

**Town of Cromwell
Planning and Zoning Commission**

***SPECIAL MEETING
7:00 P.M. TUESDAY AUGUST 1, 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:
9. New Business Accept and Schedule New Applications:
 - a. Application # 17-31 Request for a Site Plan Modification to install a monument sign at 200 West Street. Dorothy Williams is the Applicant and Linh D. Truong and Linda Duong are the Owners.
10. New Business:
 - a. Application # 15-31: Request for a Site Plan Modification to install a temporary parking lot at 14 Hillside Road. GKN is the Applicant and Buhl Land East V LLS is the Owner. The Applicant has submitted the required two year review and status report.
 - b. Application #11-31: Request to release the \$1,200.00 street tree bond (six trees at \$200 per tree) for the Sunset Ridge Subdivision. Reed Builders LLC, was the Applicant; John Masserio and Janice Piccoli were the Owners.
11. Public Hearing:
 - a. Application #17-25: Request to amend the Zoning Map to create a Planned Residence Development Zone District at 76 Field Road. Carrier Group, Inc. is the Applicant and Larry Webster Associates LLC is the Owner.
12. Commissioner's Comments:
13. Approval of Minutes:
 - a. July 18, 2017
14. Adjourn

RECEIVED FOR FILING
7-25-2017 at 2:18 PM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Lou Lawrence
TOWN CLERK

Memo

To: Planning & Zoning Commission

From: Fred Curtin

Date: July 25, 2017

Re: August 1, 2017 Activity Report

6 Kirby Road – They have removed the pavement and process from the buffer area, as of this writing.

75 Field Road – I have received a complaint about a Business and Commercial Vehicles at this address.

95 Court Street – I have received a complaint about a Business and Commercial Vehicles at this address.

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	Over	
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	Open for Business	
17-04	Sommer Nelson	547 Main Street	VCA Cromwell Animal Hospital- Dog Training classes	Approved by ZEO 1/27/2017	Open for classes	
17-05	Michael Santangelo	17 Jennerifer Lane	Oversized Garage	Approved 3/21/2017	Complete	
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 Jasiocki	33 Shadow Lane	Leanto Greenhouse	Approved with conditions 3/21/2017	Work in progress	
17-09	Edward Alnas	136 Berlin Road	Pizzapie Restaurant	Approved by ZEO 3/3/2017	Work in progress	

Permit #	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
17-10	Two Men & a truck	70 County Line Drive	Proposed Building	Approved 4/18/17	No Activity
17-11	C & G Holdings II, LLC	Lots 6 & 7 Commerce Dr.	Resubdivision	Approved with conditions 6/6/17	
17-12	Lisa DiMichele	6 Kirby Road	Caffe Vernazza, Emporium	Withdrawn	
17-13	Chris Cambareri	Country Squire Drive	Military Simulation	Approved by ZEO 4/17/2017	Over
17-14	Autumn Lake of Cromwell	385 Main Street	Install new signs	Approved 5/16/2017	No Activity
17-15	Keystone Noveltyies	113 Berlin Road	Temp Fireworks Retail	Approved 5/2/17	Event over
17-16	Kevin Reed	town wide	Amenda reg 3.5.C.4 to add pet day care	Approved 5/16/2017	
17-17	Fire Dept. Michael Terenzio	105 Coles Road	Mother's day flower dales	Approved by ZEO 4/16/17	Event over
17-18	Lisa DiMichele	6 Kirby Road	SP Mod. To install parking spaces	Denied 7/18/2017	
17-19	Paraco Gas	Krauszers/117 Berlin Road	Propane tanks & cage	App/cond 6/6/17	No Activity
17-20	Middlesex Counseling Center	1 Willowbrook Suite 6	Family Counseling	Approved by ZEO 5/15/2017	No Activity
17-21	Town of Cromwell	Town wide	Amend sections 3.2.3 and Section 3.3.4	Approved 6/6/2017	

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.		90% 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	90% Complete
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	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 Applewood Road	Add fill to yard	Approved 5/9/16 by ZEO	Complete
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	Handicapped ramp complete
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 for business
16-30	Three Sons Realty Pride Corner Farms, Inc.	600 Main Street	Millane Nurseries	Approved 7/19/16	Open for business
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	Event over
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	Rodhella 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	Complete
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 Permit 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	Work in progress
16-49	NGA Nguyen	25 Shunpike Road	New Building	Approved 1/17/17	Work in progress

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: July 25, 2017
Re: Comments for the August 1, 2017 Meeting Agenda

