



**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY JANUARY 15, 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. New Business:
 - a. Election of Officers
9. New Business Accept and Schedule New Applications:
10. New Business:
 - a. Section 8-24 Mandatory Referral for the construction of the new Public Works/Cromwell Water Pollution Control Authority facility and the relocation of the Transfer Station at 100 County Line Drive.
 - b. Application #16-31: Request to release the bond for the dumpster enclosure at 164 West Street. Mukesh A. Patel is the Applicant and AN Patel LLC is the Owner.
11. Approval of Minutes:
 - a. December 18, 2018
12. Commissioner's Comments:
13. Adjourn

RECEIVED FOR RECORD
Jan 08, 2019 01:06P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT *JA*

P & Z 2018 Permit Report						
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	
18-05	Carrier Group, Inc.	76 Field Road	Special permit for Planned Residence Development	Approved 5/1/2018	Silt Fence installed, fill material arriving, Monitoring Wells installed	
18-06	Carrier Group, Inc.	76 Field Road	Site Plan approval for Planned Residence Development	Approved 5/1/2018	Silt Fence installed, fill material arriving, Monitoring Wells installed	
18-13	Carrier Group, Inc.	76 Field Rd/59R Nooks Hill/10 S. Ridge Rd	Substantial filling	Approved 5/1/2018	Silt Fence installed, fill material arriving, Monitoring Wells installed	
18-14	Joe's Filling Station LLC	35A Berlin Road	Permit to see Alcohol	Approved 5/15/18	Restaurant Open	
18-16	GKN Aerospace	100 Corporate Row	Temporary office trailer	Approved 5/1/18	Awaiting Installation	
18-17	PGA Tour, Inc.	674 Main Street	Gravel parking lot 1st tee	Accept 4/24/18	Site improvements underway	
18-18	Covenant Village	Missionary Road	Amend max bldg height zoning reg.	Approved 5/15/18	Awaiting Construction	
18-19	Covenant Village	Missionary Road	Amend master plan for Covenant Village	Accept 4/24/18	Awaiting Construction	
18-20	Garrett Homes, LLC	539 Main Street	Importing of fill	Approved 6/19/18	Site Work in progress	

Permit#	Name of Applicant	P & Z 2018 Permit		Report		Decision Date	Status
		Site Location	Type of Activity	Type of Activity	Status		
18-27	Kemal Cecunjanin	35 Berlin Road	Restaurant	Restaurant	App with/cond. 6/5/18	Restaurant Open	
18-28	Town of Cromwell	41 West Street	Library Expansion	Library Expansion	Approved 5/15/18	Site Work in progress	
18-29	Town of Cromwell	204 Main Street	Transfer materials and grading	Transfer materials and grading	Approved 6/5/18	Construction underway	
18-34	Bill Chen	136 Berlin Rd. Unit#115	K.K. Hibachi & Sushi Rest	K.K. Hibachi & Sushi Rest	Use Permit Approved by staff 5/31/18	Restaurant Open	
18-36	Linden Landscape Arch.	60 Hicksville Road	Adelbrook Additional Parking	Adelbrook Additional Parking	Approved 6/19/18	Awaiting Construction	
18-38	Leticia Martinez	161 Berlin Road	Walmart 2299 Remodel Signs	Walmart 2299 Remodel Signs	Approved by 7/17/18	Awaiting Installation	
18-39	Kemal Cecunjanin	35 Berlin Road	Café Luna Restaurant	Café Luna Restaurant	Approved by staff 7/8/18	Restaurant Open	
18-42	David Trembley	51 Shunpike Road	Special permit for restaurant with sale of alcoholic beverages	Special permit for restaurant with sale of alcoholic beverages	Approved 8/21/18	Renovations in progress	
18-44	Cromwell Village Assoc	150 Country Squire Dr.	Planned Multifamily Residential Development	Planned Multifamily Residential Development	Approved 9/4/18	Awaiting Construction	

