

**Town of Cromwell  
Planning and Zoning Commission**

***SPECIAL MEETING  
7:00 P.M. TUESDAY AUGUST 6, 2019  
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. **Appoint River COG Regional Planning Commission Members:**
8. **New Business: Accept and Schedule New Application:**
  - a. Application #19-38: Request for Site Plan Modification to install a new wall sign and directional signs for the Cortiva Institute at 51 Shunpike Road. Hartford Sign & Design is the Applicant and HBN-CSC LLC C/O HB Nitkin Group is the Owner.
9. **New Business:**
  - a. Application #19-35: Request for Site Plan Approval to construct the new Public Works Sewer Department building at 100 County Line Drive. The Town of Cromwell is the Applicant and the Owner.
  - b. Application #19-38: Request for Site Plan Modification to install a new wall sign and directional sign for the Cortiva Institute at 51 Shunpike Road. Hartford Sign & Design is the Applicant and HBN-CSC LLC C/O HB Nitkin Group is the Owner.
11. **Public Hearing:**
  - a. Application #19-33: Request for Special Permit under Section 3.5.C.4 of the Zoning Regulations to allow for the construction of the new Public Works Sewer Department building at 100 County Line Drive. The Town of Cromwell is the Applicant and the Owner.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
  - a. April 2, 2019
  - b. June 18, 2019
  - c. June 25, 2019
13. **Adjourn:**

Permit#	Name of Applicant	P&Z 2019 Permit Report	Commission Items are Shaded	Decision Date	Status
		Site Location	Type of Activity		
19-01	Danielle Buggie	2 Willowbrook Road	Hair Salon	Approved by staff 12/31/18	Operational
19-02	Linh Truong	200 West Street	Restaurant	Approved 3/19/19	Awaiting construction
19-03	Covenant Homes, Inc.	52 Missionary Road	Loop Road & D-Wing Demolition	Approved 2/19/19	Construction in progress
19-04	Ready Imaging, Inc.	176 West Street	Reface existing pylon sign cabinets with LED faces	Approved 3/5/19	Digital fuel sign installed 3/15
19-05	Salvatore Petrella	560 Main Street	Renew SPA for commercial building	Approved 2/19/19	Approved
19-06	Greater Hartford Community Foundation	100 Golf Club Road	Travelers Golf Tournament	Approved 3/5/19	Event over
19-07	P&Z Commission	Town wide	Zoning regulation amendment to allow retail sale of beer in large supermarkets	Approved 3/19/2019	Approved
19-08	William Mutraji	136 Berlin Road	Gyro Love Restaurant	Approved by staff 2/25/19	Operational
19-09	Joe Stefano	1 Willowbrook Road	Central CT Dermatology	Approved by staff 2/25/19	Operational

Permit#	Name of Applicant	P&Z 2019 Permit Report Site Location	Commission Items are Shaded Type of Activity	Decision Date	Status
19-10	Kevin Scarrozzo	1 Wall Street	Rail 99 Tavern	Approved by staff 2/27/2019	Business open
19-11	AVA Group	76 Berlin Road	SPM - Springhill Suites - Marriott	Approved 3/19/2019	Construction in progress
19-12	Raymond Ranno	229 Shunpike Road	Cromwell Granite & Tile	Approved by staff 3/11/2019	Business open
19-13	Omar Islamic Center	573 Main Street	Mosque	Scheduled for 6/18/19	Application Denied
19-14	TNO Cromwell, LLC	136 Berlin Rd. Starbucks	Coffee shop with drive thru window	Approved 4/2/2019	Awaiting construction
19-15	Heather Polke	1 River Road	Farmer's Market	Approved by staff 3/25/19	Event in progress
19-16	Kenneth Jarvis	51 Shunpike Road	Great Clips Hair Salon	Approved by staff 3/28/19	Opened
19-17	Albion Kallogjeri	199 Shunpike Road	Giulia Pizza Restaurant	Scheduled for 5/7/19	Business Open
19-18	Town of Cromwell	100 County Line Drive	Relocation of Transfer Station	Approved 4/16/19	Construction in progress
19-19	Shoprite of Cromwell Trolino	45 Shunpike Road	Beer Permit	Scheduled for 5/9/19	Operational

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
		<b>P&amp;Z 2019 Permit Report</b>	<b>Commission items are Shaded</b>		
		Site Location	Type of Activity	Decision Date	Status
19-20	Alicia Harriman	199 Shunpike Road	Stretch Pediatric Therapy	Approved by Staff 4/11/19	Business Open
<b>19-21</b>	<b>DCF of Cromwell, LLC</b>	<b>Town wide</b>	<b>Amend zoning regs billboards</b>	<b>Continued to 8/20/2019</b>	<b>Pending</b>
19-22	Michael Terenzio	105 Coles Road	Flower sale Mother's Day	Approved by staff 5/3/2019	Event complete
<b>19-23</b>	<b>Harry Patel</b>	<b>111 Berlin Road</b>	<b>Storage Trailer/Quality Inn</b>	<b>Scheduled for 6/18/2019</b>	<b>Awaiting meeting</b>
19-24	Christine Sipes	Pierson Park	Flag Football Fund Raiser	Approved by staff 5/3/2019	Event complete
<b>19-25</b>	<b>Town of Cromwell</b>	<b>Coles Road</b>	<b>Reconstruction Project</b>	<b>Approved 5/21/2019</b>	<b>Awaiting construction</b>
19-26	Sally Petrella	Frisbee Landing	Town wide tag sale	Aproved by Staff 5/15/2019	Pending
<b>19-27</b>	<b>Omar Islamic Center, Inc.</b>	<b>573 Main Street</b>	<b>Place of Worship</b>	<b>Denied 7/16/2019</b>	<b>DENIED</b>
19-28	Cromwell Children Coalition	419 Main Street	Memorial Day Car Show	Approved by Staff 5/20/2019	Event complete



# Memo

**To: Planning and Zoning Commission**  
**From: Stuart B. Popper, AICP**  
**Director of Planning and Development**  
**Date: July 30, 2019**  
**Re: Comments for the August 6, 2019 Meeting Agenda**

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**8. New Business: Accept and Schedule New Applications:**

a. Application #19-38: Request for Site Plan Modification to install a new wall sign and directional signs for the Cortiva Institute at 45 Shunpike Road. Hartford Sign & Design is the Applicant and HBN-CSC LLC C/O HB Nitkin Group is the Owner.

*The applicant is proposing to install a new wall sign for the Cortiva Institute and directional signs in the parking lot. Staff is requesting the Commission accept and schedule the application to be considered as a business item at the Tuesday August 6, 2019 special meeting.*

**9. New Business:**

a. Application #19-35: Request for Site Plan Approval to construct the new Public Works Sewer Department building at 100 County Line Drive. The Town of Cromwell is the Applicant and the Owner.

*The 13.58 acre site is located in the Industrial Zone on the south side of County Line Drive. The Town of Cromwell is proposing to construct the new Public Works Sewer Department building on the site. A copy of the site plan is attached.*

b. Application #19-38: Request for Site Plan Modification to install a new wall sign and directional signs for the Cortiva Institute at 45 Shunpike Road. Hartford Sign Design is the Applicant and HBN-CSC LLC C/O HB Nitkin Group is the Owner.