9. New Business Accept and Schedule New Applications:

a. Application #17-31 Request for a Site Plan Modification to install a monument sign at 200 West Street. Dorothy Williams is the Applicant and Linh D. Truong and Linda Duong are the Owners. *The .26 acre site contains an existing single family house and is located in the Highway Business Zone District on the north side of Berlin Road. The Applicant is proposing to install a monument sign for the new Astrology business. Staff is requesting the Commission accept the application at the August 1, 2017 meeting and consider acting upon it that evening.*

10. New Business:

a. Application # 15-31: Request for a Site Plan Modification to install a temporary parking lot at 14 Hillside Road. GKN is the Applicant and Buhl Land East V LLS is the Owner. The Applicant has submitted the required two year review and status report. *Here are the details: GKN Aerospace would like to utilize the space for parking for additional 5 years as is. GKN will maintain the space as it has and approved by the Planning Director on his previous visit in 2017. We are currently utilizing the parking for our staff during the hours of 5:00am through midnight Monday through Saturday. Total number of parking spaces in the approved Temporary parking has been the same as on application # 15-31 approximately 30 spaces.*

b. Application #11-31: Request to release the street tree bond for the Sunset Ridge Subdivision. Reed Builders LLC, was the Applicant; John Masserio and Janice Piccoli were the Owners. *The applicant is requesting the release of the street tree bond in the amount of \$1,200 for six street trees in the Sunset Ridge Subdivision. The applicant and the staff will provide picture of the trees.*

11. Public Hearings:

a. Application #17-25: Request to amend the Zoning Map to create a Planned Residence Development Zone District at 76 Field Road. Carrier Group, Inc. is the Applicant and Larry Webster Associates is the Owner. The 74.8 acres of undeveloped land is located in the R-25 Zone District on the south side of Field Road. *Attached is a letter from the Applicant's Attorney addressing some of the questions raised during the first public hearing on July 18, 2017. Also attached is a copy of a summary of the requested waivers as permitted under Section 9.4.B of the Zoning Regulations.*

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN ~~APPROVAL~~ MODIFICATION

Name of Project: ASTROLOGY
Street Address: 200 West St Cromwell Ct
Volume/Page: _____ PIN #: _____

Applicant Name: Dorothy Williams
Address: 360 BERLIN TPK BERLIN CT 06037

Telephone: 860-828-3140 (day) _____ (evening)
Email Address: _____

Property Owner Name: Linh ^{D.} Truong + Linda Duong
Address: 200 West 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. <i>Is any part 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 <u>DEP 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.

Dorothy Williams
Applicant Name and Signature

7/21/2017
Date

\$160.00 pd cash
rev. 1/6/11

4'-0"

**Astrology
Readings
&
Energy Healing**

860-740-4973

WALK-INS WELCOME

4'-0"

200

2'-0"



Underwriters Inc.
LABORATORIES INC. (UL)
ALL TESTS PERFORMED IN ACCORDANCE WITH ALL A.S.T.M. STANDARDS
FOR THE PURPOSES OF THE CONTRACT.

WARRANTY NOTICE
Underwriters Inc. warrants that the sign, sign system, or sign structure, as shown on the drawing, was designed and fabricated in accordance with the applicable industry standards and specifications. We warrant that the sign, sign system, or sign structure, as shown on the drawing, will be constructed to an automatic energy return system. Underwriters Inc. does not warrant the sign, sign system, or sign structure, as shown on the drawing, against damage to the sign's electrical components and void the warranty of the sign to which it is attached, causing failure. Any damage to the sign without prior consultation with Underwriters Inc. will void the warranty.

Colors Depicted in This Rendering May Not Match Actual Material Finishes. Refer to Product Samples For Exact Color Match.

COMPLETE JOB:

LORENCE SIGNWORKS

55 Willow Brook Drive
Berlin, CT 06037
Office: (860) 829-9999 FAX: (860) 829-9944

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the written permission of Lorence Signworks, LLC or its authorized agent.
© 2010

LOCATION:

REVISIONS: INITIALS / DATE

DWG#:

UL Underwriters Laboratories Inc.
File # 019173

SHEET

OF

MAP REFERENCE:

1. MAP ENTITLED "CONNECTICUT DEPARTMENT OF TRANSPORTATION BUREAU OF HIGHWAYS RIGHT OF WAY MAP TOWN OF CROMWELL FROM THE BERLIN ROAD EASTERY TO SHUNPICK ROAD SCALE: 1"=40' DATE: 1-78 NUMBER 33-08 SHEET 1 OF 1 EDWARD J. LALLY C.E.
2. MAP ENTITLED "MAP SHOWING PROPERTY OF JOHN YAGLAWSKI, JR. CROMWELL, CONNECTICUT SCALE: 1"=30' DATE APR. 22, '50 THOMAS SCHEWEL JR. C.E. & L.S."
3. MAP ENTITLED "PROPERTY SURVEY MAP PROPERTY OF CROMWELL HILLS INC. & HARRY A. GAMPEL CROMWELL, CONN. SCALE 1"=100' DATE 1-30-70 REV. THRU 2-10-72 (GOR VECHESLOFF L.S.)"

