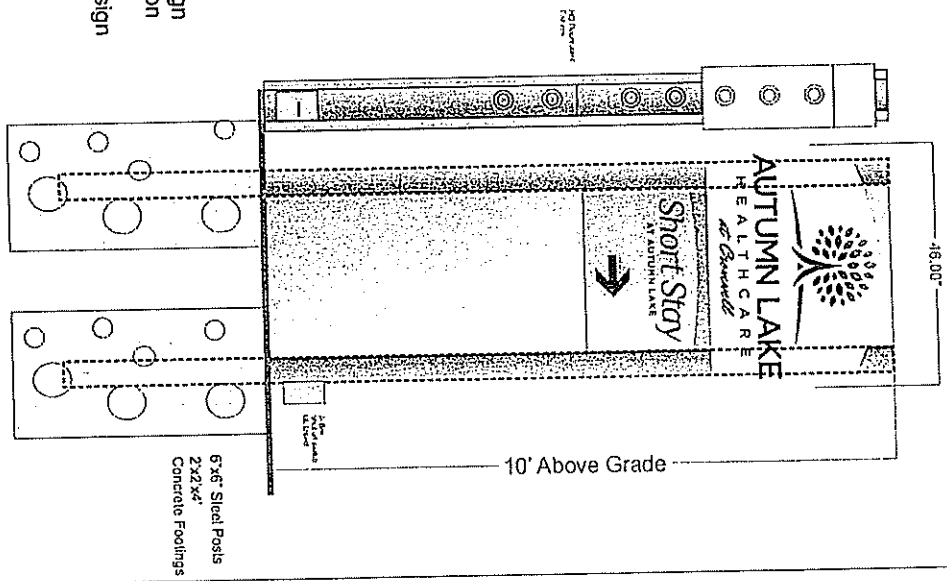


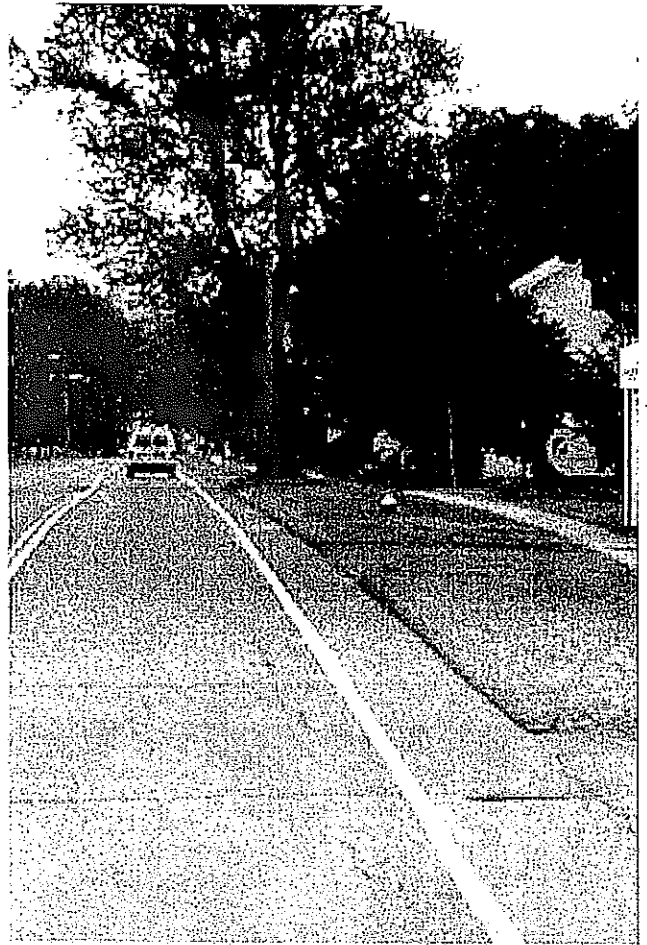
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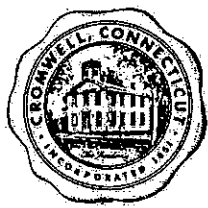
Double sided illuminated Wayfinding Sign
 of Aluminum and steel frame construction
 Stencil cut letters
 Replacing existing illuminated lampost sign





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17-15



**Town of Cromwell
Planning and Zoning Commission**

**APPLICATION FOR
TEMPORARY EVENT PERMIT**

Date Submitted: 4/11/17 Zoning District: AB

Location (street name and number): 111 Berlin rd. Cromwell, ct

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

Description of Proposed Activity: Retail Sales of ct Legal sparklers + Fountains
(Fireworks) From June 23rd - July 5th 2017 from 9am-9pm
July 3rd & 4th 9am-10pm.

