

**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY FEBRUARY 21, 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:
 - a. Section 8-24 Mandatory Referral for the Sale of Town Owned Land at 35 Nooks Hill Road.
 - b. Section 8-24 Mandatory Referral for the Sale of Town Owned Land (a portion of) at 55 Nooks Hill Road.
10. **Public Hearing:**
 - a. Application #17-01: Use Permit for Travelers Championship Golf Tournament at 100 Golf Club Road. Greater Hartford Community Foundation Inc. is the Applicant; Tournament Players Club of Connecticut Inc. is the Owner.
 - b. 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.
 - c. 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.
 - 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.
 - e. 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.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
 - a. January 17, 2017
13. **Adjourn**

RECEIVED FOR FILING
2-14 2017 at 2:45 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Lou Cavasola, Asst.
TOWN CLERK

Memo

To: Planning & Zoning Commission

From: Fred Curtin

Date: February 14, 2017

Re: January 2017 Activity Report

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

8 South Street – The property owner has not complied with my Notice of Violation. I will issue a Cease and Desist order, pending weather.

191 Shunpike Road – A Cease and Desist order has been issued for the camper and 2 unregistered 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 Applewood Road | Add fill to yard | Approved 5/9/16 by ZEO | Work in progress |
| 16-18 | Keystone Novelties | 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 | |
| 16-30 | Three Sons Realty Pride Corner Farms, Inc. | 600 Main Street | Millane Nurseries | Approved 7/19/16 | |
| 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 |
| 16-38 | Julie Cranick | 199 Shunpike Road | Stretch Fitness | Approved by ZEO 10/7/16 | Open for business |

| Permit# | Name of Applicant | Site Location | Type of Activity | Decision Date | Status |
|---------|-------------------------|--------------------------|--|------------------------------|-------------------|
| 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 Shuinpik 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 Permit for sale & consumption of alcoholic beverages in ID Zone | | |
| 16-46 | Planning & Zoning Comm. | Industrial Zone District | Section 7.5, 7.5A, 7.5B Location requirements for alcoholic beverages in ID zone | | |
| 16-47 | Planning & Zoning Comm. | Industrial Zone District | Section 3.5.C.4 Special Permit for sales and small engine repairs | | |
| 16-48 | NGA Nguyen | 25 Shuinpik Road | 3,500sf Retail Building | Approved 1/17/17 | No Action |
| 16-49 | NGA Nguyen | 25 Shuinpik Road | New Building | Approved 1/17/17 | No Action |
| | | | | | |
| | | | | | |

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: February 14, 2017
Re: Comments for the February 21, 2017 Meeting Agenda

9. New Business:

a. Section 8-24 Mandatory Referral for the Sale of Town Owned Land at 35 Nooks Hill Road. The 3.99 acre undeveloped site is located in the R-25 Zone District on the north side of Nooks Hill Road. Town is proposing to sell the whole parcel.

b. Section 8-24 Mandatory Referral for the Sale of Town Owned Land (a portion of) at 55 Nooks Hill Road. The 28 acre site is located in the Industrial Zone District on the north side of Nooks Hill Road. Town is proposing to sell the former Water Department building on .85 acres.

10. Public Hearing:

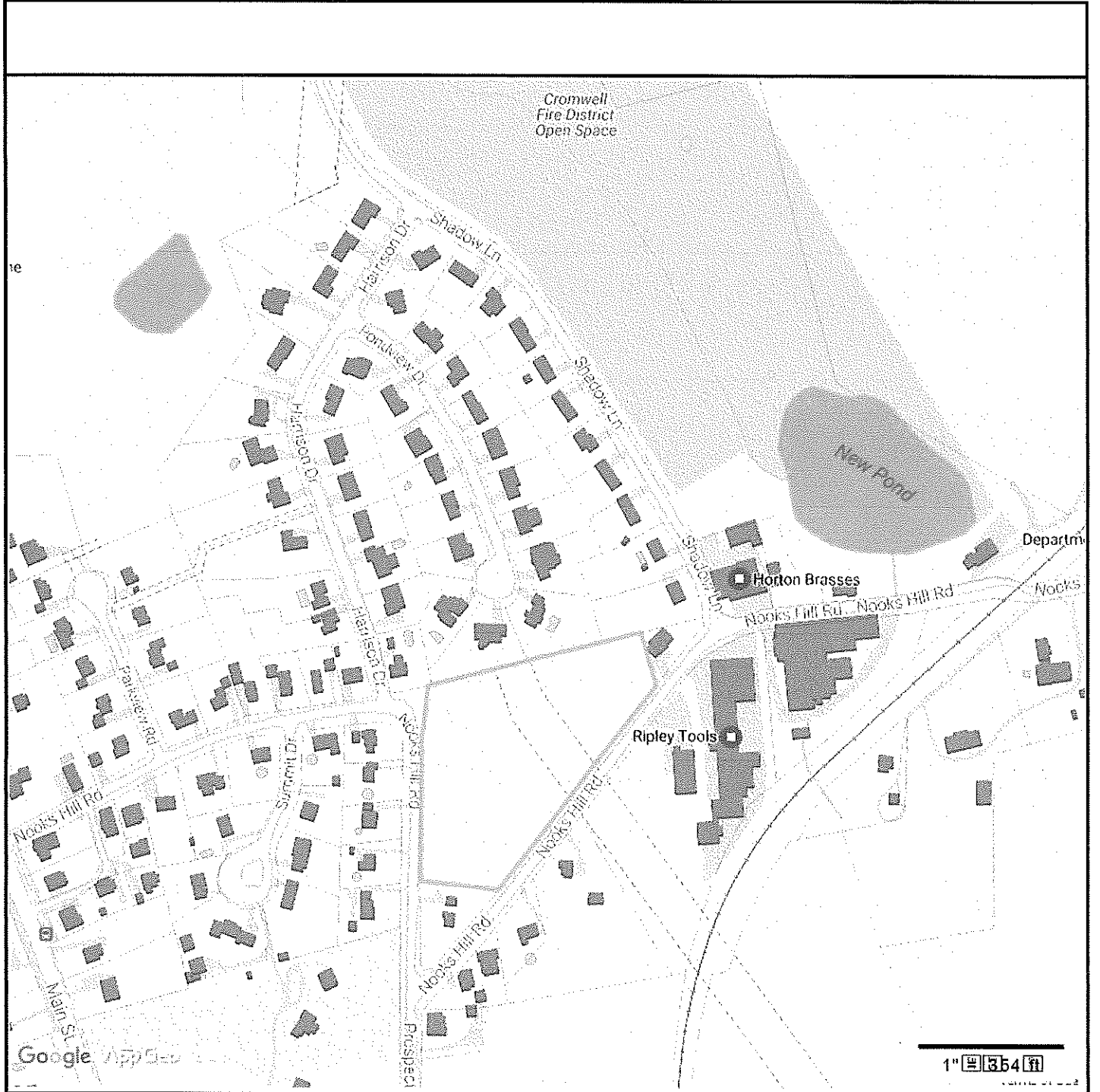
a. Application #17-01: Use Permit for Travelers Championship Golf Tournament at 100 Golf Club Road. Greater Hartford Community Foundation Inc. is the Applicant; Tournament Players Club of Connecticut Inc. is the Owner. *Annual TPC Permit.*