Permit#	Name of Applicant	P&Z Permit Report		Type of Activity	Decision Date	Status
		Site Location				
18-45	Cromwell Village Assoc	150 Country Squire Dr.		Removal of Earth Material	Approved 9/4/18	Awaiting Construction
18-46	Cromwell Village Assoc	150 Country Squire Dr.		Site Plan Approval for Planned Multifamily Residential Development	Approved 9/4/18	Awaiting Construction
18-47	David Tremblay	51 Shunpike Road		Sit down restaurant with alcoholic beverages	07/11/18	Renovations in progress
18-48	William Chen	136 Berlin Road		Permit for restaurant with alcoholic beverages	Approved 8/7/18	Restaurant Open
18-54	AVA Group	76 Berlin Road		Special Permit construction of hotel	Approved 9/20/18	Awaiting Construction
18-55	AVA Group	76 Berlin Road		SPA for construction of hotel	Approved 9/20/18	Awaiting Construction
18-58	Joseph G. Moons	35A Berlin Road		Signs for Joe's Filling Station	Approved 10/2/18	Restaurant Open
18-59	Covenant Home Inc.	52 Missionary Road		Planned multifamily residential development	Approved 11/8/18	Awaiting Construction
18-61	HBN-CSC LLL c/o HB Nitkin Group	45 Shunpike Road		Façade and signage for new Marshall's Store	Approved 10/2/18	Renovations in progress

Permit#	Name of Applicant	P&Z Permit Report		Type of Activity	Decision Date	Status
		Site Location				
18-64	Emmet Moore	43 Berlin Road		Jefferson Fry Company - Restaurant	Approved by staff 9/18/18	Restaurant Open
18-68	TNO Cromwell, LLC	136 Berlin Road		Starbucks w/drive-thru window	Approved 11/8/18	Awaiting Construction
18-73	Carrier Group Inc.	76 Field Road		SPM Phasing Plan for Arbor Meadows	Approved 11/8/18	Construction in progress
18-74	Adam Annulli	45 Shunpike Road		Alterations/Marshall's	Approved by staff 10/24/18	Construction in progress
18-76	Garrett Homes	539 Main Street		Dollar General Store	Approved by staff 10/20/18	Construction in progress
18-77	PGA Tour Design & Construction	1 Golf Club Road		Replace Scoreboard	Approved 12/18/18	Construction in progress
18-79	Perry Petrillo	161 Berlin Road		Walmart online grocery pickup	Approved 12/18/18	Awaiting Construction
18-80	RDB Properties	40 Commerce Drive		New Building	Approved 12/18/18	Awaiting Construction
18-81	Orlando Annulli	45 Shunpike Road		Renovate former Kmart	Approved by staff 11/21/18	Construction in progress
18-84	AVA Group	76 Berlin Road		Sale of alcoholic beverages for on-site consumption		Pending

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: January 9, 2019
Re: Comments for the January 15, 2019 Meeting Agenda

10. New Business:

a. Section 8-24 Mandatory Referral for the construction of the new Public Works/Cromwell Water Pollution Control Authority facility and the relocation of the Transfer Station at 100 County Line Drive.

Cromwell's existing highway garage is located at 1 Community Field Road, the WPCA garage is located at 19 Community Field Road and the existing Transfer Station is at 100 County Line Drive. The Town will build a new combined highway and WPCA garage facility to 100 County Line Drive. The 13.58 acre site is located on the south side of County Line Drive and is located in the Industrial Zone District. To accommodate the new combined highway/WPCA garage, the existing transfer station will be moved to a new location on-site. An existing salt storage shed at 1 Community Field Road will be relocated to 100 County Line Drive as well.

The Town will have the existing WPCA garage at 19 Community Field Road demolished, as well as the Quonset hut and wooden building located at 1 Community Field Road. The demolition of these structures will open up these properties to development/reuse. The existing gas fueling station at 1 Community Field will remain, but will be relocated on-site with a weather canopy to meet environmental regulations – this fueling station will serve the BOE, Police, Fire and Town Hall pool vehicles. A new fueling station with canopy will be constructed at 100 County Line Drive to serve Cromwell Public Works and WPCA.