Applicant's Name: Keystone Novelties Distributors, LLC. Keith Lambert

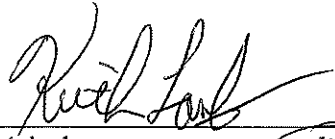
Applicant's Mailing Address: 201 Seymour St Lancaster, PA 17603

Applicant's Email Address: KLambert@KeystoneNovelties.com

Applicant's Telephone Number: 401-323-7197 SAME
(daytime) (evening)

Property Owner's Name: Ganesh Hospitality, LLC dba Quality Inn (AL Pathik)

Property Owner's Address: 111 Berlin rd. Cromwell, ct 06416


(circle one: owner applicant agent)

4/11/17
date

Keith Lambert
(printed name of signer)

Location Name: Cromwell

Address: 111 Berlin Road Cromwell, CT 06416

Notes:



17-10

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: TWO MEN & A TRUCK

Street Address: 70 COUNTY LINE DRIVE

Volume/Page: _____ PIN #: 11000500 & PART. 11000400

Applicant Name: TWO MEN AND A TRUCK

Address: 1275 CROMWELL AVE.

ROCKY HILL

Telephone: 860-724-2901 (day) _____ (evening)

Email Address: DAVE.SUDRU @ TWOMEN.COM

Property Owner Name: BROTHERS PROPERTIES, LLC

Address: #2 POND VIEW DRIVE

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. <i>Is any part of the site within 500' of an adjoining town?</i> | <input checked="" type="radio"/> (Yes) | <input type="radio"/> (No) |
| 2. <i>Will this project require an Inland Wetlands Agency permit?</i> | <input checked="" type="radio"/> (Yes) | <input type="radio"/> (No) |
| <i>if yes, have you obtained it?</i> | <input checked="" type="radio"/> (Yes) | <input type="radio"/> (No) |
| 3. <i>Will this project require a DEP Stormwater Management Permit?</i> | <input type="radio"/> (Yes) | <input checked="" type="radio"/> (No) |
| <i>if yes, have you applied for it?</i> | <input type="radio"/> (Yes) | <input checked="" type="radio"/> (No) |
| 4. <i>Will this Project Require an STC Permit?</i> | <input type="radio"/> (Yes) | <input checked="" type="radio"/> (No) |
| <i>if yes, have you submitted a copy of the plans to the STC?</i> | <input type="radio"/> (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> | <input checked="" type="radio"/> (Yes) | <input type="radio"/> (No) |

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

JAMES P. CASSIDY
Applicant Name and Signature AS AGENT FOR

03/06/17
Date

**Engineering Department
Town of Cromwell
Cromwell, CT**

Memorandum

To: Inland Wetlands Commission

CC: Stuart Popper, Town Planner

From: Jon Harriman, P.E.

Date: 2/23/2017

Re: 17-02 : 70 County Line Drive

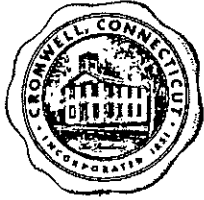


I received a plan entitled "Site Development Plan Prepared for Two Men and a Truck" dated 1/31/2017 by Hallisey, Person & Cassidy. The plan calls for 5,400 square foot building, with paved parking area and a rear canopy.

The plan shows no proposed erosion controls (silt fence, catch basin protection, construction entrance, etc). The driveway as shown would be located in line with an existing catch basin on County Line Drive. I would recommend that the construction entrance not be located on top of the basin, as it will be very difficult to protect it during construction. The final drive could work as shown.

I would recommend a conditional approval with the construction access to be located away from the catch basin, and a full erosion control plan to be submitted and approved by Town staff.

RECEIVED FOR FILING
3-28 2017 at 10:00 AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.