b. 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. *Please see narrative attached to the application.*

c. 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. *Please see narrative attached to the application.*

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. *Please see narrative attached to the application.*

e. 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. *Please see narrative attached to the application.*



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Cromwell, CT makes no claim and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 11/2016
Properties updated 1/17

| CURRENT OWNER | | UTILITIES | | STRT./ROAD | | LOCATION | |
|-------------------|-------|-----------|---------------|------------------|--------|--------------------------|--|
| 1 | Level | 2 | Public Water | 1 | Public | | |
| 5 | Steep | 4 | Sewer Avail - | | | | |
| SUPPLEMENTAL DATA | | | | | | | |
| Census Tr. 5703 | | DV Map # | | 100 Yr Flood | | ASSOC PID# 56/ 52/ 45/ / | |
| Prior Zoning A-25 | | DV Lot # | | I&E Penalty | | BAA | |
| Color | | Callback | | GIS ID: 00113500 | | | |

| RECORD OF OWNERSHIP | | BK-VOL/PAGE | | SALE DATE | | SALE PRICE | | V.C. | |
|---------------------|--|-------------|---|------------|--|------------|--|------|--|
| CROMWELL TOWN OF | | 1 | 1 | 01/01/1900 | | 0 | | | |

| CURRENT ASSESSMENT | | PREVIOUS ASSESSMENTS HISTORY | |
|--------------------|------|------------------------------|----------------|
| Description | Code | Assessed Value | Yr. Code |
| EX VC RL | 51 | 175,500 | 2015 51 |
| | | 250,710 | 2014 51 |
| | | 175,500 | 2014 51 |
| Total | | 250,710 | 175,500 |

NET TOTAL APPRAISED PARCEL VALUE 250,710

This signature acknowledges a visit by a Data Collector or Assessor

| BUILDING PERMIT RECORD | | DATE OF CO | |
|------------------------|------------|------------|------------|
| Permit ID | Issue Date | Amount | Insp. Date |
| | | | |

| LAND-LINE VALUATION SECTION | | ACRE | | C. | | ST. | |
|-----------------------------|-----------------|------|---|----------|-------|-----------|--------|
| B # | Use Description | Zone | D | Frontage | Depth | Units | Factor |
| 1 | Mun Land Res | R-25 | | | | 25,000 SF | 0.8500 |
| 1 | Mun Land Res | R-25 | | | | 0.64 AC | 1.0000 |
| 1 | Mun Land Res | R-25 | | | | 3.99 AC | 0.8500 |



VII

233

To all People to whom these Presents shall come: GREETING.

Know ye, THAT Horace W. Hubbard & Alice Hubbard, executors of the estate of Horace Hubbard for the consideration of Seventy five dollars \$75.00 received to our full satisfaction of the town of Cromwell, Conn.

Do give, grant, bargain, sell and confirm unto the said Town of Cromwell, Conn.

a piece of land from the westerly side of the Mill lot, so called, containing three (3) Rods & two (2) Rods said land to be used by the said town for a Public highway

See Map # N-129

To Have and to Hold, the above granted and bargained premises, with the appurtenances thereof, unto the said Town of Cromwell, Conn. heirs and assigns forever, to their use and behoof. And also, the said executors do for themselves & their heirs, executors and administrators, covenant with the said Town of Cromwell, Conn. heirs and assigns, that at and until the ensembling of these presents they are well seized of the premises, as a good indefeasible estate in fee-simple, and have good right to bargain and sell the same in manner and form as is above written, and that the same is free from all incumbrances whatsoever.