WEST STREET (RTE. 372)

REGULATIONS FOR HB ZONE	
ITEM	REQUIRED EXISTING
MIN. LOT AREA	50,000 S.F. 10,791.75 S.F.
MIN. FRONTAGE	200' 72.59' *
MIN. FRONT YARD	25' 22.6' *
MIN. SIDE YARD	5' 8' *
ACC. SIDE YARD	50' 27.7' *
MIN. REAR YARD	25' 47.3' *
MAX. BLDG. HEIGHT	40' 30'
MAX. COVERAGE	65% 8 %

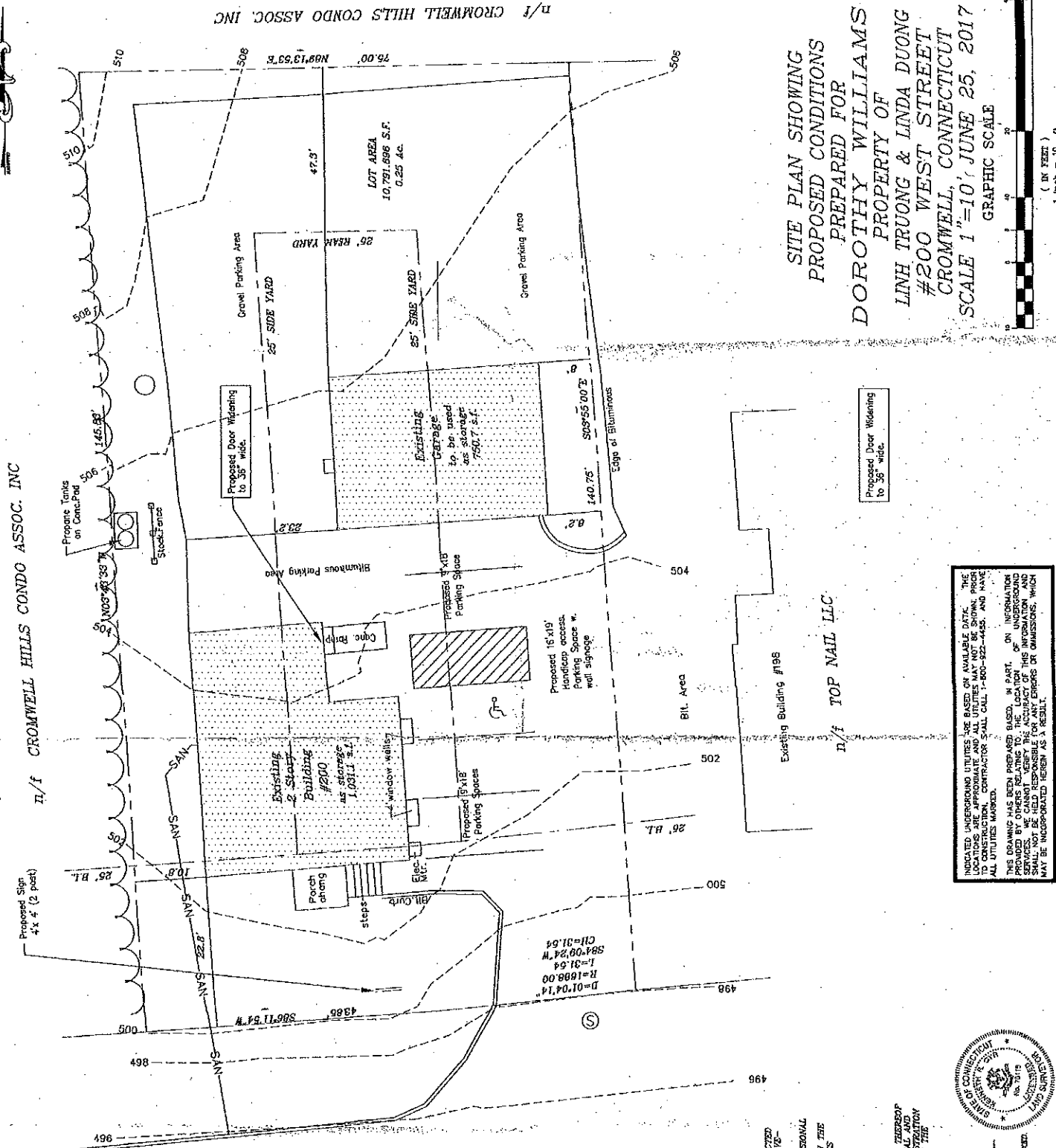
* EXISTED PRIOR TO PRESENT ZONING REGULATIONS