**Town of Cromwell
Planning and Zoning Commission**

[Signature]
TOWN CLERK

**REGULAR MEETING
7:00 P.M. TUESDAY MARCH 7, 2017
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, Ken Slade, Paul Cordone and Nicholas Demetriades

Absent: Ken Rozich

Also present: Stuart Popper Director of Planning and Development, Fred Curtin Zoning Enforcement Officer

Call to Order

The meeting was called to order by Chairman Kelly at 7:00pm.

1.Roll Call

The presence of the above members was noted.

2.Seating of Alternates

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to seat Nicholas Demetriades as an alternate. *All were in favor; the motion passed.*

4. Approval of Agenda

Mr. Popper asked that the Commission amend the agenda to include under New Business the accepting and scheduling of Applications #'s 17-10 and 17-11. He said the staff is requesting the Commission to accept the applications and schedule them both to be heard on April 4, 2017.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to approve the agenda with the addition of 9. New Business Accept and Schedule Applications #17-10: Request for a Site Plan Approval to construct a 5,400 square foot single story building and 4,200 square foot canopy for truck parking at 70 County Line Drive. Two Men and a Truck is the Applicant and Brothers Property LLC is the Owner; and

Application #17-11: Request to Re-subdivide 20 and 40 Commerce Drive into 3 lots. G&G

Holdings II LLC is the Applicant and the Owner. The existing 20 Commerce Drive would be reduced to 1.71 acres and 40 Commerce Drive would be divided into two lots containing 0.97 acres and 1.22 acres.

5. Public Comments - none

5. Development Compliance Officer Report:

Mr. Curtin reviewed his report dated February 28, 2017. The Commission members and Mr. Curtin discussed the various items in his report including 49 River Road, the former Millane Nursery property and the Kmart going out of business signs.

6. Town Planner Report:

Mr. Popper reviewed his report dated March 1, 2017. The Commission members and Mr. Popper discussed his report.

7. New Business: Accept and Schedule:

a. Application #17-10: Request for a Site Plan Approval to construct a 5,400 square foot single story building and 4,200 square foot canopy for truck parking at 70 County Line Drive. Two Men and a Truck is the Applicant and Brothers Property LLC is the Owner

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to accept and schedule application 17-10 for the regular meeting on April 4, 2017. *All were in favor; the motion passed.*

b. Application #17-11: Request to Re-subdivide 20 and 40 Commerce Drive into 3 lots. G&G Holdings II LLC is the Applicant and the Owner. The existing 20 Commerce Drive would be reduced to 1.71 acres and 40 Commerce Drive would be divided into two lots containing 0.97 acres and 1.22 acres.

A **motion** was made by Michael Cannata and seconded by Jeremy Floryan to accept and schedule application 17-11 for the regular meeting on April 4, 2017. All were in favor; the motion passed.

10. Public Hearing:

Chairman Alice Kelly read the legal notice for the public hearing into the record.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to open the public hearing for application 16-45. All were in favor; the motion passed.

a. Application #16-45: Request to amend Section 3.5.C.4 Other Uses of the Zoning Regulations to permit as a Special Permit the manufacture, sale and consumption of Alcoholic

beverages in the Industrial Zone District. The Planning and Zoning Commission is the Applicant.

Mr. Popper summarized the changes to be made to the Section 3.5.C.4 of the Zoning Regulations. The Commission members and Mr. Popper discussed the proposed amendments to the Zoning Regulations.

A motion was made by Michael Cannata and seconded by Rich Waters to close the public hearing for application 16-45. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Rich Waters to approve Application 16-45. All were in favor; the motion passed.

b. Application #16-46: Request to amend Sections 7.5 Alcoholic Beverages and Section 7.5.A Permitted Zones and Distances and Section 7.5.B. Location Requirements and Limitations of the Zoning Regulations to permit the manufacture, sale and consumption of alcoholic beverages in the Industrial Zone District. The Planning and Zoning Commission is the Applicant.

Mr. Popper summarized the changes to be made to the Sections 7.5 and 7.5.A and 7.5.B of the Zoning Regulations. The Commission members and Mr. Popper discussed the proposed amendments to the Zoning Regulations.

A motion was made by Michael Cannata and seconded by Rich Waters to close the public hearing for application 16-45. All were in favor; the motion passed.