The combined highway/WPCA garage facility will be an approximately 39,000 square foot metal building. The garage portion will be a drive thru configuration with 24 parking spaces for heavy equipment and trucks. A separate but contiguous mechanics bay will consist of four work bays, two with fixed post lifts. A separate but contiguous office area will house the break room, offices, storage and locker room facilities. A separate but contiguous wash bay will include a drive thru configuration to wash all equipment and trucks indoors.

b. Application #16-31: Request to release the bond for the dumpster enclosure at 164 West Street. Mukesh A. Patel is the Applicant and AN Patel LLC is the Owner.

The applicant is requesting the release of the \$3,000 dumpster enclosure bond for the new convenience store/gas station at 164 West Street. The enclosure is complete and staff recommends the release of the bond.

To: Economic Development Commission
From: Stuart B. Popper, Economic Development Coordinator
Date: January 7, 2019
Re: Economic Development Coordinator Report for January 2019

1. New Businesses Opened in December of 2018:

- Café Luna and Joe's Filling Station restaurants at 35 Berlin Road;
- Mizzu Asian Bistro & Hibachi and Gyro Love restaurants at 136 Berlin Road.

2. Projects Expected to Begin Construction in the Spring of 2019:

- The new access drive, 54 living units and dining, meeting and recreational facilities at 52 Missionary Road (Covenant Village);
- The 125 room, Marriott Springhill Suites Hotel at 76 Berlin Road;
- The new NIC 11,925 +/- square foot office and manufacturing building at 40 Commerce Drive (please note this is the last vacant lot on the street) and
- The Starbucks at 136 Berlin Road.

3. Business Visitations:

- The business visitation program will resume in January 2019.

4. Applications Approved at the December 18, 2018 Planning and Zoning Commission Meeting:

- Application # 18-77: Request for Site Plan Modification to Replace the Existing TPC Scoreboard adjacent to the new Clubhouse at 1 Golf Club Road. PGA Tour Design and Construction Services, Inc. is the Applicant and TPC of Connecticut Inc. is the Owner.
- Application # 18-79: Request for Site Plan Modification to construct a new online grocery pickup area in the parking lot at 161 Berlin Road. Perry M. Petrillo Architects, P.C. is the Applicant and Infinity Cromwell Prop. LTD. Partner is the Owner.
- Application # 18-80: Request for Site Plan Approval to construct new 11,925 +/- square foot building at 40 Commerce Drive. RDB Properties, LLC is the Applicant and CG Holdings II LLC is the Owner.
- Application #09-16: Request for a reduction in the Bond amounts at Northwood Estates. Northwood of Cromwell LLC is the Applicant and the Owner.
- Issued a positive report on the Section 8-24 Mandatory Referral for Acquisition of Property at 15R Christian Hill Road.
- Application #18-62: Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit the Cortiva Institute to operate a school for training in occupational skills at 45 Shunpike Road. HBN-CSC LLC C/O HB Nitkin Group is the Applicant and the Owner.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY, DECEMBER 18, 2018
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

RECEIVED FOR RECORD
Jan 07, 2019 08:46A
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT



Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Ken Slade, Ken Rozich, Nicholas Demetriades, Brian Dufresne, Chris Cambareri, Paul Cordone, David Fitzgerald (alternate), Mo Islam (alternate)

Absent: 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 7:04 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 a request for a waiver of the requirement of two street trees at 190 Coles Road, to be considered tonight under New Business. He also asked that the Commission accept Application #18-82 for resubdivision at the Northwoods Estates subdivision, to be scheduled for a public hearing on January 15, 2019, and Application #18-84, a Request for Special Permit at 76 Berlin Road, for a small service bar for hotel guests, to be scheduled for a public hearing on January 15, 2019.

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

5. **Public Comments:** None
6. **Development Compliance Officer Report:** Mr. Driska asked if there were any questions or comments on his report. He then provided an update on projects around town: that Coles Road Brewing did not appear to be moving forward at the permitted location at this time, that Joe's Filling Station had its soft opening and was working on its grand opening, and that construction was proceeding at County Line Drive, the TPC, and ShopRite. Chris

Cambareri asked about the grease dumpster at the Franco's Plaza and Mr. Popper said it would be enclosed prior to the opening of Luna Café.