And Furthermore, they the said executors do by these presents bind themselves and their heirs forever to WARRANT and DEFEND the above granted and bargained premises to the said Town of Cromwell, Conn. heirs and assigns against all claims and demands whatsoever.

In Witness Whereof, we have hereunto set our hands and seals this twenty first day of August in the year of our Lord, One Thousand Eight Hundred and eighty one

Signed, sealed and delivered in presence of

L. B. Smith
J. P. Kelly
State of Connecticut

Horace W. Hubbard
Alice Hubbard



County of Middlesex

Cromwell Sept 9 1881

PERSONALLY APPEARED

Horace W. Hubbard & Alice Hubbard

Signer and Sealer of the foregoing instrument, and acknowledged the same to be their free act and deed before me.

J. P. Kelly, Notary Public

Received Sept 20 1881 and Recorded by J. P. Kelly, Register



Property Information

Property ID 00114600
Location 55 NOOKS HILL ROAD
Owner CROMWELL TOWN OF



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Cromwell, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 06/2016
Properties updated daily

55 Nooks Hill Road



Property Information

Property ID 00114600
Location 55 NOOKS HILL ROAD
Owner CROMWELL TOWN OF



MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

Town of Cromwell, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 06/2016
 Properties updated daily

| CURRENT OWNER | | UTILITIES | | STRT./ROAD | | LOCATION | | CURRENT ASSESSMENT | |
|---------------|-------------|----------------|-----------------|----------------|-----------------|----------------|-----------------|--------------------|----------------|
| Code | Description | Code | Appraised Value | Code | Appraised Value | Code | Appraised Value | Code | Assessed Value |
| EX COM LN | EX COM BL | 21 | 801,590 | 21 | 801,590 | 21 | 561,120 | 21 | 597,850 |
| EX COM BL | | 22 | 59,610 | 22 | 59,610 | 22 | 41,730 | 22 | 58,230 |
| TOTAL | | 861,200 | | 861,200 | | 602,850 | | 656,080 | |

| RECORD OF OWNERSHIP | | BK-VOL/PAGE | | SALE DATE | | v/i SALE PRICE | | V.C. | |
|---------------------|------|----------------|------|----------------|----------------|----------------|------|----------------|------|
| Yr. | Code | Assessed Value | Yr. | Code | Assessed Value | Yr. | Code | Assessed Value | Yr. |
| 2011 | 21 | 597,850 | 2010 | 21 | 597,850 | 2010 | 21 | 597,850 | 2009 |
| 2011 | 22 | 58,230 | 2010 | 22 | 58,230 | 2010 | 22 | 58,230 | 2009 |
| TOTAL | | 656,080 | | 656,080 | | 656,080 | | 656,080 | |

| EXEMPTIONS | | OTHER ASSESSMENTS | |
|------------|------|-------------------|-------------|
| Year | Type | Code | Description |
| | | | |

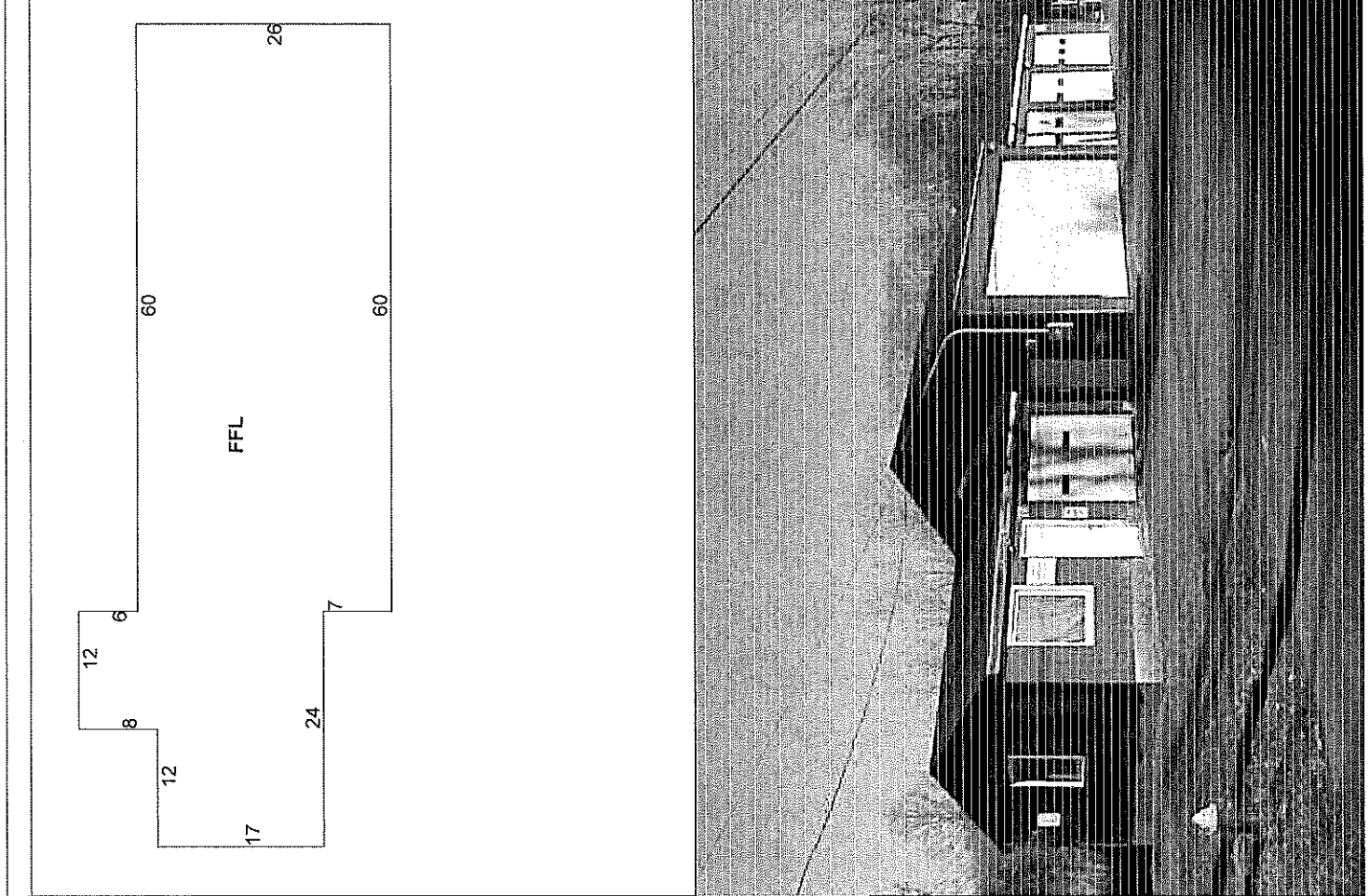
| ASSESSING NEIGHBORHOOD | | NOTES | |
|------------------------|-------------------|---------|-------|
| NBHD/ SUB | Street Index Name | Tracing | Batch |
| 0001/A | | | |