CERTIFICATION:

1. THIS MAP AND SURVEY WERE PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-900B-1 THRU 20-900B-23, AND THE RECOMMENDED STANDARDS FOR SURVEYS AND MAPS BY THE CONVENTION OF PROFESSIONAL SURVEYORS AND LAND SURVEYORS, INC. PURSUANT TO AND AS SET FORTH IN THESE STANDARDS.
2. THE TYPE OF SURVEY CONDUCTED AND THE METHODS EMPLOYED DERIVED FROM THE STANDARDS AND THE REQUIREMENTS OF AN IMPROVED-ACCURACY SURVEY.
3. PROPERTY LINES AS THEY EXIST DEPICTED HEREON, PRESENT PROFESSIONAL OPINIONS THAT PERTAIN TO A DEPENDENT RESURVEY. THIS MAP PRESENTS THE RESULTS OF MEASUREMENTS WHICH WERE MADE UPON THE GROUND IN ACCORDANCE WITH THE ACCURACY STANDARDS OF A CLASS A-2 SURVEY.
4. THIS MAP AND SURVEY WERE PREPARED FOR DOROTHY WILLIAMS. IT TO BE USED IN MATTERS THAT RELATE TO PROPOSED CONDITIONS, NOT AUTHORIZED OR VALID.
5. NO OTHER PAYMENT IS EXPRESSED OR IMPLIED BY THIS MAP OR COPIES THEREOF UNLESS IT BEGINS WITH THE PRESSION TYPE SEAL AND ORIGINAL LITE SEAL AND ORIGINAL LIVE SIGNATURE OF THE SURVEYOR WHOSE NAME AND REGISTRATION NUMBER APPEAR BELOW ANY CHANGES MADE TO THIS PLAN WITHOUT THE KNOWLEDGE OF THE SIGNER INVALIDATES THESE DECLARATIONS.
6. TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT, AS NOTED HEREON.



KENNETH R. CYR
 STATE OF CONNECTICUT
 LICENSE NO. 127016
 DATE: 6-25-17
 NOT VALID UNLESS ORIGINAL SIGNATURE, LITE STAMP, & BASED SEAL ARE AFFIXED.
 FLYNN & CYR LAND SURVEYING, LLC
 1204 FARMINGTON AVE. 06027
 BRIDGE CONN. 06027



**SITE PLAN SHOWING
 PROPOSED CONDITIONS
 PREPARED FOR
 DOROTHY WILLIAMS
 PROPERTY OF
 LINH TRUONG & LINDA DUONG
 #200 WEST STREET
 CROMWELL, CONNECTICUT
 SCALE 1"=10' JUNE 25, 2017**



THIS DRAWING HAS BEEN PREPARED, IN PART, ON INFORMATION INDICATED UNDERGROUND UTILITIES ARE BASED ON AVAILABLE DATA. THE LOCATIONS ARE APPROXIMATE AND ALL UTILITIES MAY NOT BE SHOWN. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CALL 1-800-922-4433, AND HAVE ALL UTILITIES MARKED.
 THE DRAWING IS NOT TO BE USED AS A BASIS FOR ANY OTHER INFORMATION AND SHALL NOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS, WHICH MAY BE INCORPORATED HEREIN AS A RESULT.



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION TO AMEND THE ZONING MAP

Property Address: 76 Field Road PIN _____

Current Zone: R-25 Proposed Zone: PRD

Applicant: Carrier Group, Inc.

Mailing Address: 68A South Canal Street
Plainville, CT 06062

Email: JohnnyC@ByCarrier.com

Telephone: 860-793-6805

Owner: Larry Webster Associates, LLC

Mailing Address: 19 Aqueduct Lane
Farmington, CT 06032

Reason for Proposed Change:

To allow for a planned community which utilizes open space in a balanced approach with permanent buffering of the existing neighborhoods and convenient recreational open space.

Is the property within 500' of an adjoining town? (yes) _____ (no) X
Does the property contain streams or wetlands? (yes) _____ (no) X
Is the property within the Historic District? (yes) _____ (no) X

The following shall be submitted with this Application:

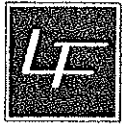
- \$160 application fee;
- Legal Description of the property (metes and bounds);
- 3 copies of a map prepared in accordance with Article 8.9 of the Zoning Regulations.