7. **Town Planner Report:** Mr. Popper mentioned the opening of Joe's Filling Station, the Asian Bistro, and the gyro shop next to Pizza Pie. He said that the Governor's Bonding Commission had awarded the town funds from their Community Connectivity Program, which would be used for the installation of sidewalks. He also said that construction of both the Marriott Hotel and Starbucks would likely begin in the spring.

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

- a. Application #18-77: Request for Site Plan Modification to Replace the Existing TPC Scoreboard adjacent to the new Clubhouse at 1 Golf Club Road. PGA Tour Design and Construction Services, Inc. is the Applicant and TPC of Connecticut Inc. is the Owner.

Michael Cannata made a motion to accept Application #18-77 and to consider it as a business item at tonight's meeting; Seconded by Chris Cambareri. *All in favor, motion passed.*

- b. Application #18-79: Request for Site Plan Modification to construct a new online grocery pickup area in the parking lot at 161 Berlin Road. Perry M. Petrillo, Architects P.C. is the Applicant and Infinity Cromwell Prop. LTD. Partner is the Owner.

Michael Cannata made a motion to accept Application #18-79 and to consider it at tonight's meeting; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- c. Application #18-79: Request for Site Plan Modification to construct a new online grocery pickup area in the parking lot at 161 Berlin Road. Perry M. Petrillo, Architects P.C. is the Applicant and Infinity Cromwell Prop. LTD. Partner is the Owner.

Michael Cannata made a motion to accept Application #18-79 and to consider it at tonight's meeting; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- d. Application #09-16: Request for a reduction in the Bond amount at Northwoods Estates, Northwoods of Cromwell LLC is the Applicant and the Owner.

Michael Cannata made a motion to accept Application #09-16 and schedule it for consideration at tonight's meeting; Seconded by Nick Demetriades. *All were in favor; motion passed.*

- e. Section 8-24 Mandatory Referral for Acquisition of Property at 15R Christian Hill Road.

Michael Cannata made a motion to accept the application for a Section 8-24 Mandatory Referral; Seconded by Brian Dufresne. *All were in favor; motion passed.*

9. New Business:

- a. Application #18-77: Request for Site Plan Modification to Replace the Existing TPC Scoreboard adjacent to the new Clubhouse at 1 Golf Club Road. PGA Tour Design and Construction Services, Inc. is the Applicant and TPC of Connecticut Inc. is the Owner.

Nate Russell, P.E. with GZA, presented the application. He said that they were asking for permission to erect a new scoreboard for the clubhouse, which would be used during the tournament and club play events. It would be at a lower elevation, making it invisible from Highland Crossing. He reviewed the proposed and current locations and elevations. He said the scoreboard would be stick frame construction, with wood trim and a shingle roof, similar to the clubhouse and painted to match. He showed schematics of the rear and front views.

Dave Corrado, General Manager at TPC, said the scoreboard would face south towards the patio by the clubhouse and fan zone during the tournament.

Mr. Popper said there were no staff comments.

Michael Cannata made a motion to approve Application #18-77, Request for Site Plan Modification to Replace the Existing TPC Scoreboard adjacent to the new Clubhouse at 1 Golf Club Road, Seconded by Brian Dufresne. *All were in favor; motion passed.*

- b. Application #18-79: Request for Site Plan Modification to construct a new online grocery pickup area in the parking lot at 161 Berlin Road. Perry M. Petrillo, Architects P.C. is the Applicant and Infinity Cromwell Prop. LTD. Partner is the Owner.

Perry M. Petrillo presented the application. He said that Wal-Mart was implementing online grocery pickup and would be conducting both interior and exterior work to support it. Pickup would be app driven, with customers coming to the store, being assigned a parking space, and an associate delivering their order to their car.