PUMPING STATION - ACROSS STREET
 WATER DEPT = GARAGE + SHOP
 BIG POND

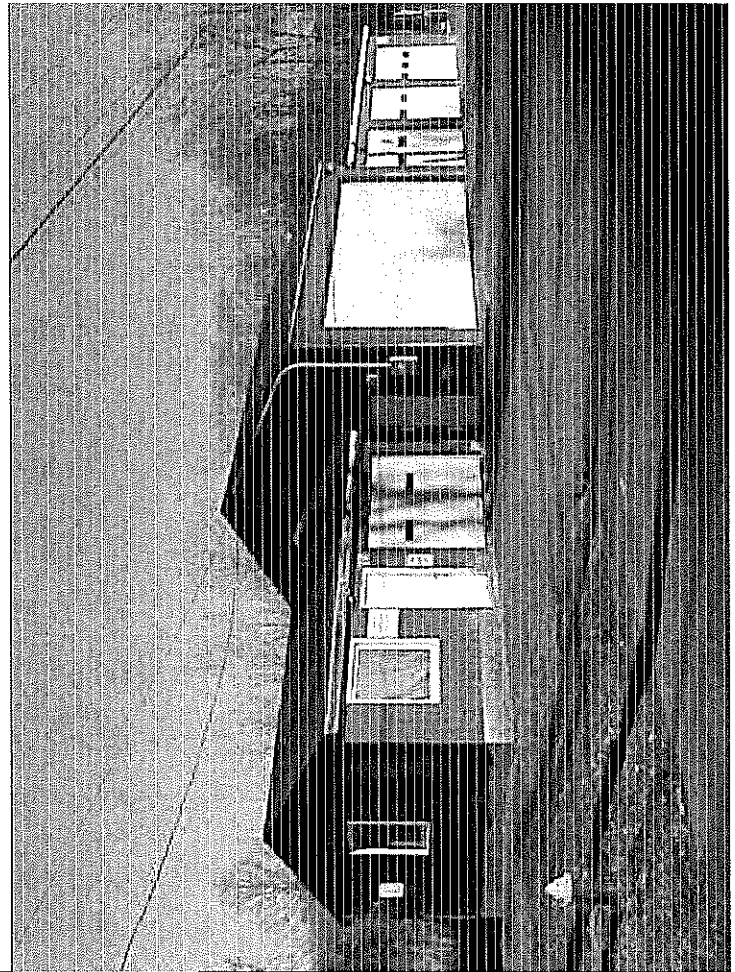
| BUILDING PERMIT RECORD | | VISIT/ CHANGE HISTORY | |
|------------------------|------------|-----------------------|----------|
| Permit ID | Issue Date | Type | Date |
| 17508 | 03/12/2008 | EL | Electric |

| LAND LINE VALUATION SECTION | | Special Pricing | | Notes-Adj | |
|-----------------------------|------|-----------------|------|-----------|-------------|
| B # | Code | Use Description | Zone | D | Front/Depth |
| 1 | 925 | Mun Water Bldg | IND | | |
| 1 | 925 | Mun Water Bldg | IND | | |
| 1 | 925 | Mun Water Bldg | IND | | |