**11. Public Hearing:**

a. Application #19-33: Request for Special Permit under Section 3.5.C.4 of the Zoning Regulations to allow for the construction of the new Public Works Sewer Department building at 100 County Line Drive. The Town of Cromwell is the Applicant and the Owner.

*The 13.58 acre site is located in the Industrial Zone on the south side of County Line Drive. The Town of Cromwell is proposing to construct the new Public Works Sewer Department building on the site. A copy of the site plan is attached.*

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Cortiva Institute  
Street Address: 45 Shunpike Road Suite 10  
Volume/Page: \_\_\_\_\_ PIN #: \_\_\_\_\_

Applicant Name: Darin Senna  
Address: 328 Governor Street  
E. Hartford, CT. 06108  
Telephone: 860-293-1824 (day) 860-250-1741 (evening) cell  
Email Address: darin@hartfordsigndesign.com

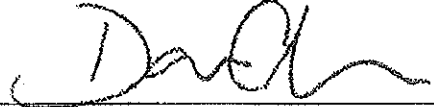
Property Owner Name: Craig Way, HB Nitkin d/b HBN-CSC, LLC  
Address: 230 Mason Street  
Greenwich, CT. 06830

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.

  
Applicant Name and Signature

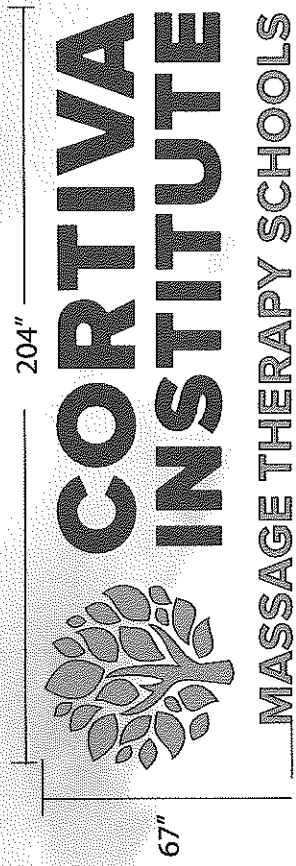
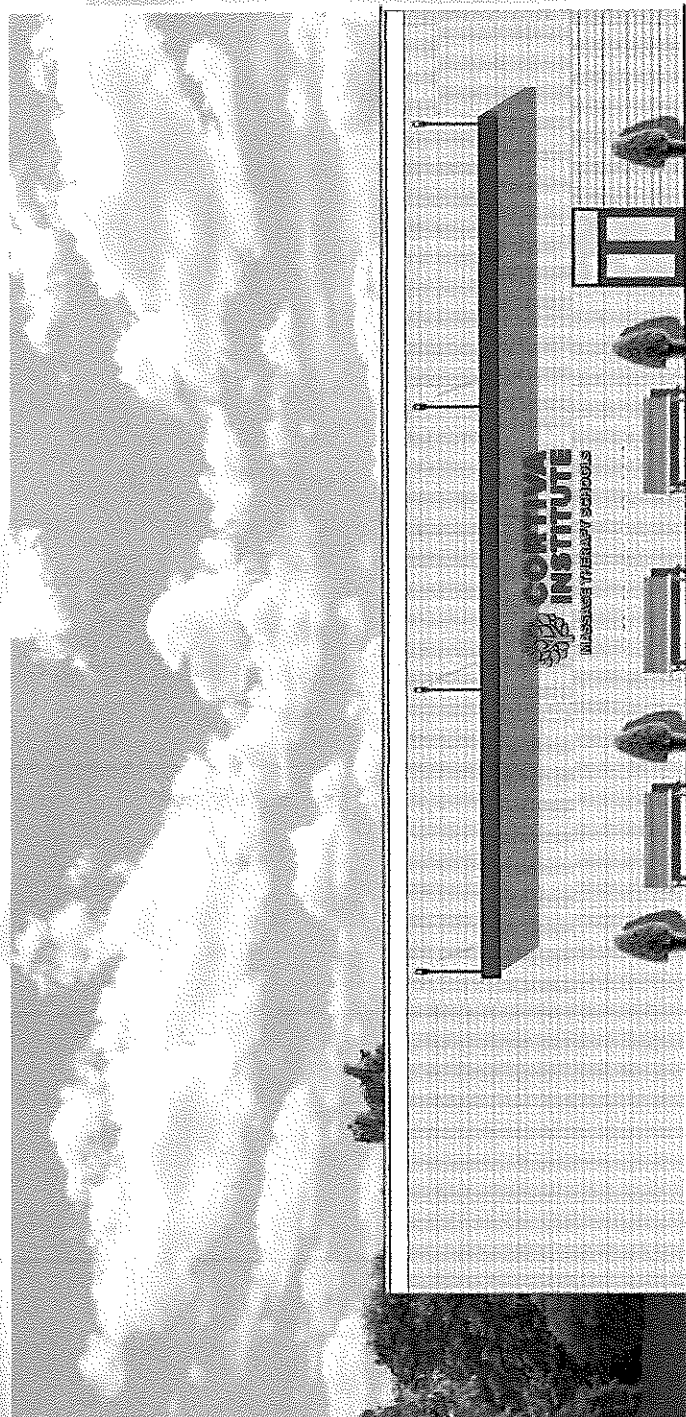
\_\_\_\_\_  
Date

**APPROVALS:**

CUSTOMER \_\_\_\_\_  DEPOSIT PAID \_\_\_\_\_  
 LANDLORD \_\_\_\_\_  
 TOWN \_\_\_\_\_



Signature required to begin production \_\_\_\_\_ Date \_\_\_\_\_



CLIENT	CONTACT	DATE	SPECS
-NT Holdings	-Kevin Beaver	-6/4/19	-1/2" Acrylic pin mount letters and logo
PROJECT NAME:	WORK PHONE:	START:	
-Cortiva Institute		LAST REVISION:	
PROJECT LOCATION:	CELL PHONE:	DUE:	
-45 Shunpike Rd., Suite 10, Cromwell, CT	-410-829-8734		
CLIENT ADDRESS:	EMAIL:		
	-kbeaver@hi.edu		

U.S. REGISTERED COPYRIGHT DESIGN STAMP  
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 These images are the Property of Hartford Sign & Design. They are provided for customer viewing only until project is awarded and receipt of deposit. Any other use is legally forbidden. Rights may be purchased for a minimum fee of \$500.