Seventeen parking spaces at the eastern part of the store would be reworked to thirteen, and be twelve feet wide, hairpin striped, with two-foot buffers in between to allow for the opening of a car door. The overall parking would be reduced to 694 spaces. There would be crosswalks and signage: a numbered sign for each spot, a sign with telephone number to call, and the designation of the parking spot as a pickup stall. There would also be directional signage on the pavement. Mr. Petrillo clarified that this would be on the side of the store nearest the garden center, that traffic circulation and site access would remain the same, and there would be no other exterior changes except for adding a door for pickup.

Several Commissioners questioned the location and Mr. Petrillo said that pickup would normally be on the grocery side but that there is no room at that end for the marshaling of the goods. They would be reworking a portion of the customer service area instead. Nick Demetriades expressed concern over the location in terms of traffic and safety. Mr. Petrillo said that the pickup service will not increase traffic to the site as they are servicing the same general customers.

Mr. Popper said that the Police Chief, as the town's traffic authority, did not express any concerns. Chris Cambareri asked the applicant to give consideration to the location of outdoor goods during the summer and maybe not use those parking areas as display areas. Mr. Popper said that was an ongoing permitted use, but the Commission can require the applicant to meet with town staff to review those display locations. Paul Cordone asked about the building signage, saying that it was misleading and should be located in the vicinity of the actual pickup. Mr. Petrillo said he would review that concern with his client.

Mr. Popper clarified that customers are not getting out of the car and that the signage and parking lot were previously approved by the Commission. Chairman Kelly and Brian Dufresne expressed concerns over the safety and location of the proposed pickup area. Mr. Petrillo repeated that there was no room on the grocery side for the marshaling of the goods or to give associates access.

Mr. Popper said that the only staff comment from Mr. Driska was that the signs are 6' 2" and must be lowered to 6' in height.

Michael Cannata made a motion to approve Application #18-79, Request for Site Plan Modification to construct a new online grocery pickup area in the parking lot at 161 Berlin Road, with the conditions that the sign cannot exceed 6' in height, that prior to the installation

and operation of the spring garden center and the use of the outdoor parking lot, that the applicant meet with town staff to confirm that there are no parking issues to be addressed or modified, Seconded by Ken Rozich. In favor: Michael Cannata, Jeremy Floryan, Ken Slade, Ken Rozich, Nicholas Demetriades, Brian Dufresne, Chris Cambareri. Opposed: Chairman Kelly, Paul Cordone. *Motion passed.*

- c. Application #18-80: Request for Site Plan Approval to construct new 11,925 +/- square foot building at 40 Commerce Drive. RDB Properties, LLC is the Applicant and CG Holdings II LLC is the Owner.

James Cassidy, P.E., Hallisey, Pearson, and Cassidy Engineering Associates, Inc., 630 Main Street, Cromwell, was present on behalf of RDB Properties, the prospective buyer of 40 Commerce Drive. He said that this is the last vacant lot at the end of Commerce Drive, on the southerly side, and consists of two parcels. He reviewed the abutters and abutting uses. The lot was 96,244 square feet, about 2.2 acres, zoned industrial, and had 161 feet of frontage and access from Commerce Drive. Mr. Cassidy described the topography as gradually sloping to the south and the lot being in Flood Zone X. The applicant was proposing a new industrial building, 11,925 square feet in size, to include both office and manufacturing spaces. The intent was to move the existing business, NIC Systems, from Rocky Hill. The applicant's business was light manufacturing, building electrical control panels.

Mr. Cassidy said the project would require a new curb cut off Commerce Drive. Thirty-one parking spaces, including 2 handicap, would be provided, which is more than the required 24. He reviewed the drive aisles, the drop dock for loading, the flush dock, and the ability of large trucks to maneuver. He said that they met all the requirements of the industrial zone. He reviewed the conceptual building plan, but said that it was not the final design. He anticipated that it would be a split face concrete block building and showed proposed architectural elevations. The applicant will provide final building plans at a later point.