A motion was made by Michael Cannata and seconded by Rich Waters to approve Application 16-45. All were in favor; the motion passed.

c. Application #16-47: Request to amend the Section 3.5.C.4 Other Uses of the Zoning Regulations to permit as a Special Permit retail sales and small engine repair in the Industrial Zone District. The Planning and Zoning Commission is the Applicant.

Mr. Popper summarized the changes to be made to the Section 3.5.C.4 Other Uses of the Zoning Regulations. The Commission members and Mr. Popper discussed the proposed amendments to the Zoning Regulations and concluded that they needed more information before acting upon this application.

A motion was made by Michael Cannata and seconded by Nicholas Demetriades to continue the public hearing for application 16-47 until the next meeting to allow staff to prepare additional information. All were in favor; the motion passed.

d. Application #17-02: Request to amend Section 1.7 Defined Terms of the Zoning Regulations by adding new terms relating to the manufacture, sale and consumption of Alcoholic beverages. The Planning and Zoning Commission is the Applicant.

Mr. Popper summarized the changes to be made to the Section 1.7 Defined Terms of the Zoning Regulations by adding new terms relating to the manufacture, sale and consumption of Alcoholic beverages. The Commission members and Mr. Popper discussed the proposed amendments to the Zoning Regulations.

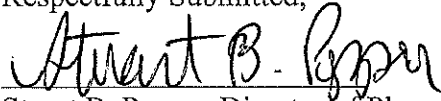
A motion was made by Michael Cannata and seconded by Paul Cordone to approve Application 16-47. All were in favor; the motion passed.

11. Commissioner's Comments:

12. Adjourn

A **motion** was made by Michael Cannata and **seconded** by Nicholas Demetriades to adjourn at 8:01 pm. *All were in favor; the motion passed.*

Respectfully Submitted,



Stuart B. Popper Director of Planning and Development
Acting Recording Clerk

RECEIVED FOR FILING
3-27-2017 at 9:51 AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

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

Rita Conroy, Asst.
TOWN CLERK

**7:00pm TUESDAY MARCH 21st, 2017
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Michael Cannata, Brian Dufresne, Chris Cambareri, Richard Waters, Jeremy Floryan, Kenneth Slade, Paul Cordone, and David Fitzgerald

Also Present: Director of Planning and Development Stuart Popper and Town Engineer Jon Harriman

1. Call To Order

The meeting was called to order by Chairman Kelly at 7:09 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 Brian Dufresne to seat David Fitzgerald as alternate. *All were in favor; the motion passed.*

4. Approval of Agenda

A **motion** was made by Michael Cannata and **seconded** by Chris Cambareri to approve the agenda. *All were in favor; the motion passed.*

5. Public Comments

There were no public comments at this time.

6. Development Compliance Officer Report

Mr. Curtin was not present at the meeting, but a copy of his report was submitted to the commission.

7. Town Planner Report

Mr. Popper submitted his report at the last meeting. New applications have been accepted, including an application for construction of a small 5,000 sq. ft. structure adjacent to Brother's Autobody which will be subject to approval at the April 4th meeting.

8. New Business

- a. Application #17-07: Request for site plan approval to reconstruct a portion of Willowbrook Road with the Flood Hazard Area. The Town of Cromwell is the Applicant and Owner.

Stuart Popper presented Application #17-06 and #17-07 and asked they be considered together. He stated the legal notice for applications appeared in the Hartford Courant.

9. Public Hearing

- a. Application #17-05: Request for Special Permit under Section 2.7.A.4. of the Zoning Regulations to construct more than 1000 sq. ft. of accessory building (garage) at 17 Jennifer Lane. Michael Santangelo is the Applicant and Michael and Heather Santangelo are the owners.

Michael Cannata made a **motion** to open the public hearing for Application #17-05. Kenneth Slade **seconded** the motion. *All were in favor; the motion passed.*

Michael Santangelo, 17 Jennifer Lane, presented his application for a Special Permit under Section 2.7.A.4 of the Zoning Regulation. Under the regulation, a Special Permit is required to construct more than 1000 sq. ft. of accessory building on the property. Mr. Santangelo provided a packet of photographs, including: a site plan of the proposed shed, a GIS photo of the proposed shed location and street level photographs of the property.

Paul Cordone asked about the square footage of accessory buildings on the property. Mr. Santangelo responded that the proposed shed is 12'x20' and including an attached garage on the property, the total square footage amount is less than 1600 sq. ft., within the requirements of Section 2.7.A.4. of the Zoning Regulations.