FILE NAME: -Cortiva\_Institute\_wall\_sign\_proof  
 DRAWN BY: -LMC



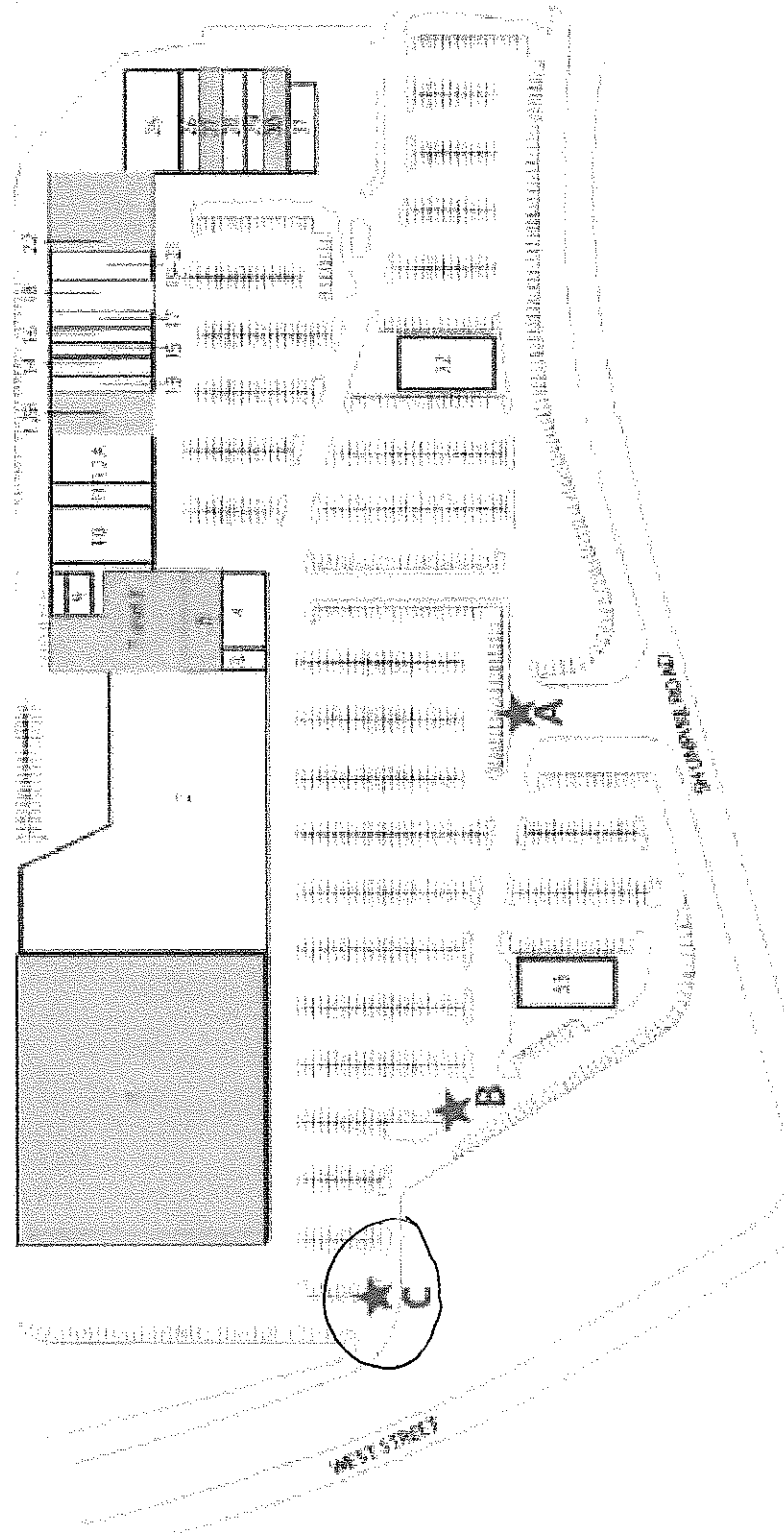


**APPROVALS:**

CUSTOMER \_\_\_\_\_  
 LANDLORD \_\_\_\_\_  
 TOWN \_\_\_\_\_

DEPOSIT PAID \_\_\_\_\_

Signature required to begin production \_\_\_\_\_ Date \_\_\_\_\_



**LOCATION OF DIRECTIONAL SIGNS**

CLIENT	CONTACT	DATE	STATUS
-NT Holdings PROJECT NAME: -Cortiva Institute PROJECT LOCATION: -45 Shunpike Rd., Suite 10, Cromwell, CT CLIENT ADDRESS:	-Kevin Beaver WORK PHONE: -CELL PHONE: -410-829-8734 EMAIL: -kbeaver@hi.edu	-6/4/19 START: - LAST REVISION: - DUE:	-Directional Post and Panel sign Placement Map

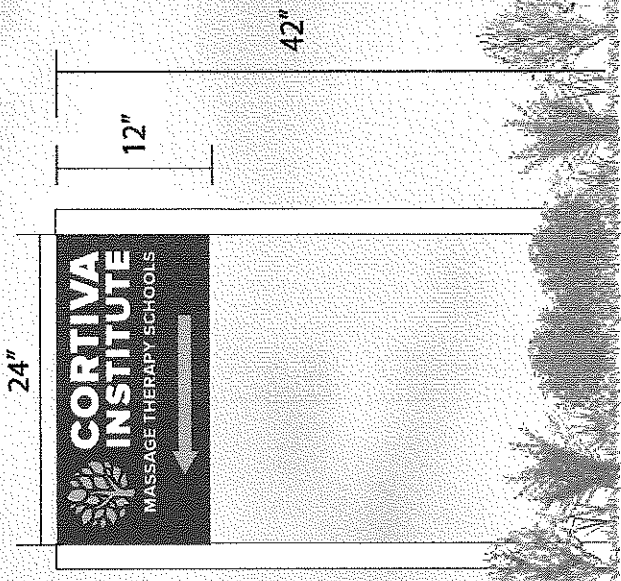
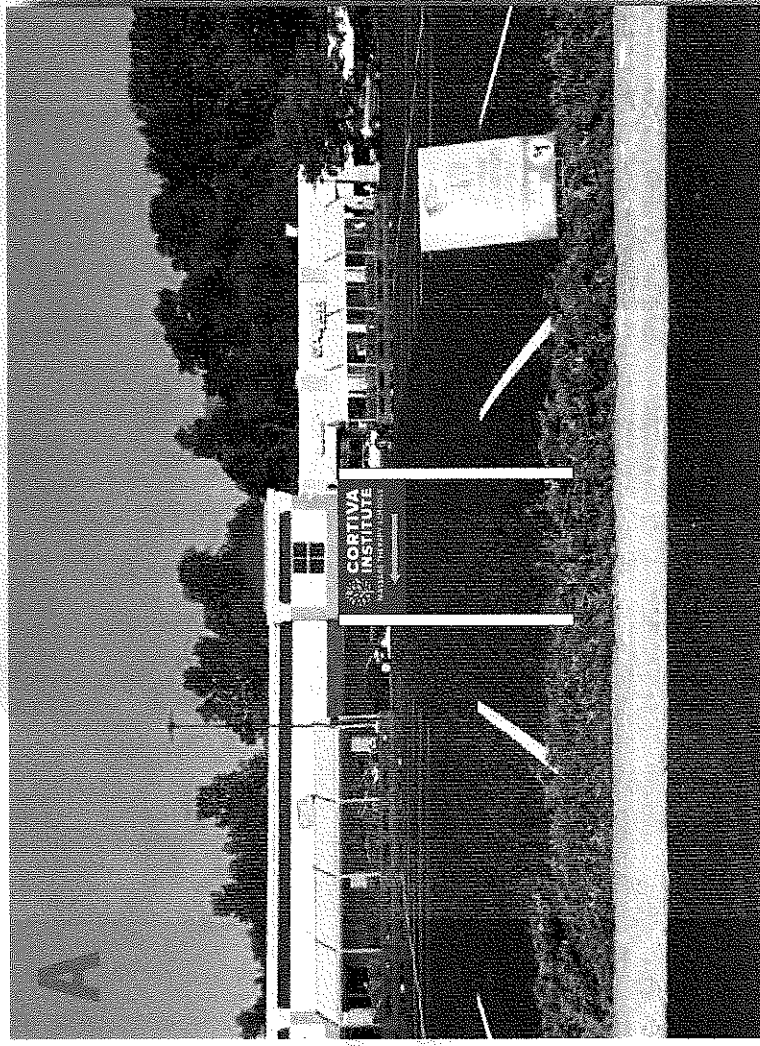
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 FILE NAME: -Cortiva\_institute\_directional\_proofs\_2  
 DRAWN BY: -IMC