Mr. Cassidy reviewed the utility plan next, saying that there was gravity sewer and public water available to the site. He showed the location of the transformer in front of building and said gas and cable were available. On the drainage plan, he showed the location of a catch basin at the front of the site. He said that all water drains to one drain in the parking lot, which then goes to that catch basin. On the stormwater management design plan, he said that the detention basin can handle additional impervious coverage. There would be a new detention basin off of the loading docks, which was a dry well system, and water would infiltrate back into the ground, with no out flow. He

reviewed the landscaping plan, which included evergreens along the property line to the west and east, street trees in front of the building and ornamentals in the parking lot. He submitted a photometric plan, and said that there would be pole lights in the parking lot, with no spill beyond the parking lot. Mr. Cassidy finished by saying that this was an appropriate use of the property and the applicant would be a good tenant.

Chairman Kelly asked if there was an association involved with the property and if they had approved the building design. Mr. Cassidy said that the use had been approved, but not the final building design. The property was being transferred to the applicant by a majority member of the association.

Ron Berggren, member of RDB Properties, LLC, owner of NIC Systems, said that the seller brought the intended usage to the association's attention. They just needed to finish the design and then would bring the final plans in for review.

Chris Cambareri asked about signage. Mr. Cassidy showed the location of the proposed monument sign and said they would abide by the size requirements. Brian Dufresne asked if the business would be expanding and was told there would be a slight increase and possibly new employees added. Ken Slade asked if the final design plans were anticipated to be similar. He was told that the color may change and that the final building had a different shape to it. Mr. Cassidy said that no trees were being planted near the sewer lateral.

Mr. Cassidy read Jon Harriman's memo dated December 14, 2018, and said that the applicant would accept and comply with all as conditions of approval, as well as with the ZEO's request for the establishment of an Erosion Control Bond.

Paul Cordone asked about the maintenance of the infiltration basin and was told it will be the owner's responsibility.

Brian Dufresne asked if there would be any chemical treatments on site and the answer was no.

Michael Cannata made a motion to approve Application #18-80, Request for Site Plan Approval at 40 Commerce Drive, with the conditions that the comments in the letter of Jon Harriman dated December 14, 2018 be addressed, that an erosion bond estimate be provided, and that the onsite signage shown be approved at the staff levels; Seconded by Ken Slade. *All were in favor; motion passed.*

- d. Application #09-16: Request for a reduction in the Bond amount at Northwoods Estates, Northwoods of Cromwell LLC is the Applicant and the Owner.

Mr. Popper read Jon Harriman's memo dated December 17, 2018. It said that more than one year had passed since the roadways were accepted and there were no issues. He recommended the release of two bonds in the amounts of \$42,910.64 and \$65,604.47.

Mr. Driska said that these bonds were required by the Public Works Department for the roadways and were not to be confused with bond money being held for the installation of street trees.

Michael Cannata made a motion to release the two street maintenance bonds in the amounts of \$42,910.64 plus December 2018 accrued interest and \$65,605.47 plus December 2018 accrued interest, Seconded by Chris Cambareri. *All were in favor; motion passed.*

- e. Section 8-24 Mandatory Referral for Acquisition of Property at 15R Christian Hill Road.

Mr. Popper said that the property was on the south side of Christian Hill Road and he referred the Commission to a memo and map in their packet. He said that the property owner was offering to donate the land to the Town. Mr. Popper said that it abuts a large wetlands area and has a large sewer easement running across it.

Nick Demetriades asked if the Town would want this land. Mr. Popper said that it was being offered without restrictions, meaning it could be available for sale in the future and could have value. He did not know of any liability concerns.

Michael Cannata made a motion to make a favorable Section 8-24 referral to the Town Council, Seconded by Paul Cordone. *All were in favor; motion passed.*

- f. Request for Waiver of Planting Two Street Trees, 190 Coles Road.

Mr. Popper distributed a map and emailed letter from the property owners, Tony and Marie Seabra, dated December 11, 2018, saying that they did not want the two trees replanted. The trees that they had were damaged in a storm and were removed. They were in favor of the applicant's waiver request. There was a bond being held for the planting of the two trees.

Chairman Kelly pointed out that these trees were in the area of the Coles Road construction and would likely be uprooted during the sidewalk installation. Nick Demetriades wanted it noted that this waiver request was specific to this situation because the roadway was slated for reconstruction and to be clear that a general precedent was not being set.