In response to Chairman Kelly's questions, Mr. Santangelo stated that the shed would be used to store patio furniture, a lawn mower, and toys for his three children. Mr. Santangelo explained that he had discussed his plans with his neighbor and he had no issue with it. Further, Mr. Santangelo described new bushes he planted that will block the neighbor's view of the shed within the next few years as they grow in.

Mr. Santangelo stated that he had posted the required sign and had the certified mail and provided documentation to Mr. Popper. Mr. Popper stated that he had received a phone call from a neighbor asking about the certified mail received and the neighbors posed no questions or concerns after Mr. Popper's explanation of the process.

Michael Cannata made a **motion** to close the public hearing. Richard Waters **seconded** the motion. *All were in favor; the motion passed.*

Michael Cannata made a **motion** to approve Application #17-05: Request for Special Permit under Section 2.7.A.4. of the Zoning Regulations to construct more than 1000 sq. ft. of accessory building (garage) at 17 Jennifer Lane. Richard Waters **seconded** the motion. *All were in favor; the motion passed.*

- b. Application #17-08: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to construct more than 1000 sq. feet of accessory building (greenhouse) at 33 Shadow Lane. Stanley E. Jasiiecki is the applicant and Elizabeth and Stanley Jasiiecki are the owners.

Michael Cannata made a **motion** to open the public hearing for Application #17-08. Richard Waters **seconded** the motion. *All were in favor; the motion passed.*

Stanley Jasiiecki, 33 Shadow Lane, presented the certified mail to Mr. Popper. Mr. Jasiiecki explained that the proposed greenhouse would be 7.5'x23' and would put his total square footage of accessory building over 1000 sq. ft. It will sit on granite blocks and be built using glass and a steel framework, creating a structure with a more permanent use.

Chairman Kelly asked about the box container on Mr. Jasiiecki's property that had caused complaints from neighbors. Mr. Jasiiecki explained that the box container has been used to house a significant amount of materials and machinery from his previous business. In response to questions about whether the box container will be removed, Mr. Jasiiecki stated that it would go if the commission deemed it was necessary.

Mr. Popper stated that because this is an additional structure, the box container and the materials surrounding it needed to be removed. Mr. Popper expressed that the box container must be removed before construction of the greenhouse were to begin. According to Mr. Popper, with input from Mr. Curtain, the removal of the box container was a condition of a previous permit to construct an unattached garage. The unattached garage has been completed, but the box container has not been removed.

Michael Cannata suggested that the permit be approved with the condition that no work on the greenhouse begin until the box container had been removed.

A discussion occurred in regards to the previous accessory structure, the unattached garage, and whether Mr. Jasiiecki can clean up the yard and remove the box container. Mr. Jasiiecki asked for 90 days to remove the box container and clean up the yard.

In a public comment, Lou Defurio, 35 Shadow Lane, stated that the box container is an eye sore that needs to be removed because he is planning to sell his house. He explained that he has no issue with the greenhouse as long as Mr. Jasiiecki cleans up his yard and removes the box container.

Chris Camberari expressed concern about whether the materials would actually be removed or just move elsewhere on the property. Mr. Jasiocki stated that the material will be removed or moved into one of the existing accessory structures.

Incorporating Paul Cordone's suggestion, Michael Cannata proposed approving the application with a drop-dead date and that nothing can be done without Mr. Curtain's approval. The commission seemed to be in approval of this language.

Mr. Popper asked for 60 days instead of 90 and it was accepted by the commission.

Michael Cannata made a **motion** to close the public hearing. Richard Waters **seconded** the motion. *All were in favor; the motion passed.*

Michael Cannata made a **motion** to approve Application 17-08: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to construct more than 1000 sq. feet of accessory building (greenhouse) at 33 Shadow Lane, with the condition that the storage container and material around it be removed and cleaned within 60 days subject to Fred Curtain's inspection and approval before construction of the greenhouse can commence. Richard Waters **seconded** the motion. *All were in favor; the motion passed.*

- c. Application #17-06: Request for a Special Permit under Section 4.2 of the Zoning Regulations to reconstruct a portion of Willowbrook Road with the Flood Hazard Area. The Town of Cromwell is the applicant and the Owner.