**APPROVALS:**

CUSTOMER \_\_\_\_\_  DEPOSIT PAID \_\_\_\_\_  
 LANDLORD \_\_\_\_\_  
 TOWN \_\_\_\_\_

Signature required to begin production

Date \_\_\_\_\_



CLIENT	CONTACT	DATE	SPECS	U.S. REGISTERED COPYRIGHT DESIGN STAMP
-NT Holdings PROJECT NAME: -Cortiva Institute PROJECT LOCATION: -45 Shunpike Rd., Suite 10, Cromwell, CT CLIENT ADDRESS:	-Kevin Beaver WORK PHONE: CELL PHONE: -410-829-8734 EMAIL: -kbeaver@hi.edu	-6/11/19 START: LAST REVISION: DUE:	-Directional Post and Panel sign 12" x 24" panel, D/F, 2" square white posts	© 2007 - 2020 Hartford Sign & Design These images are the property of Hartford Sign & Design. They are provided for customer viewing only until project is awarded and receipt of deposit. Any other use is legally forbidden. Rights may be purchased for a minimum fee of \$500.
			FILE NAME: -Cortiva_institute_directional_proofs_3 DRAWN BY: -JMC	

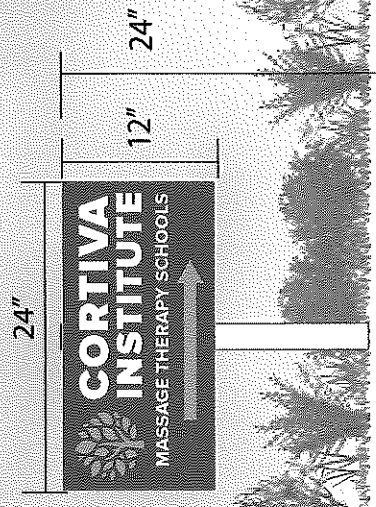
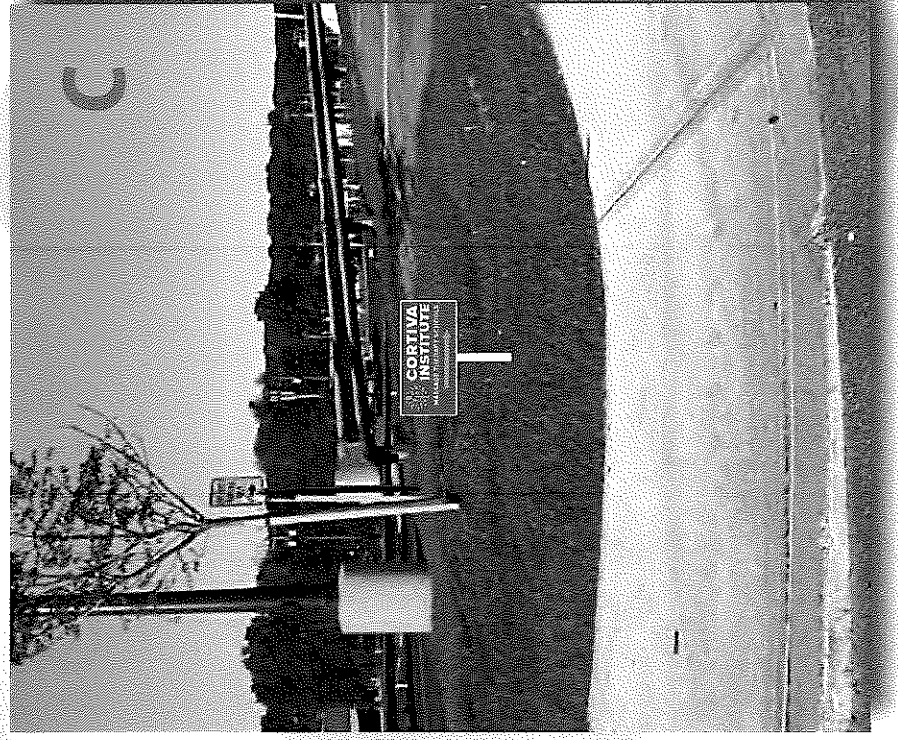
**APPROVALS:**

CUSTOMER \_\_\_\_\_  DEPOSIT PAID \_\_\_\_\_  
 LANDLORD \_\_\_\_\_  
 TOWN \_\_\_\_\_



Signature required to begin production \_\_\_\_\_

Date \_\_\_\_\_



CLIENT:	CONTACT:	DATE:	SPECS:
-NT Holdings PROJECT NAME: -Cortiva Institute PROJECT LOCATION: -45 Shunpike Rd., Suite 10, Cromwell, CT CLIENT ADDRESS:	-Kevin Beaver WORK PHONE:  -CELL PHONE: -410-829-8734 EMAIL: -kbeaver@hi.edu	-7/29/19 START:  -LAST REVISION: -6/11/19 DUE:	-Directional Post and Panel sign 12" x 24" panel, D/F, 2" square white posts
U.S. REGISTERED COPYRIGHT DESIGN STAMP © 2007 - 2020 Hartford Sign & Design These images are the Property of Hartford Sign & Design. They are provided for customer viewing only until project is awarded and receipt of deposit. Any other use is legally forbidden. Rights may be purchased for a minimum fee of \$500. FILE NAME: -Cortiva_Institute_directional_proofs_4 DRAWN BY: -LMC			

19-35

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Cromwell Public Works/Sewer Garage Facility  
Street Address: 100 County Line Drive  
Volume/Page: 166 / 281 PIN #: 00114100

Applicant Name: Town of Cromwell  
Address: 41 West St  
Cromwell, CT 06416  
Telephone: 860 632 3465 (day) \_\_\_\_\_ (evening)  
Email Address: jharriman@cromwellct.com

Property Owner Name: Town of Cromwell  
Address: 41 West 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 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.

Jon Harriman Jon Harriman 7/10/19  
Applicant Name and Signature Date

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a special Public Hearing on Tuesday August 6, 2019 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #19-33: Request for Special Permit under Section 3.5.C.4 of the Zoning Regulations to allow for the construction of the new Public Works/Sewer Department building at 100 County Line Drive. The Town of Cromwell is the Applicant and the Owner.