Larry Webster
(signature of owner)

06/09/17
(date)

Johnny Caruso
(applicant)

06/09/17
(date)



LOUGHLIN|FITZGERALD
ATTORNEYS AT LAW *A Professional Corporation*

Joan C. Molloy

203.265.2035 PHONE
203.269.3487 FAX
jmolloy@lflaw.com EMAIL

150 South Main Street
Wallingford, CT 06492
www.lflaw.com

Voicemail Ext 20

July 25, 2017

Mr. Stuart Popper
Director of Planning and Development
41 West Street
Cromwell, CT 06416

RE: Application #17-25 - Request to Amend Zoning Map to create Planned Residential Development Zone, 76 Field Road
Applicant: Carrier Group, Inc.

Dear Mr. Popper:

As you are aware, there were a number of questions and comments from the Commission and members of the public at the public hearing held on July 18, 2017. Responses to many of these questions and comments will be presented at the continued public hearing to be held on August 1, 2017. Included in the items we will be addressing are the following:

1. The Applicant's Licensed Environmental Professional will be present to explain the DEEP recommended guidelines for remediating agricultural sites such as the subject property and to assure the Commission and the public that the Applicant will be following these guidelines.
2. A conceptual plan showing revisions intended to provide additional emergency access will be provided. While the road design cannot be finalized until the site plan is fully completed, we are hopeful the Commission will indicate whether the additional road connection shown on the revised plan addresses the Commission's concerns.

With regards to the Commission's concerns about the rear parcel (the "house lot") which is not part of the proposed Planned Residence Development Zone, I can confirm the following:

1. All calculations regarding the Applicant's proposed development compliance with the Zoning Regulations are based solely upon the 50± acre parcel only.
2. All other property owned by the current property owner will become part of the house lot;
3. Under the terms of the contract between the current property owner and the Applicant, a condition precedent to purchase of the 50± acre parcel is that the remaining land will be

subject to restriction preventing the further subdivision of the house lot. This restriction will be recorded on the land records. The house lot will remain in an R-25 Zone, a Single Family Use District, and will be subject to all the requirements applicable to that zone. The house lot's only access to a public road is through a Right of Way within the Applicant's development.

Finally, to assist the Commission, I am enclosing an explanation of the requested Waivers.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

Joan C. Molloy

JCM/jm

cc: client

Summary of Requested Waivers

- 9.4.B.2 Requirement that the Municipal Fiscal Impact be prepared by a professional real estate economic analyst. Report prepared by an AICP certified planner. Applicant does not seek to change use from the current approved use - residential homes.
- 9.4.B.4 (2) Design and shading of proposed lighting
- 9.4.B.4 (3) Design and layout of parking and its feasibility and safety for use by the public
- 9.4.B.4 (4) Capacity of the wastewater, water and other utility systems proposed to be built and used by the project. (Applicant has provided confirmation municipal systems will be able to serve the proposed development.)
- 9.4.B.5 Cultural, Aesthetic or Heritage - not applicable to the site
- 9.4.B.6 Natural Resources - not applicable as views or view sheds, no wetlands on the site, no endangered or critical plant species or woodland habitats, and no endangered or critical animals or natural habitats. Site is a former plant nursery. (Soil management will be in compliance with DEEP guidance policies.)

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY JULY 18, 2017
ROOM 224 CROMWELL TOWNHALL 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Michael Cannata, Chris Cambareri, Jeremy Floryan, Paul Cordone, Brian Dufresne, Richard Waters, Ken Roziach, and David Fitzgerald (alternate)

Absent:, Kenneth Slade and Nicholas Demetriates (alternate)

Also Present: Director of Planning and Development Stuart Popper, Zoning Compliance Officer Fred Curtin, and Town Engineer Jon Harriman.

1. Call To Order

The meeting was called to order by Chairman Kelly at 7:03 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

Michael Cannata made a motion to seat Alternate David Fitzgerald, Seconded by Richard Waters. *All in favor; motion passed.*

4. Approval of Agenda

Mr. Popper asked that the Commission amend the agenda to include under New Business: Accept and Schedule New Applications:

- a. Item 9C: Section 8-24 Mandatory Referral for the Town of Cromwell Belden Public Library Expansion and Renovations Project.
- b. Item 9D: Application #17-18: Request for a Site Plan Modification to install additional parking spaces at 6 Kirby Road. Lisa DiMichele is the Applicant and Luca & Sons Landscaping LLC is the Owner.
- c. Item 9E: Application #17-22: Request for Site Plan Approval to construct an Affordable Housing Development at 186 Shunpike Road. JPG Partners, LLC is the Applicant and Sybil C. Martin, Executrix of the Estate of Helen M. Ewald, is the Owner. The Applicant is requesting an extension of time.

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

Mr. Popper stated that Application #17-28: Request for a Special Permit under Section 3.5.C.4 of the Zoning Regulations to permit a brewery at 30 New Lane, would not be heard tonight per the Applicant's request.