Application #17-07: Request for site plan approval to reconstruct a portion of Willowbrook Road with the Flood Hazard Area. The Town of Cromwell is the Applicant and Owner.

Town Engineer Jon Harriman explained the proposed project that will receive both state and federal funding. The reconstruction of Willowbrook Road will raise the elevation of the road to alleviate the flood area.

Mr. Harriman explained that he followed relevant regulations and applied for and received wetlands permission. A permit is needed to do work in the 100 Year Flood Plan and has received a variance. The project, according to Mr. Harriman, is meant for the public good to ensure better access to the roads.

During the construction, the town will work with the Cromwell Police Department to handle the alternating one way traffic during the majority of the work. A brief, 1-2 week detour, will also be necessary, but if done during the dry season, it may be shorter.

Mr. Harriman reviewed the timeline for the project, which is expected to begin in Fall 2017. Contractors would have Winter 2017-2018 to determine utility pole transitions. The majority of the asphalt work would be done in Spring 2018.

A discussion occurred in regards to the FEMA maps of the flood plan area.

Michael Cannata made a **motion** to close the public hearing. Richard Waters **seconded** the motion. *All were in favor; the motion passed.*

Michael Cannata made a **motion** to approve Application #17-06: Request for a Special Permit under Section 4.2 of the Zoning Regulations to reconstruct a portion of Willowbrook Road with the Flood Hazard Area. The Town of Cromwell is the applicant and the Owner. Brian Dufresne **seconded** the motion. Chairman Kelly recused herself. *All others were in favor; the motion passed.*

Michael Cannata made a **motion** to approve Application #17-07: Request for site plan approval to reconstruct a portion of Willowbrook Road with the Flood Hazard Area. The Town of Cromwell is the Applicant and Owner. Brian Dufresne **seconded** the motion. Chairman Kelly recused herself. *All others were in favor; the motion passed.*

- d. Application #16-47: Request to amend the Section 3.5.C.4 Other Uses of the Zoning Regulations to permit as a Special Permit retail sales and small engine repair in the Industrial Zone District. The Planning and Zoning Commission is the Applicant.

Mr. Popper submitted the application. Michael Cannata made a **motion** to re-open the public hearing for Application #16-47. Richard Waters **seconded**. *All were in favor; the motion passed.*

Mr. Popper reviewed his memo and stated that the town is currently allowing for a contractor yard, but if the business owner wanted to sell top soil or stone, the business owner could not under current regulations. A discussion occurred in regards to various examples of retail operations that could not be allowed under current regulations.

The motion today, according to Mr. Popper, is to permit retail sales and small engine repair only as an accessory use to an existing permitted use in the Industrial Zone District. Both would require a special permit and would be allowed if attached to an existing permitted use, appropriate, and it would not cause undue traffic.

A discussion occurred about what a permitted use would be. Chris Camberari asked if such operations were occurring now, would they be non-conforming and Mr. Popper responded that they would.

Paul Cordone asked about how the process would work. Mr. Popper explained that a new business owner would have the ability to roll this permit in with an application for a new business. Current business owners would need to get the Special Permit.

A discussion occurred about possible reasons why this type of activity was not allowed when the regulation was created.

No other questions or comments.

Michael Cannata made a **motion** to close the public hearing. Richard Waters **seconded** the motion. *All were in favor; the motion passed.*

Michael Cannata made a **motion** to amend section 3.5.c.4 to include "Permit retail sales only as an accessory use to a permitted use in the Industrial Zone District." Also, "Small engine repair only as an accessory use to a permitted use in the Industrial Zone District." Richard Waters **seconded** the motion. No discussion. *All were in favor; the motion passed.*

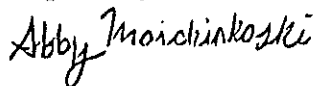
10. Commissioner's Comments

Stuart Popper, responding to Michael Cannata's question about the dam frontage of the proposed lot at 55 Nooks Hill Road, explained that it would be nearly impossible to sell the land because the dam is located there. It would be very difficult to develop the easements to maintain the dam.

11. Adjourn

Michael Cannata **moved** to adjourn the meeting at 8:27 pm, Brian Dufresne **seconded** the motion. *All were in favor; the motion passed.*

Respectfully Submitted,



Abby Marchinkoski
Recording Clerk