Total Card Land Units: 28.00 AC Parcel Total Land Area: 28 AC Total Land Value: 801.5



| CONSTRUCTION DETAIL | | CONSTRUCTION DETAIL (CONTINUED) | |
|---|-------------|---------------------------------|-----------------|
| Element | Cd. Ch. | Element | Cd. Ch. |
| Style | 82 | Equip Garage | |
| Model | 96 | Industrial | |
| Grade | 08 | C | |
| Stories | 1 | | |
| Occupancy | 1 | | |
| Exterior Wall 1 | 11 | | |
| Exterior Wall 2 | | | |
| Roof Structure | 03 | Clapboard | |
| Roof Cover | 03 | Gable | |
| Interior Wall 1 | 01 | Asphalt Shingl | |
| Interior Wall 2 | | Minimum | |
| Interior Floor 1 | 03 | Concrete | |
| Interior Floor 2 | | | |
| Heating Fuel | 01 | Coal or Wood | |
| Heating Type | 01 | None | |
| AC Type | 01 | None | |
| Bldg Use | 201 | Commercial Improv | |
| Sprinkler Type | N | None | |
| Sprinkler % | | | |
| Mezzanine Fin. | | | |
| Mezzanine Unf. | | | |
| Heat/AC | 00 | None | |
| Frame Type | 02 | Wood Frame | |
| Baths/Plumbing | 01 | Light | |
| Ceiling/Walls | 02 | Ceiling Only | |
| Rooms/Prtms | 01 | Light | |
| Wall Height | 12 | | |
| % Conn Wall | | | |
| OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B) | | | |
| Code | Description | Sub | Units |
| | | Unit Price | Yr. Code |
| | | Dp Rt | Cnd |
| | | %Cnd | Apr. Value |
| BUILDING SUB-AREA SUMMARY SECTION | | | |
| Code | Description | Living Area | Gross Area |
| FFL | First Floor | 2,064 | 2,064 |
| | | Eff. Area | Unit Cost |
| | | | Undeprac. Value |



TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday, February 21, 2017 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #17-01: Use Permit for Travelers Championship Golf Tournament at 100 Golf Club Road. Greater Hartford Community Foundation Inc. is the Applicant; Tournament Players Club of Connecticut Inc. is the Owner.
2. 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.
3. 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.
4. 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.
5. 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.

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 7th day of February 2017.



17-01

**Town of Cromwell
Planning and Zoning Commission**

APPLICATION FOR SPECIAL PERMIT

Type of Activity: PGA TOUR Event

(Per Section _____ of the Cromwell Zoning Regulations)

Street Address: One Golf Club Road Zoning District: _____

Parcel ID #: _____ Volume/Page: _____

Applicant: Greater Hartford Community Foundation

Address: 90 State House Square, 11th Floor, Hartford, CT 06010

Telephone Number (daytime): 860-502-6807

Email Address: kharrington@travelerschampionship.com

Property Owner: TPC River Highlands, PGA TOUR

Address: One Golf Club Road, Cromwell, CT

Description of Proposed Activity:

Applicant seeks to host PGA TOUR event known as the Travelers Championship at TPC River Highlands.
The event will take place Monday, June 19 - Sunday, June 25, 2017 and include the placement of
concessions adjacent to the golf course.

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

(Signature of Owner or Designated Agent)

1/4/2017
(date)

Nathan Grube
(printed name of signer)



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION TO AMEND THE ZONING REGULATIONS

Name: Planning & Zoning Commission
Address: 41 West Street
Cromwell, CT 06416
Telephone: 860-632-3422 Email: _____

A. Request to Change an Existing Regulation:

1. Current Article Number: Section 3.5.C.4
2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):
To permit as a Special Permit the manufacture, sale and
consumption of alcoholic beverages in the Industrial Zone Dist.

B. Request to Create a New Regulation:

1. Suggested Article Number: _____
2. Zoning District(s) to be Affected by New Regulation: _____
3. New Regulation wording (attach if necessary):

C. Reason for Proposed Change or New Regulation:

Arthur B. Pisci
(applicant)

11/29/16
(date)

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.

Add the following new sections to Section 6. Special Permit:

6. 11 Brewery (includes Micro Brewery). In the Industrial Zone District the manufacturing, bottling and storage of beer and beer products, including tastings, tours, and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption is permitted provided:

1. Special Permit is obtained by the Commission after a public hearing;
2. In determining the appropriateness of the use the Commission may consider the following conditions: traffic safety, density of similar establishments, the size of the facility, types of special events or entertainment provided, proximity to residences, proximity to residential zone boundaries, appropriateness of abutting land uses, any proposed fencing or buffering, architectural quality and details of the building and site.

6.12 Brew Pub. In the Industrial Zone District the manufacturing, bottling and storage of beer and beer products, including tastings, tours and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption and the retail sale of beer served in open containers to be consumed on the premises with or without the sale of food is permitted provided:

1. Special Permit is obtained by the Commission after a public hearing;
2. In determining the appropriateness of the use the Commission may consider the following conditions: traffic safety, density of similar establishments, the size of the facility, service of alcoholic liquor, types of special events or entertainment provided, proximity to residences, proximity to residential zone boundaries, appropriateness of abutting land uses, any proposed fencing or buffering, architectural quality and details of the building and site.

6.13 Brew Pub Restaurant. In the Industrial Zone District a full service restaurants including a brew pub restaurant, serving beer and wine or full liquor service to customers may be permitted by the Commission provided:

1. Special Permit is obtained by the Commission after a public hearing;
2. The retail sale of alcoholic beverages shall be subordinate to the principal use which shall be a restaurant providing table service with hot meals; and, where subordinate shall mean that no more than 20% of the floor area of the restaurant is devoted to a bar or cocktail lounge area;
3. Outdoor seating areas are allowed only as specifically shown on a Site Plan and approved by the Commission;

4. Walk-up windows and drive-through windows are prohibited; and,

5. In determining the appropriateness of the use and outdoor seating areas the Commission may consider the following conditions: traffic safety, density of similar establishments, the size of the facility, service of alcoholic liquor, type of entertainment provided, proximity to residences, proximity to residential zone boundaries, appropriateness of abutting land uses, any proposed fencing or buffering, architectural quality and details of the building and site.