5. Public Comments

There were no public comments at this time.

6. Development Compliance Officer Report

Mr. Curtin reviewed with the Commission his Memo dated July 11, 2017. The violation at 49 River Road had been forwarded to the Town Attorney. A Cease and Desist Order had been issued for 6 Kirby Road and the fines were accruing.

7. Town Planner Report

Mr. Popper stated that there was no report.

9. New Business Accept and Schedule New Applications:

- a. Application #17-29: Request to amend the Site Plan at 23 Shunpike Road by installing pay gates to the main car wash building. Splash Car Wash is the Applicant and Vincent Vento is the Owner.

Mr. Popper stated that the application had been reviewed by the police and fire departments and there were no comments. Town staff had requested some minor changes. He asked that the Commission accept and hear the application tonight. Michael Cannata made a motion to accept and schedule the application to be heard tonight; seconded by Ken Rozich. *All in favor; motion passed.*

Jason Frank, 625 W. Putnam Avenue, Greenwich, Connecticut, presented the application on behalf of Splash Car Wash. He stated that they are looking to install ATM or toll booth style pay gates at the back of the property where the cars enter the car wash. An attendant would still be available to assist with loading.

Michael Cannata made a motion to approve the Application; seconded by Brian Dufresne. *All in favor except for Richard Waters; motion passed.*

- b. Application #11-31: Request to release the \$1,200.00 street tree bond (six trees at \$200 per tree) for the Sunset Ridge Subdivision. Reed Builders LLC, was the Applicant; John Masserio and Janice Piccoli were the Owners.

Michael Cannata made a motion to accept and schedule the application to be heard tonight; seconded by Richard Waters. *All in favor; motion passed.*

Fred Curtin stated that all of the required street trees had been planted. Chairman Kelly stated that she did not believe that the trees had been planted along Pasco Hill Road and requested that Mr. Curtin check. Michael Cannata made a motion to table the application until the August 1, 2017 meeting; Seconded by Richard Waters. *All in favor; motion passed.*

- c. Section 8-24 Mandatory Referral for the Town of Cromwell Belden Public Library Expansion and Renovations Project.

Jon Harriman, Town Engineer, presented the application. He stated that the town had received a state grant for improvements to the library and that an architect had been selected who had produced some conceptual plans. He reviewed the major changes, such as the relocation of the circulation desk, the expansion into the courtyard and the construction of a multi-purpose room. He reviewed the general layout and elevation sketches as well as the architect's rendering of the interior. He was requesting a positive referral to the Town Council for action.

Michael Cannata made a motion to make a positive report to the Town Council, seconded by Chris Cambareri. *All in favor; motion passed.*

- d. Application #17-18: Request for a Site Plan Modification to install additional parking spaces at 6 Kirby Road. Lisa DiMichele is the Applicant and Luca & Sons Landscaping LLC is the Owner.

Mr. Popper reminded the Commission that the applicant had paved the buffer area without obtaining a waiver and that the Commission could either order him to re-establish the buffer area or issue a waiver.

Luca DiMichele was present and submitted photographs to the Commission so that they could view the present condition of the property. Chris Cambareri and Michael Cannata both stated that they wanted to see the buffer area re-established. The applicant stated that the buffer area had not been nicely landscaped. Chairman Kelly clarified that the permit they held was for a barbershop only, which the applicant confirmed.

Michael Cannata made a motion to deny the applicant's request for a waiver of the landscape buffer requirement, Seconded by Chris Cambareri. *All in favor; motion passed.*

- e. Application #17-22: Request for Site Plan Approval to construct an Affordable Housing Development at 186 Shunpike Road. JPG Partners, LLC is the Applicant and Sybil C. Martin, Executrix of the Estate of Helen M. Ewald, is the Owner. The Applicant is requesting an extension of time. Michael Cannata made a motion to accept the application and to grant an extension of time until August 15, 2017. Richard Waters seconded. *All in favor; motion passed.* Michael Cannata made a motion to schedule the public hearing for August 15, 2017; seconded by Jeremy Floryan. *All in favor; motion passed.*

10. New Business:

- a. Application #17-27: Request to amend the Site Plan at 51 Shunpike Road. The former Expect building and a portion of the former Kmart building façades will be renovated, the parking lot will be reconstructed, minor building additions constructed and new signs installed. HB Nitkin is the Applicant and Shunpike West Limited Partnership DBP HB Nitkin is the Owner.