Michael Cannata made a motion to waive the planting of two street trees for the various development reasons stated; Seconded by Ken Slade. *All were in favor; motion passed.*

10. Public Hearings:

Chairman Kelly read the legal notice for the public hearing scheduled for tonight.

- a. Application #18-62: Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit a school for training in occupational skills. Cortiva Institute (Formerly Connecticut Center for Massage Therapy) at 45 Shunpike Road. HBN-CSC LLC c/o HB Nitkin Group is the Applicant and the Owner.

Michael Cannata made a motion to open the public hearing; Seconded by Jeremy Floryan . *All in favor; motion passed.*

Craig Way, 230 Mason Street, Greenwich, spoke on behalf of HB Nitkin. He said that they were seeking approval for a school that would train massage therapists, aestheticians, and skin care professionals.

The school would be run by Cortiva, which is a national business. It has three locations in Connecticut and would be relocating its Newington school to Cromwell. They were interested in a side location, rather than frontage along the plaza, and would utilize a side entrance. The school would be located in the former Kmart garden center area and there would be a new parking area with a total of 75 spaces.

Glenn S. Yeakel, of Friar Architecture, Farmington, reviewed the interior floor plan, showing the office spaces and classroom areas. He said that there would not be any windows. He showed a rendering of the front elevation, with a canopy, benches, landscaping and proposed signage. There would be lights located under the canopy. The parking lot would be lit with LED lighting and he showed the photometric plan, saying it would be a significant improvement over what was

there previously. There would be three small directional monument signs and they would work with staff on the final design.

Mr. Popper complimented the property owner, saying that the shopping center had undergone a remarkable makeover and there would be a variety of uses and more clientele as a result of that diversity. He said that this plaza is the fifteenth largest shopping center in the state. He said that everyone involved with the construction have been very responsive to the town's concerns.

The applicant reviewed the proposed operating and classroom schedule and the parking layout plan. Mr. Driska said that the final parking lot configuration would have a surplus of spaces, 1,071, which only 891 were required. Mo Islam asked if there would be chemicals used in the facility and was told no. There were no public comments.

Chairman Kelly asked the applicant to look into having flush aprons and sloped entrances wherever possible, beyond just meeting what is required per ADA.

Mr. Popper referenced two memos, from the Town Engineer and Fire Chief, both dated December 18, 2018, saying those comments should be included as conditions of approval. The applicant said they would comply with those requests.

There was some discussion regarding snow removal and Mr. Popper said that Mr. Driska had determined there was parking in excess of the requirements. The applicant said that they would haul snow away as necessary and the tenants themselves were looking at employee-designated parking spaces.

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

Michael Cannata made a motion to approve Application #18-62, Request for Special Permit under Section 3.3.C.4 of the Zoning Regulations at 45 Shunpike Road, with the conditions that the letters of Jon Harriman and Fire Chief Terenzio dated December 18, 2018 be addressed; Seconded by Chris Cambareri. *All in favor; motion passed.*

11. Approval of Minutes:

- a. November 8, 2018 – Michael Cannata made a motion to approve the minutes as presented, Seconded by Jeremy Floryan. *All were in favor; motion passed.* Nick Demetriades abstained.

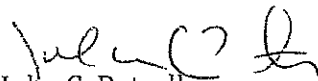
12. Commissioner's Comments: Nick Demetriades asked about updated the Plan of Conservation and Development and Mr. Popper said that they had until 2022 for the update. Nick Demetriades also said that he was no longer a property owner at Fox Meadows and could now participate in applications concerning that development.

Mr. Popper thanked the Commission for their hard work during an incredibly busy year. Michael Cannata and several Commission members thanked Mr. Popper, Mr. Driska and town staff for all of their efforts and said that Cromwell had earned a reputation of being business friendly.

Mr. Popper also said that there were no new applications at the time and the January 3, 2019 meeting will likely be cancelled. Chairman Kelly said that elections would be held at the next meeting.

13. Adjourn: Michael Cannata made a motion to adjourn; Seconded by Paul Cordone. Meeting adjourned at 9:15 p.m.

Respectfully submitted,


Luke C. Petrella
Recording Clerk