6.14 Distillery (includes Micro Distillery). In the Industrial Zone District the manufacturing, bottling and storage of alcoholic beverages in sealed containers of alcoholic beverages produced on the premises for offsite consumption is permitted provided:

1. Special Permit is obtained by the Commission after a public hearing;

2. In determining the appropriateness of the use the Commission may consider the following conditions: traffic safety, density of similar establishments, the size of the facility, types of special events or entertainment provided, proximity to residences, proximity to residential zone boundaries, appropriateness of abutting land uses, any proposed fencing or buffering, architectural quality and details of the building and site.

6.15 Winery (includes Micro Winery). In the Industrial Zone District the manufacturing, bottling and storage of wine including tastings, tours and wholesale and retail sale of sealed bottles or other sealed containers of alcoholic beverages produced on the premises for offsite consumption. It may also include the retail sale of wine served in open containers to be consumed on the premises.

1. Special Use Permit is obtained by the Commission after a public hearing;

2. In determining the appropriateness of the use the Commission may consider the following conditions: traffic safety, density of similar establishments, the size of the facility, types of special events or entertainment provided, proximity to residences, proximity to residential zone boundaries, appropriateness of abutting land uses, any proposed fencing or buffering, architectural quality and details of the building and site.



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION TO AMEND THE ZONING REGULATIONS

Name: Planning & Zoning Commission
Address: 41 West Street
Cromwell, CT 06416
Telephone: 860-632-3422 Email: _____

A. Request to Change an Existing Regulation:

1. Current Article Number: Sections 7.5, 7.5.A, and 7.5.B
2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):
To permit the manufacture, sale and consumption of
alcoholic beverages in the Industrial Zone District

B. Request to Create a New Regulation:

1. Suggested Article Number: _____
2. Zoning District(s) to be Affected by New Regulation: _____
3. New Regulation wording (attach if necessary):

C. Reason for Proposed Change or New Regulation:

Stuart B. Popper
(applicant)

11/29/16
(date)

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.

Add the following sections to Section 7. Special Requirements of the Zoning Regulations:

Amend Section 7.5.A Permitted Zones and Distance Requirements of the Zoning Regulations to permit as a Special Permit the manufacture, sale and consumption of alcoholic beverages in the Industrial Zone District. The text to be deleted is underlined and the text to be added in in ***bold and italics***.

7.5.A Permitted Zones and Distance Requirements

1. The sale of alcoholic beverages to be consumed on the premises or off the premises is permitted in the Business Districts only ***and in the Industrial Zone District***, with the exception of outdoor recreational facilities located in non-residential zones which by Special Permit may serve beer, wine and liquor in conjunction with a contained sit down food service operation.

7.5.B Location Requirements and Limitations

5. For a brewery, brew pub, brew pub restaurant, distillery, microbrewery, micro distillery, micro winery and winery there shall be no distance requirements. Any manufacture of alcoholic beverages must meet the definitions of such an operation under these Regulations and the Connecticut General Statutes Section 30-16 Manufacturer Permit as amended.



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION TO AMEND THE ZONING REGULATIONS

Name: Planning & Zoning Commission
Address: 41 West Street
Cromwell, CT 06416
Telephone: 860-632-3422 Email: _____

A. Request to Change an Existing Regulation:

1. Current Article Number: 3.5.C.4
2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):
To permit as a Special Permit retail sales and small engine repair in the Industrial Zone District

B. Request to Create a New Regulation:

1. Suggested Article Number: _____
2. Zoning District(s) to be Affected by New Regulation: _____
3. New Regulation wording (attach if necessary):

C. Reason for Proposed Change or New Regulation:

Stuart B. Popper
(applicant)

11/29/16
(date)

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. The text to be added in in bold and italics.

Amend Section 3.5.C.4 Requires Special Permit Approval Other Uses

Amend the Section 3.5.C.4 Other Uses of the Zoning of the 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.

Retail sales

Small Engine Repair



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION TO AMEND THE ZONING REGULATIONS

Name: _____

Address: _____

Telephone: _____ Email: _____

A. Request to Change an Existing Regulation:

1. Current Article Number: Section 1.7

2. Current Regulation wording (attach if necessary):

3. Proposed Change wording (attach if necessary):
To include new definitions for the Manufacture of
Alcoholic beverages.

B. Request to Create a New Regulation:

1. Suggested Article Number: _____

2. Zoning District(s) to be Affected by New Regulation: _____

3. New Regulation wording (attach if necessary):
See attached

C. Reason for Proposed Change or New Regulation:

(applicant) (date)

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 Town of Cromwell Planning and Zoning Commission is the Applicant. The new terms are:

Brewery. A facility used for manufacturing, bottling and storage of beer and beer products or alcoholic cider, including tastings, tours, and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption. It may also include the retail sale of beer served in open containers to be consumed on the premises

Brew Pub. A facility used for manufacturing, bottling and storage of beer and beer products, including tastings, tours and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption and the retail sale of beer served in open containers to be consumed on the premises with or without the sale of food.