At this hearing interested persons may appear and be heard and written testimony received. This application is available for public inspection in the office of the Town Planner.

Alice Kelly  
Chairman

Dated in Cromwell, Connecticut this the 23<sup>rd</sup> day July of 2019.

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

Type of Activity: New Town Public Works/sewer Facility  
(Per Section 3.5-C.4 of the Cromwell Zoning Regulations)  
Street Address: 100 County Line Dr Zoning District: FND  
Assessor's Parcel ID #: 00114100 Volume/Page: 1616-218

Applicant's Name: Town of Cromwell  
Address: 41 West Street  
Telephone Number (daytime): 760-632-3422  
Email Address: jharriman@cromwellct.com

Property Owner's Name: Town of Cromwell  
Address: 41 West Street Cromwell, CT

Description of Proposed Activity:  
Town is proposing to construct new public works/sewer facility containing offices, garages and storage space.

I certify that I have read and I am familiar with the Cromwell Zoning Regulations that pertain to this type of Special Permit activity, *and with Section 13.2.d. (Sign Posting)*.

Jon Harriman  
(applicant)

7/22/19  
(date)

RECEIVED FOR RECORD  
Apr 12, 2019 08:40A  
JOAN AHLQUIST  
TOWN CLERK  
CROMWELL, CT

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY, APRIL 2, 2019  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Nicholas Demetriades, Chris Cambareri, Ken Slade

**Absent:** Ken Rozich, Brian Dufresne, Paul Cordone, Mo Islam (alternate), John Keithan (alternate)

**Also Present:** Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska

1. **Call to Order:** The meeting was called to order by Chairman Kelly at 7:00 p.m.
2. **Roll Call:** The presence of the above members was noted.
3. **Seating of Alternates:** None
4. **Approval of Agenda:**

Mr. Popper added the following under New Business Accept and Schedule New Applications:

- a. Application #19-17: Request for Special Permit to serve beer and wine at Giulia's Pizza Restaurant at 199 Shunpike Road. Albion Kallogjeri is the Applicant and the Owner.
- b. Application #19-18: Request for Site Plan Modification to relocate existing transfer station at 100 County Line Drive. Town of Cromwell is the Applicant.

Mr. Popper moved Agenda item *a. Application #19-14* under *9. New Business* to the #6 slot on the agenda in order to accommodate the presenter's schedule.

Michael Cannata made a motion to approve the amended agenda; Seconded by Jeremy Floryan. *All in favor; motion passed.*

5. **Public Comments:** None

**6. New Business:**

- a. Application #19-14: Request for Site Plan Modification to modify the approved Site Plan for the Starbucks at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner.

James Cassidy, P.E. with the firm of Hallisey, Pearson & Cassidy Engineering Associates, Inc., stated that the Applicant is proposing to modify the site plan by moving the building eighteen (18) feet to the west. He noted the restaurant layout and 1,900 square foot footprint remain the same. Mr. Cassidy explained that these changes were requested during Starbucks' corporate review of the previously approved plans.

He summarized the changes as follows:

Shifting the building 18 feet to the west will move it closer to the access drive. The ten (10) parking spaces along the west of the building have been relocated to the east side, and the eight (8) parking spaces to the south have been eliminated. The modified plan calls for Starbucks and Burger King to share twenty (20) parking spaces rather than the ten (10) spaces originally proposed. This shared parking arrangement will work as the two businesses are off-peak from one another. A handicapped space has been added. Nine (9) parking spaces are eliminated in the reconfiguration from the plaza overall. Total available spaces number 659, which exceeds the 468 spaces required.

The elimination of the parking areas to the west and south will result in increased safety as no one must cross the drive thru lane in order to enter the store. Sidewalks and crosswalks have been added at the north and south, improving pedestrian access.

Traffic will enter and exit the site from the shared accessway with Burger King, with a one-way entrance to the north and a one-way exit to the south. The drive thru circulation pattern has been reduced to the westerly half of the site.

A small fenced patio area with three (3) tables and chairs has been added to the south side, with access from the restaurant's interior.

The dumpster enclosure is being relocated and will be accessed by an interior drive aisle of the Cromwell Commons plaza. While the enclosure originally faced Berlin Road and the drive thru, it is now north facing, moved away from the parking area and from customers.

The building elevations being submitted are updated prototypes, and final plans will be provided once they are approved by Starbucks.

Chairman Kelly asked about the flow of traffic from Route 372. Mr. Cassidy answered that the majority of traffic will enter and exit from Sebethe Drive, which is the main access.

Mr Popper read aloud Town Engineer Jon Harriman's memo dated March 26, 2019 restating that the applicant had previously agreed to the condition of inspecting and



confirming the integrity of an-existing metal pipe as well as complying with the requirements of the DEEP MS-4 permit. Mr. Popper encouraged the commission to include these conditions if approved.

Chairman Kelly asked Mr. Cassidy about the tree near the sewer, which is no longer on the plans.

Michael Cannata made a motion to approve the application subject to the conditions of Town Engineer Jon Harriman's memo of March 26, 2019; Seconded by Ken Slade. *All were in favor; motion passed.*

- 7. Town Planner Report:** Mr. Popper reviewed the TPC project under construction, and said that it is expected to be completed one month ahead of schedule.

Mr. Popper reported that work on the Arco site continues, and that the building permit plans for the Covenant Village project are being reviewed.

Mr. Popper is hopeful that available spaces for lease will fill up in Cromwell Commons with the addition of Starbucks.

Mr. Popper reported that the new Marriott Hotel on Berlin Road is expected to break ground soon.

**8. New Business Accept and Schedule New Applications:**

- a. Application #19-17: Request for Special Permit to serve beer and wine at Giulia's Pizza Restaurant at 199 Shunpike Road. Albion Kallogjeri is the Applicant and the Owner.

Michael Cannata made a motion to accept the application and to schedule it for public hearing on May 7, 2019; Seconded by Jeremy Floryan. *All were in favor; motion passed.*

- b. Application #19-18: Request for Site Plan Modification to Town of Cromwell Transfer Station at 100 County Line Drive. Town of Cromwell is the Applicant.

Mr. Popper explained that this is a minor modification requesting the relocation of the transfer station to accommodate the new town garage.

Michael Cannata made a motion to accept the application and to schedule it as a business item to be considered on April 16, 2019; Seconded by Ken Slade. *All were in favor; motion passed.*

- 9. Development Compliance Officer Report:** Bruce Driska referenced his report. There was a discussion on the progress at Shop Rite and its noticeable facade.

Jeremy Floryan asked what the opening date will be. Mr. Popper answered that Shop Rite is expected to open in the first week of May, depending on the interior finish, with Marshalls following one week later. Mr. Popper commented that there is still retail space available in the plaza, and that the opening of Shop Rite should attract other businesses.

Mr. Cannata asked about the difference between Shop Rite and Price Rite. Mr. Popper answered that they are sister companies. Price Rite is corporately owned, while Shop Rite stores are individually owned. The Garafalo family from Fairfield owns the Cromwell Shop Rite and six others.