Craig Way, Vice-President of Leasing, HB Nitkin, 230 Mason Street, Greenwich, Connecticut, introduced the application. He began by stating that they were looking for a national tenant to serve as the anchor store of the plaza and had bought out K Mart in order to bring in Shop Rite. Raymond Paier, PE, with Westcott and Mapes, Inc., reviewed the site plan, the conformance to the bulk requirements, the erosion and sedimentation plan, grading and drainage, the parking, delivery and loading areas, and the landscaping planting plan. John Amaral, the Project Manager for Shop Rite, reviewed the site lighting plan. Ed Pepin of Pepin Associates, Bloomfield, reviewed the proposed floor plan, which included a community room that could be used by non-profit groups, the storefront rendering and elevations, and the sample board of materials. Harry Garafalo, President of Garafalo Markets, stated that the store would employ approximately 275 full and part time employees and reviewed photos of the Milford Store as the new store would be similar in appearance. He stated that the store would be energy efficient and community oriented and that he was looking forward to working with the town.

There was some discussion among the Commission members and Stuart Popper regarding the proposed signage and the comments from the various town departments. Mr. Popper suggested that the comments included in the Police Chief's memo of July 11, 2017 regarding the bidirectional amplifier and Jon Harriman's memorandum dated July 12, 2017, be included as conditions of approval, should the application be approved. Michael Cannata made a motion to approve the application with the two conditions of approval (compliance with the comments set forth by the Chief of Police and the Town Engineer), Seconded by Brian Dufresne. *All in favor; motion passed.*

11. Public Hearings:

- a. Application #17-28: Request for a Special Permit under Section 3.5.C.4 of the Zoning Regulations to permit a brewery at 30 New Lane.

Ken Rozich read the two public hearing notices.

Michael Cannata made a motion to table the public hearing for Application #17-28; seconded by Richard Waters. *All in favor; motion passed.*

- b. Application #17-25: Request to amend the Zoning Map to create a Planned Residence Development Zone District at 76 Field Road. Carrier Group, Inc. is the Applicant and Larry Webster Associates is the Owner.

Michael Cannata made a motion to open the public hearing; seconded by Richard Waters. *All in favor; motion passed.* Mr. Popper informed the public in attendance of the schedule for tonight's presentation and that, if continued, the application would be heard at the next meeting on August 1, 2017. Attorney Joan Molloy, of Loughlin Fitzgerald, in Wallingford, Connecticut, represented the applicant. She began by submitting the Certificate of Mailing and the Affidavit regarding the sign. She also submitted written comments stating the applicant's compliance with the requirements

of the Zoning Regulations, an Impact Study, and her request for certain waivers as contained in a letter dated June 12, 2017 to the Commission. Mr. Popper clarified for the public that this was a two step process: that the applicant had to submit a master plan, and if approved, then apply for site plan approval and that the Special Permit application would also be the subject of a public hearing.

Mark Arigoni of Milone & MacBroom, Cheshire, Connecticut, began by reviewing the zone change area, a 50 acre parcel along Field Road. They were requesting a zone change from R25 to PRD (Planned Residential Development), carved out of a larger 106 acre parcel. One residential unit, an existing house, would make up the remaining land. The master plan consists of 75 single family units, 2,200 to 2,500 square feet, each with a two car garage, on a 10,000 square foot lot, on a private roadway, with each lot abutting a green space. Both the main access and emergency access roadways would be off of Field Road. There would be approximately 21.5 acres of open space around the development and approximately 3 acres of green space within the development itself. Mr. Popper reminded the applicant that this is not an open space subdivision and that the undeveloped land would remain with the developer, not the town, and that the correct term to use would be green space or buffer space, rather than "open space" to avoid confusion. The applicant confirmed that the green spaces would be maintained by a homeowner's association and be utilized by the community. Mr. Arigoni then compared this proposed development's characteristics to the adjacent neighborhoods.

Nicholas Armata of Milone & MacBroom, continued the presentation by stating that he had reviewed the town's Plan of Conservation and Development and how this development was in line with said plan. He stated that the building techniques enabled the homes to have high energy efficiency ratings and that the surrounding roads and infrastructure support this development. He reviewed the occupancy rates for Cromwell, and how this development will meet that need, as well as the plan's call for more park space. Chairman Kelly reminded the applicant that more than ten years had passed since the POCD had been published.

Nathan Peck of Milone & MacBroom reviewed the traffic study that had been conducted along the intersections of Route 99 (Main Street) and Golf Club Road, Golf Club Road and Field Road, and Nooks Hill and Field Road, during a weekday in May at peak commuter times of 7-9 a.m. and 4-6 p.m. He also reviewed historical volumes and accident data and concluded that there would be no negative impact from the additional proposed traffic of 49 morning trips and 55 evening trips. He stated that the accessway from Field Road had sufficient sight line distance. He stated that they had analyzed the capacity in terms of delays and service interruptions and concluded no significant change in service levels would occur.