Brew Pub Restaurant. A facility used for manufacturing, bottling and storage of beer and beer products, including tastings, tours and wholesale and retail sale of sealed bottles or other sealed containers of beer produced on the premises for offsite consumption and the retail sale of beer served in open containers to be consumed on the premises in conjunction with the sale of food within a restaurant setting.

Distillery. A facility use for the manufacturing, bottling and storage of alcoholic beverages including tastings, tours and wholesale and retail sale of sealed bottles or other sealed containers of alcoholic beverages produced on the premises for offsite consumption. It may also include the retail sale of alcoholic beverages served in open containers to be consumed on the premises.

Micro Brewery. A brewery where no more than 6,000 barrels per year is manufactured.

Micro Distillery. A distillery where no more than 6,000 barrels per year may be produced.

Micro Winery. A winery where no more than 6,000 barrels per year may be produced.

Winery. A facility use for the manufacturing, bottling and storage of wine including tastings, tours and wholesale and retail sale of sealed bottles or other sealed containers of alcoholic beverages produced on the premises for offsite consumption. It may also include the retail sale of wine served in open containers to be consumed on the premises.



**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY JANUARY 17, 2017
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
Minutes and Record of Votes**

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

Absent: Ken Rozich

Also present: Stuart Popper Director of Planning and Development, Fred Curtin Zoning Enforcement Officer, Jon Harriman Town Engineer, Ed Weners Town Council Liaison

1. Call to Order

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

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 Ken Slade to seat David Fitzgerald as an alternate. *All were in favor; the motion passed.*

4 Approval of Agenda

A motion was made by Michael Cannata and **seconded** by Rich Waters to approve the agenda with the changes of replacing 8a and 8b from applications 16-48 and 16-19 to applications 17-01 and 17-02 and with the addition of 8c. request for a mandatory section 8-24 referral for Nooks Hill Road. *All were in favor; the motion passed.*

5. Public Comments - none

6. Development Compliance Officer Report:

Mr. Curtin reviewed his report dated January 10, 2017 and said there are no changes to 49 River Road. Chairman Kelly asked him about the status of some applications listed on the report.

7. Town Planner Report:

Mr. Popper reviewed his Economic Development Report dated January 5, 2017.

8. New Business: Accept and Schedule:

a. Application #17-01: Use Permit for Travelers Championship Golf Tournament at 100 Golf Club Road. Greater Hartford Community Foundation, Inc. is the Applicant; Tournament Players Club of Connecticut, Inc. is the Owner.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to accept and schedule application 17-01 for a public hearing on February 21, 2017. *All were in favor; the motion passed.*

b. Application #17-02: Request to amend Section 1.7 Defined Terms of the Zoning Regulations to include new definitions (see below) for the Manufacture of Alcoholic beverages.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to accept and schedule application 17-02 for a public hearing on February 7, 2017. *All were in favor; the motion passed.*

c. 8-24 Mandatory 8-24 Referral for the sale of Town owned land at 35 Nooks Hill Road.

Mr. Cannata said that years ago, while he was on Planning and Zoning, the Boy Scouts wanted this property donated to them for building a new hut but there was some opposition by the neighbors. He said this parcel was donated to Cromwell by the Pearson family for recreation use to benefit the town. He said I don't think the Town has the right to sell this. Mr. Popper said he will research this and get an answer for next meeting.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to table the mandatory 8-24 referral for the sale of Town owned land at 35 Nooks Hill Road. *All were in favor; the motion passed.*

9. New Business:

a. Application #16-49: Request for Site Plan Approval to construct a new 3,500 square foot commercial building at 25 Shunpike Road. Nga Nguyen is the Applicant and the Owner.

Mr. Popper said we will hear application 16-49 during the public hearing for application 16-48.

(Motion made after discussion and motion for application 16-48)

A **motion** was made by Michael Cannata and **seconded** by Paul Cordone to approve application 16-49. *All were in favor; the motion passed.*

10. Public Hearing:

a. Application #16-48: Request for a Special Permit under Section 4.2 of the Zoning Regulations

to construct a new building in the Special Flood Hazard Area at 25 Shunpike Road. Nga Nguyen is the Applicant and the Owner.

Jeremy Floryan reads the public hearing for application 16-48 dated January 4, 2017.

Jim Cassidy of Hallisey, Pearson and Cassidy said he represents Nga Nguyen. He said he has handed in the affidavits of mailing and pictures of the posted signs. He said he will be showing the presentation on the overhead. Mr. Cassidy said the parcel is in the Flood Hazard area on the west side of the Shunpike. He said it is 24,083 square feet and is existing non-conforming with 2 buildings on the site. He said they are looking for a permit to redevelop the site with a 3,500 square foot building for a retail use including a nail and hair salon. He said they will remove the 2 buildings. He explained the elevations on site and said the building will be in the existing paved parking area. He said they will have 24 parking spaces with 2 handicap spaces and your regulations call for 4 spaces for every 1000 square feet so the requirement is only 16 but with 3 tenants we thought we needed more. Mr. Cassidy showed the dumpster location and discussed drainage and discharge. He said it will be a 13,800 drainage area and the impervious coverage will be the same. Mr. Cassidy explained he is putting the building in this location to balance out cuts and fills and to reduce the amount of fill in the 100 year flood plain. He said he is dropping the elevation of the swale by 2 feet so post development here is no reduction of the 100 year flood capacity. Mr. Cassidy discussed the landscaping, dumpster pads, fences and gates. He said I have amended the plans per Town comments. He said I have shown the location of the freestanding sign but they will have to come back for approval once it is designed with the tenant information.