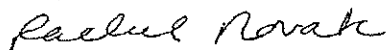
**10. Commissioner's Comments:** Nicholas Demetrius thanked the commission for sponsoring him and Chairman Kelly at a recent Land Use seminar hosted by the Connecticut Bar Association. Mr. Demetrius said that the meeting reminded him that Planning and Zoning rules and regulations are different, and said that it was a great use of time.

**11. Approval of Minutes:**

- a. March 19, 2019: Michael Cannata made a motion to approve the minutes as presented; Seconded by Nick Demetriades. Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Nicholas Demetriades, Chris Cambareri were in favor. *Motion passed.* Ken Slade abstained.

**12. Adjourn:** Michael Cannata made a motion to adjourn the meeting; Seconded by Jeremy Floryan. Meeting adjourned at 7:28 p.m.

Respectfully submitted,



Rachel Novak  
Recording Clerk

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY, JUNE 18, 2019  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Nicholas Demetriades, Paul Cordone, Chris Cambareri, Mo Islam (alternate)

**Absent:** Jeremy Floryan, Ken Rozich, Ken Slade, Brian Dufresne, John Keithan (alternate)

**Also Present:** Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, Town Council Liaison James Demetriades

1. **Call to Order:** The meeting was called to order by Chairman Kelly at 7:08 p.m.
2. **Roll Call:** The presence of the above members was noted.
3. **Seating of Alternates:** Michael Cannata made a motion to seat Mo Islam; Seconded by Nick Demetriades. *All were in favor; motion passed.*
4. **Approval of Agenda:**

Mr. Popper added the following two applications to the agenda under New Business: Accept and Schedule New Applications:

As Item 8b: Application #19-31: Site Plan Modification to reface the "Welcome to Cromwell" sign at 51 Shunpike Road. Town of Cromwell is the Applicant and HBN-CSC, LLC is the Owner.

As Item 8c: Application #19-32: Site Plan Modification to add a new sign at 5 Progress Drive. Creative Dimensions (for Connecticut Technology Group LLC) is the Applicant and Progress Drive Associates, LLC is the Owner.

Michael Cannata made a motion to approve the amended agenda; Seconded by Chris Cambareri. *All were in favor; motion passed.*

5. **Public Comments:**

Michael Rooslund, 3 Doering Drive, said that Chairman Kelly had said that there would not be any reduction in the transfer station operations during construction. He said that there was a recent press release saying that brush was not being accepted at this time. He wanted to know what had changed since the application was approved. Mr. Popper said that the Commission doesn't regulate the operation of the transfer station and that he may wish to contact Public Works.

James Demetriades, Town Council Liaison, 272 Skyview Drive, said that the matter was discussed at the last Town Council meeting. It was reported that there had been an unusually large amount of brush dropped off and the transfer station staff was requesting a temporary stoppage of brush deposits. There were no objections raised by the Town Council and the request was granted.

6. **Development Compliance Officer Report:** Mr. Driska asked if there were any questions or comments on his report. There were none.

7. **Town Planner Report:** Mr. Popper said that Marshalls plans on opening in mid-August in preparation for the fall season.

He asked the Commission if they would be available for a Special Meeting on June 25, 2019 to meet in Executive Session with the Town Attorney to discuss the Court Street / Affordable Housing project. The members indicated that they were. Mr. Popper said he would try to schedule it for 6 or 6:30 p.m.

Mr. Popper read into the record a letter from Councilman James Demetriades, asking the Commission to reconvene the sign subcommittee to look at modernizing the sign regulations. He said that small businesses with limited frontage were at a disadvantage with the current regulations. He suggested that the sign subcommittee solicit businesses for input. Mr. Popper said that staff would review the current regulations and prepare a report for the July 18, 2019 meeting for discussion with the Commission.

Mr. Popper said that the Marriott Hotel was under construction, the ARCO building was almost done, the transfer station relocation project was underway, that they were meeting with Cromwell Growers regarding their expansion, and were waiting to hear from DOT in order for work to begin on Starbucks.

**8. New Business Accept and Schedule New Applications:**

- a. Application #19-29: Request for Special Permit under Section 3.5.C.4 of the Zoning Regulations to allow for a Contractor's Yard at 150 Sebeth Drive. Robert Gallitto is the Applicant and Alvin Ravizza is the Owner.

Mr. Popper said he would contact the property owner and arrange dates and times for the Commissioners to visit the site. This would be a separate operation from the previously approved soil screening operation.

Michael Cannata made a motion to accept Application #19-29 and to schedule a public hearing for July 16, 2019; Seconded by Paul Cordone. *All were in favor; motion passed.*

- b. Application #19-31: Site Plan Modification to reface the "Welcome to Cromwell" sign at 51 Shunpike Road. The Town of Cromwell is the Applicant and HBN-CSC LLC c/o HB Nitkin Group is the Owner.

Michael Cannata made a motion to accept Application #19-31 and to schedule it to be heard tonight; Seconded by Mo Islam. *All were in favor; motion passed.*

Mr. Popper said that the face of the sign would be replaced to include a 3 x 12 foot electronic message board. The rest of the sign details would remain the same: same size, same location, same shape and face. Messaging would be available to the town and other non-profits and it would be operated by the Town Manager's office.

Michael Cannata made a motion to approve Application #19-31: Site Plan Modification to reface the "Welcome to Cromwell" sign at 51 Shunpike Road; Seconded by Chris Cambareri.

Nick Demetriades asked about other establishments in Cromwell wanting to revise their Class 1 signs and said he was concerned over possibly setting a precedent. He said that he wasn't against this particular sign. Mr. Popper said that the Zoning Regulations do not regulate government signs.

Michael Cannata withdrew his original motion.

Michael Cannata made a motion to approve Application #19-31: Site Plan Modification to reface the "Welcome to Cromwell" sign at 51 Shunpike Road for the Town of Cromwell's public service government

informational sign; Seconded by Nick Demetriades. *All were in favor; motion passed.*

- c. Application #19-32: Site Plan Modification to add a new sign at 5 Progress Drive. Creative Dimensions (for Connecticut Technology Group LLC) is the Applicant and Progress Drive Associates, LLC is the Owner.

Michael Cannata made a motion to accept Application #19-32 and to schedule it to be heard as a business item on June 25, 2019; Seconded by Paul Cordone. *All were in favor; motion accepted.*

## 9. Public Hearings:

- a. Application #19-27: Request for Special Permit under Section 2.2.C.4. of the Zoning Regulations to allow for a place of worship at 573 Main Street. Omar Islamic Center is the Applicant and the Knights of Columbus Building Association is the Owner.

Chairman Kelly read the legal notice.

Michael Cannata made a motion to open the public hearing; Seconded by Nick Demetriades. *All were in favor; motion passed.*

Attorney Refai Arefin presented on behalf of the applicant. He reviewed the current status of the building and said it was being used for meetings, party rentals, and Church Sunday school. He said the site was in the R-15 zone and in close proximity to a number of businesses. He reviewed the issues raised by the current use, those being noise, parking, access onto Oakwood Manor and alcohol consumption.