Attorney Molloy clarified that the remaining single family residence would be encumbered by deed and development right restrictions so that no additional subdividing would be possible. She stated that the lots would be "exclusive use areas" with the buffer or green spaces under common or association ownership. She

stated that the land is zoned residential and could be developed as a traditional subdivision, in which a greater number of units would be possible.

John Carrier of the Carrier Group, Inc., Plainville, Connecticut, introduced his family and the background of his family's business, and their development history. He stated that they work almost exclusively in Connecticut, offer a five year warranty, build energy efficient homes, and specialize in designing homes with narrow lot lines. He reviewed the basic design layouts. He showed a video, shot by drone, of the Langdon Quarter's Development in Farmington, Connecticut, which would be similar in design to the proposed development.

Upon the conclusion of the main presentation, the Commissioners voiced their individual concerns, which were regarding the need for another emergency accessway, questioning the waivers being requested, the maintenance of the green / buffer spaces, the plan for dealing with pesticides in the soil, and the methodology/reasoning used in the Fiscal Impact Statement and the traffic study. Michael Cannata stated that he did not agree with the estimation of 56 children for a 75 unit development and asked why the shortcut from Vincy Drive to Shadow Lane was not studied. He further stated that it was his preference that the applicant retain the rights to the remaining acreage to ensure that it is not developed or used for other purposes, such as agriculture. Chris Cambareri asked whether the roadways would be built to town specifications, to which Attorney Molloy stated that they would be. Attorney Molloy stated that the waivers requested dealt with specifics that would be addressed later by the application for a site plan. She stated that she would provide the Commission with additional detail regarding the fiscal analysis.

John Carrier stated that the development of the remaining acreage would be controlled via deed restrictions, by requiring access through the private development, and by only allowing a 40 foot easement, rather than the standard 50 foot size. Michael Cannata pointed out that the property could be accessed via other parcels on Shadow Lane. Mr. Carrier stated that he would provide more detail at the next meeting.

The hearing was opened up to public comment. Michael Camilleri, 14 Centerwood Drive, thanked the applicant for its willingness to discuss its plan with the abutting neighbors. He stated his support, but said that he was concerned with the traffic to Shadow Lane and the sharp curve of Field Road, and asked if sidewalks would be installed. He voiced concerns regarding the maintenance of the buffer area, and the need for compliance with DEEP's regulations regarding the pesticides. He suggested that the remaining acreage could have a deed restriction that gives the town power to veto development and that the buffer land be linked to the state park. He also stated that, as chair of the Board of Education, he was not concerned about the enrollment impact. Robert Fuller, 7 Wexford Lane, complimented the applicant's positive reputation, but stated that he wished the applicant had discussed the issue of pesticide remediation at the initial meeting. He was concerned about disturbing the soil. Eric Rennie, 9 Wexford Lane, stated that this was a better proposal than those made in the

past. He was mainly concerned about the possibility of polluted runoff. Carrie Ferrer of 123 Field Road, asked about the depth of the tree line and whether the 500 foot abutters would continue to be notified. Nick DiBattista of 71 Field Road, voiced concerns about the narrowness of Field Road, especially during the winter snowplowing season. Chris Rasmussen of 16 Glenwood Terrace, stated that he had reviewed the Town's Plan of Conservation and Development and that he did not believe that higher end developments were wanted or needed. He stated that he wanted more information regarding the traffic study and believed the additional days and a review of Vincy Drive/Shadow Lane was necessary. Jim Vibberts of 2 Centerwood Drive, stated that he was concerned about the presence of Agent Orange in the soil as it is associated with a number of serious diseases. Barbara Gallo, 32 Glenwood Terrace, stated that she was concerned about the accessway being located on the curve of Field Road. She asked about whether septic systems or public water would be utilized and if sidewalks were being installed. Thomas McDermott of 6 Centerwood stated that he agreed with Mr. Camilleri's comments. Mark Benedetto of 30 Field Road, stated that he did not agree with the findings of the traffic study and stated that the roadway is frequented by pedestrians. Allen Nelson of 4 Centerwood Drive, stated that he agreed with Mr. Camilleri's comments.

Michael Cannata made a motion to continue the public hearing until August 1, 2017; seconded by Paul Cordone. *All in favor; motion passed.*

12. Commissioner's Comments: NONE

13. Approval of Minutes:

a. June 20, 2017: A motion to approve the minutes was made by Michael Cannata; Seconded by Richard Waters. *All in favor; motion passed.*

14. Adjourn: a motion to adjourn was made by Michael Cannata; seconded by Paul Cordone. *All in favor; motion passed.* Meeting adjourned at 10:05 p.m.

Respectfully Submitted,



Julie C. Petrella
Recording Clerk