There was a discussion on the amount of cubic yard material being removed. Mr. Popper told the Commissioners that Mr. Cassidy requested a waiver of regulation 1.5c which is the landscaping plan requirement. Mr. Cassidy said he prepared the plan as he is very familiar with the area and required plantings. He showed a rendering of the building which is 24 feet high which is well under the maximum height allowed. Mr. Cassidy reads the requirements for the special flood hazard zone and their adherence to each requirement.

A **motion** was made by Michael Cannata and **seconded** by David Fitzgerald to open the public hearing for application 16-48. *All were in favor; the motion passed.*

Mr. Popper said there are 3 memos one each from Mr. Curtin, myself and Mr. Harriman. He said we met with Mr. Cassidy and he has revised the plans to address all of our comments. He said also consider the request to waive the landscape plan by a landscape architect. He said I am ok with that and am very excited about the plans and the work.

Chairman Kelly asked for members of the public who wanted to speak regarding application 16-48.

Jay Polke 15 Harrison Drive asked to see where the new entrance would be in comparison with the abutting neighbors across the street to see how they driveways line up.

Mr. Cassidy showed where the driveway would be on the map and said it is almost exactly

opposite the driveway across the street where the bank and strip mall are.

Mr. Polke said this will fit in well with the neighborhood but there is standing water at the end of the driveway across from this and I wonder how this will affect the water. Mr. Cassidy said this won't affect it due to the crowning in the road and also I am going to discharge to the back.

Mr. Polke also said that your first floor elevation is 23 feet not 25. He said we had to build to 25. Mr. Cassidy said the required elevation is 23 feet per the most current vertical data map and you might want to double check that.

Charles Bronstein of Splash Car Wash said that he is seriously concerned with the negative impact on our business with loss of visibility. He said traffic could also be a problem. He said he would like the Commission to consider requiring the applicant to flip the design and have the buildings built on the north or western side. He said they should delay the decision to allow the applicant time to adjust his plans.

Mr. Cassidy I have tried to explain how I came up with the design. He said our plan meets or exceeds all requirements except for the existing non-conforming. He said we meet the front yard setback rules. Mr. Cassidy shows the view on the map and shows where there are currently a row of arborvitaes near where the building will go. He said those already create an obstruction. He said I agree the building will restrict the view but there is still a substantial triangle of view. He said our structure is no further than the trees. He said I just can't make it work on the other side of the site due to the flood issues.

Mr. Cannata said the building won't block the car wash sign or vacuum cleaner area.

Jay Polke 15 Harrison Drive said that the new entrance lines up like a T and would warrant a traffic light. Chairman Kelly said that is out of their purview.

Mr. Bronstein said the line of sight for his business would be reduced to 75 feet from 175 feet. He said the trees are only 6-8 feet high. He said you are helping him but hurting a neighbor.

Chairman Kelly asked why he thinks he needs 175 feet for people to see your business. Mr. Bronstein said it is not to see but to allow people to stop in time. Chairman Kelly said they can still see your business; it is visible by 75 feet.

Mr. Cannata said that the problem with your concern is he is building in the allowable box. He said he has a right to put the building where it best suited for the site if it is in compliance with the regulations. He said it would be difficult to ask him to move the building. Mr. Cannata said the speed limit is 25mph so it shouldn't be a problem to stop in time even if they are driving over the speed limit.

A recess was called at 8:20pm to change the recording CD. Chairman Kelly called the meeting back to order at 8:22pm.

Mr. Dufresne asked where the sign would go and Mr. Cassidy showed the spot on the map. He

said I don't have the details yet, that would be a separate approval. Mr. Cambareri asked if the reason the car wash building was set back was to allow cars to stack and Mr. Bronstein said yes, he would imagine that is why it was designed that way. Mr. Bronstein also said that the trees were a requirement of this Commission to block the view of the vacuums.

Mr. Waters said that in 1983 or 1984 the lot was under water. There was a discussion on flooding.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to close the public hearing for application 16-48. *All were in favor; the motion passed.*

Mr. Popper said that if you act tonight you would have to also approve the waiver for the landscape plan by an architect. He said that the two memos from me and Mr. Curtin have been addressed but there should be a condition on the plan that the Town Engineer has to make sure his comments have been addressed.

Jon Harriman Town Engineer said that 99% of his comments have been addressed and they even incorporated some new LID technologies that DEEP will begin to require so I am all set.

Chairman Kelly asked why there was bike parking in this location. Mr. Popper said the regulations were approved in 2011 with bike parking requirements.

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to grant a waiver for the landscape plan to be completed by an architect. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to approve application 16-48. *All were in favor; the motion passed.*

b. 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.

c. 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.

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. Mr. Popper explained that the related application #17-02 will need to be considered at the same future public hearing. He asked the Commission not to open the public hearings on Application #16-45 and 16-46 at this time.

11. Commissioner's Comments:

12. Adjourn

A **motion** was made by Michael Cannata and **seconded** by Ken Slade to adjourn at 8:42pm. *All were in favor; the motion passed.*

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read 'Linda Imme', written over a horizontal line.

Linda Imme
Recording Clerk