Attorney Arefin said that the applicant's use of the building as a mosque would have a smaller impact on the area, as their congregation only consists of 20 to 25 families and there was limited expansion potential due to the large Islamic Association of Greater Hartford in Berlin. He next reviewed the site location, saying it was along Route 99, a state highway, making it easy to access and also close to the Local Business Zone. He reviewed the criteria to be considered under the Special Permit application process and said that the mosque use was the best use of the property.

Attorney Arefin said that the applicant had obtained a 99-year lease to park on the adjacent property, that there were 24 parking spaces in total, and ADA compliant parking. He said that the use of the adjacent lot for parking would move traffic away from Oakwood Manor and that the amount of parking they proposed is in excess of what is required by the regulations. He said that the mosque use is off hours. He used the Berlin mosque as an example, saying that there is low attendance for daily prayers. He said that communal prayer is on Friday around 1 p.m. and weekend events, which are family oriented, start around 6 p.m. He said that the use was in

harmony with the surrounding area and that some improvements, such as exterior repairs and landscaping, were planned.

There would be no change to the existing site plan, that they were in compliance with all regulations, and there would be overflow parking available at the Asia Market on Main Street, which should prevent and/or eliminate street parking. Attorney Arefin next reviewed the site plan and parking specifications and showed how traffic flow was being shifted away from Oakwood Manor and towards Main Street.

Mr. Cannata asked why there was no signature or seal on the plan and Mr. Popper said he had the original and that it contained a signature and seal.

Mr. Popper read into the record the following staff comments:

A memo from Building Inspector Dave Jolley dated May 22, 2019, saying that he had no comment.

A memo from Sewer Administrator Richard Peck dated May 22, 2019, saying that he had no comment.

A memo from Police Chief Denise Lamontagne dated May 24, 2019, saying that she had no objections to the plan.

A memo from Fire Chief Michael Terenzio dated June 6, 2019, saying that he had no concerns regarding the established water supply or access to the side street. He said that he had not experienced any issues arising from parking and he did not have any concerns over providing fire and life safety protection to the site.

A memo from Fire Marshal Todd Gagnon dated June 6, 2019, saying that the total occupancy for the site was 171 persons derived as follows: 144 in the main level, 20 in the lower level, and 7 in the kitchen. Mr. Popper clarified that this calculation was different from that of the Zoning Regulations that bases occupancy on available parking, which for a church is 1 space for every 5 people.

A memo from Town Engineer Jon Harriman saying that there were no changes to the exterior beyond signage and lighting and he had no comment.

A memo from Zoning Compliance Officer Bruce Driska saying that his previously raised concerns regarding outdoor lighting and handicapped signage had been addressed.

Mr. Popper said that he had asked for police records regarding accident data in the area over the last five years and there had only been one reported incident at the intersection of Main Street and Oakwood Manor.

Chairman Kelly opened the hearing to public comment.

Michael Rooslund, 3 Doering Drive, said that the A-2 survey was not complete and there were a number of inconsistencies and items inaccurately depicted. Michael Cannata asked Mr. Rooslund to forward his list of specific questions on the plan to Mr. Popper so that they could be properly reviewed and thoroughly addressed.

Frank Czech, 25 Oakwood Manor, said that the Town needs to find a different solution to this problems created by this property. He said he was worried about someone parking on Main Street and blocking access to the back parking area. He said that there are other areas, such as the old Sav-Mor site, that could be used as a church.

Chairman Kelly said it is not up to Planning and Zoning to find uses for specific properties.

Eileen Pendl, 18 Oakwood Manor, said that the group has stated that it has 35 members already and said that they have looked at other, much larger locations. She wanted to know if the tenant's spot was included in the parking count. She also wanted to know what the property owner had specifically agreed to in relation to the parking lot use. She said using the parking at Asia Grocers is unrealistic. She said the applicant rented out the building during Ramadan and was there for services beginning at 9 p.m. and later. She asked the Commission to ask the neighbor near the Berlin mosque how they feel about the usage and parking. She said she was worried about future expansion, the inability to control visitors, and the constant usage.

Regina Arcuri, 569 Main Street, said that she lives at the property and was told by the landlord that the use of the back parking lot would be occasional, such as during Ramadan. She said that the landlord did not agree to lighting, the removal of bushes or line striping.

Tom McNeff, 8 Woodlawn Drive, asked if a Special Permit was required for the parking lot and Mr. Popper said no. He asked if the capacity would change if the additional parking lot wasn't available and was told yes. Mr. McNeff asked about the lease and was told it would be reviewed by the Town Attorney as part of the approval process of the overall project. He asked if the residence at 569 Main Street needs two parking spaces per the regulations and was told yes. He resubmitted the signed petition in opposition of the application. He said that Plan of Conservation and Development has a stated goal of protecting the town's residential character and said that the proposal to tear down a house to put up a parking lot is in opposition of that stated goal. He said that the concerns over traffic safety cannot be modified and therefore the Commission has no choice but to oppose this application.



Geri Gasior, 15 Oakwood Manor, said she was concerned about the inadequate parking at the site and said that this building wasn't intended to support large amounts of parking and large gatherings.

Jacey Long, 138 Salem Drive, spoke in favor of the application, saying that the plans were well thought out, that it was good that Asia Market was in support of this and that the congregation will listen to the church leaders regarding parking.

Nancy Berryman, 20 Oakwood Manor, says that it seems like they are trying too hard to make this work. She asked if a copy of the lease was available and had been reviewed. Mr. Popper said that he asked the applicant to submit the latest draft. Ms. Berryman said that the lease may impact the future sale of 569 Main Street. She said that the Town's first obligation should be to the taxpayers.

Richard Waters, 84 South Street, asked about the draw of the mosque from surrounding areas. He submitted photos showing cars in the parking lot at night, and said that the applicant had said that there would not be nighttime use. He said that the Commission's first priority is to protect the residents of Cromwell.

Mateen Mohamed, formerly of 12 Woodland Drive, said parking issues could arise during busy times. He said that they were only proposing to use about ten percent of the building's available occupancy. He said that the mosque will be a convenience to the community, making attending services more accessible, will bring visitors to town, and be a peaceful use. He said that members often carpool and that, if the mosque was approved, he would join the congregation.

Mark Fichandler, 8 Whitney Court, said that the previous speaker mentioned that people living in other towns would likely attend this mosque to avoid traveling longer distances. He said that he was concerned about the congregation growing and the constant/daily use. He asked the Commission to consider the concerns of neighbors.

John Croasdale, 4 Bellevue Terrace, said that the church's expansion will happen. He asked if approving this was a good financial move for Cromwell and to consider the impact on water and sewer.

Anthony Varricchio, 6 Kowal Drive, said that he feels everyone should have a place to worship. He said that he doesn't think that this place is suitable because there is not enough parking. He says that the congregation will grow but there isn't room for growth. He said that he is not against the church but against the church going into that particular building.

Richard Waters, 84 South Street, asked if a non-conforming property can be expanded. Mr. Popper said that the only way to expand is via a variance, which requires the showing of a hardship.

Ahmed Bedir, 207 Jepsen Lane, Meriden, said that the group rented the building during Ramadan from early May to early June and that he was not aware of any complaints during that use. He said that they did not park on the street or cause any issues and only utilized the adjacent lot one or two times during the month. He said he had pictures of the neighbors parking along Main Street and on both sides of Oakwood Manor and Whitney Court. He said that not all families will attend all the services at the same time. He reviewed the schedule of five daily prayers and said that most people attend night prayer with expected attendance of 10-15 people. He said that the church is willing to arrange for a shuttle from Asia Grocer. He said that their religion encourages them to be kind to their neighbors and that they haven't had any complaints from neighbors in other towns where their mosques are located. He said that the latest night prayer is around 10 p.m. and prayers last 10-15 minutes. He said that weekend events are generally held earlier.

The hearing was opened to Commissioner comments.

Michael Cannata asked Mr. Bedir if he had looked at any other sites in Cromwell. Mr. Bedir said no because this site was the most suitable as an event hall because there are no walls or columns. He also said that Omar Islamic Center is an umbrella organization and they plan to eventually open mosques in other towns.

Chris Cambareri asked if they had previously parked at the liquor store. Mr. Bedir said that one person tried to during Ramadan and was told not to. He said that they had obtained permission to park at the liquor store after 8 p.m. during a fundraising event.

Mr. Popper read a letter into the record from Rajeshri Patel, owner of Bruce's 19<sup>th</sup> Hole at 574 Main Street, in which he said he was not in favor of the application.

Nick Demetriades asked about regulating how the building was rented and Mr. Popper said that the Town does not regulate its use. There was some discussion regarding the fact that the property could be converted into a single family or two family residence without Commission approval, but that multi-family use would require a Special Permit. Mr. Popper said that in order to change the use to something that increases the non-conformity, an applicant would need a variance and cited the previous liquor store application as an example.

Michael Cannata asked if the building could be purchased and turned into a two family house as a matter of right and Mr. Popper said yes, with an approved site plan. Michael Cannata wanted to confirm that there was a way to convert a non-conforming site to a conforming site. Mr. Popper said that if a fraternal organization building was to be built today, it would be in the Commercial Zone and not in the R-15 Zone.

Zouhir Mahiaoui said he was an engineer and that his number one priority was safety. He said that the plans have been reviewed for safety and that it hurts him to

hear all of the safety concerns as he is just looking for a place to worship. He said that the church will ensure traffic control at the site.

Mr. Popper asked the applicant to obtain a written statement from the adjacent property owner about what he specifically agrees to or have those specific terms incorporated into the lease executed by the property owner.

Mohamad Hegazi, 28 Deerfield Avenue, Middletown, said that he understands the concerns regarding parking. He said that the perfect solution is to convert the building to a two-family house and for the applicant to look elsewhere. He said that this perfect solution is highly unrealistic based on how long the site has been for sale. He wants the Commission to give the organization a chance to make a positive change to the community.

Michael Cannata made a motion to continue the public hearing to the next regularly scheduled meeting of July 16, 2019, Seconded by Nick Demetriades. *All were in favor; motion passed.*

**10. Commissioner's Comments:** Chris Cambareri said that the Town needs two members as appointed representatives to the Lower Connecticut River Valley Council of Governments, with the regular member being a member of the Commission and an alternate, who can be a member of the community at large. Chris Cambareri said he was the regular member and asked if any other Commissioners were interested in being the alternate. No Commissioners indicated that they were interested. Chris Cambareri nominated Anthony LaCava as an alternate member to RiverCOG, Seconded by Michael Cannata. *All were in favor; motion passed.*

#### **11. Approval of Minutes:**

- a. April 2, 2019: no action taken
- b. May 14, 2019: Michael Cannata made a motion to accept the minutes as presented; Seconded by Mo Islam. *All were in favor; motion passed.*
- c. May 21, 2019: Michael Cannata made a motion to accept the minutes as presented; Seconded by Chris Cambareri. *All were in favor; motion passed.* Paul Cordone abstained.

**12. Adjourn:** Michael Cannata made a motion to adjourn the meeting; Seconded by Nick Demetradies. Meeting adjourned at 9:49 p.m.

Respectfully submitted,



Julie C. Petrella  
Recording Clerk

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
6:00 PM TUESDAY, JUNE 25, 2019  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES

RECEIVED FOR RECORD  
JUL 01, 2019 01:44P  
JOAN AHLQUIST  
TOWN CLERK  
CROMWELL, CT *Jc*

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Chris Cambareri, Nick Demetriades

**Absent:** Ken Rozich, Jeremy Floryan, Brian Dufrense, Kenneth Slade, David Fitzgerald, John Keithan, Mo Islam

**Also Present:** Director of Planning and Development Stuart Popper, Development Compliance Office Bruce Driska, Town Attorney Kari Olson, Commission Clerk Sherry McGuire

1. **Call to Order:** The meeting was called to order by Chairman Kelly at 6:06 p.m.
2. **Roll Call:** The presence of the above members was noted.
3. **Approval of Agenda:**

Michael Cannata made a motion to approve the amended agenda; Seconded by Nicholas Demetriades. *All were in favor; motioned passed.*

4. **Public Comments:** NONE.
5. **Development Compliance Officer Report:** Nothing new to report.
6. **Town Planner Report:** Nothing new to report.
7. **New Business:**

- a. Application # 19-32: Request for Site Plan Modification to add a new sign for the Connecticut Business Technologies Group LLC at 5 Progress Drive. Creative Dimensions is the Applicant and Progress Drive Associates LLC is the Owner.

This is a small technology company with a half a dozen of employees. They were previously at 7 Progress Drive. Bruce Driska reviewed the application and it is in compliance of the Zoning regulations. Daniel Kiley from Creative Dimensions introduced a handout with a description of the sign being 144" long by 48" tall.

Michael Cannata made a motion to approve the Application # 19-32: Request for Site Plan Modification to add a new sign for the Connecticut Business Technologies Group LLC at 5 Progress Drive; Seconded by Chris Cambareri. *All were in favor; motion passed.*

**8. Executive Session to Discuss Pending Litigation Regarding:**

- a. Application #17-22: Request for the Site Plan Approval for Center Point Apartments (an Affordable Housing Application) at 186 Shunpike Road. JPG Partners, Inc. is the Applicant and the Estate of Helen M. Ewald c/o Sybil C. Martin Executrix is the Owner.

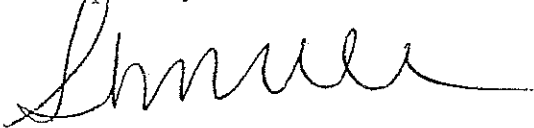
Michael Cannata made motion to go into Executive Session; Seconded by Chris Cambareri, with the Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, and Town Attorney Kari Olson at 6:12 p.m.

Michael Cannata made the motion to come out of Executive Session; Seconded by Nickolas Demetriades, with no action at 7:04 p.m.

**9. Commissioner's Comments: None.**

**10. Adjourn:** Michael Cannata made a motion to adjourn the meeting; Seconded by Nickolas Demetriades. *Meeting adjourned at 7:05 p.m.*

Respectfully submitted,



Sherry-Rose McGuire  
Commission Clerk