



**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**

**AGENDA**

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Public Comments
6. Development Compliance Officer Report:
7. Town Planner Report:
8. **New Business: Accept and Schedule:**
  - 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.
  - b. 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.
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.
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.
  - 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.
11. **Commissioner's Comments:**
12. **Adjourn**

RECEIVED FOR FILING  
*1-10-2017* at *3:07M.*  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

*Jean Allquist*  
TOWN CLERK

# Memo

To: Planning & Zoning Commission  
From: Fred Curtin  
Date: January 10, 2017  
Re: December 2016 Activity Report

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

51 River Road – The camper has been removed from the front yard.

34 Geer Street – The ZBA granted a Variance for the shed in the front yard.

8 South Street – A Notice of Violation was issued for the unregistered vehicles, tractor, and trailers. They have removed one unregistered vehicle, and waiting for probate on the other vehicle. The property owner has applied for a Building permit for the rear stairs.

191 Shunpike Road – A Notice of Violation was issued to the property owner for allowing someone to live in the camper – (car wash).

<b>P &amp; Z Permits 2016</b>					
<b>Permit #</b>	<b>Name of Applicant</b>	<b>Site Location</b>	<b>Type of Activity</b>	<b>Decision Date</b>	<b>Status</b>
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	Work in progress
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	No Activity
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 1/9/2016	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	PH 1/17/17	
16-46	Planning & Zoning Comm.	Industrial Zone District	Section 7.5, 7.5A, 7.5B Location requirements for alcoholic beverages in ID zone	PH 1/17/17	
16-47	Planning & Zoning Comm.	Industrial Zone District	Section 3.5.C.4 Special Permit for sales and small engine repairs	PH 1/17/17	
16-48	NGA Nguyen	25 Shuinpik Road	3,500sf Retail Building	PH 1/17/17	
16-49	NGA Nguyen	25 Shuinpik Road	New Building		

# Memo

**To: Planning and Zoning Commission**  
**From: Stuart B. Popper, AICP**  
**Director of Planning and Development**  
**Date: January 10, 2017**  
**Re: Comments for the January 17, 2017 Meeting Agenda**

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- 8. New Business: Accept and Schedule New Applications:**
  - 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. *The applicant is proposing to construct a new 3,500 square foot, single story building and 14 parking spaces in the Special Flood Hazard Area.*
  - b. Application #16-48: 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. *The existing buildings will be demolished and a new 3,500 square foot single story commercial building constructed at 25 Shunpike Road.*
  
- 9. New Business:**
  - a. Application #16-48: 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. *The existing buildings will be demolished and a new 3,500 square foot single story commercial building constructed at 25 Shunpike Road. Town staff reviewed the plans. Attached is a copy of Mr. Curtin's comments. We will distribute other comments as they arrive.*
  
- 10. Public Hearings:**
  - 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. *The applicant is proposing to construct a new 3,500 square foot building and 14 parking spaces in the Special Flood Hazard Area.*
  - 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. *This amendment is being proposed to permit the establishment and operation of a brewery in the Industrial Zone District as a Special Permit.*
  - 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. *This amendment is being proposed to permit the establishment and operation of a brewery in the Industrial Zone District by amending Section 7.5.A to read, (new text in Bold and Italics) and Section 7.5.B to read, (new text in Bold and Italics)*

#### **7.5.A Permitted Zones and Distance Requirements.**

The sale of alcoholic beverages to be consumed on the premises or off the premises is permitted in Business Districts **and Industrial Districts by Special Permit** only 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.

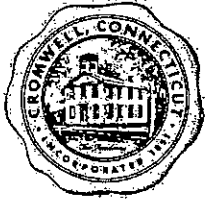
#### **7.5.B Location Requirements and Limitations.**

***5. For a brewery, a brewpub, distiller, micro-brewery, micro-distillery, micro-winery or winery (of manufacturer of alcoholic beverages) there shall be no distance restrictions. The manufacturer shall meet the definition of a manufacturer as contained inspection 30 of the Connecticut General Statutes and maintain valid permits from the Connecticut Department of Consumer Protection.***

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. This amendment is being proposed to permit retail sales and small engine repair in the in the Industrial Zone District.*



12-16-48



**Town of Cromwell  
Planning and Zoning Commission**

**APPLICATION FOR SPECIAL PERMIT**

Type of Activity: CONSTRUCTION OF NEW 3,500 S.F. RETAIL BUILDING IN S.F.H.A.

(Per Section 4.2 of the Cromwell Zoning Regulations)

Street Address: 25 SHUNPIKE RD. Zoning District: HB (S.F.H.A.O.D.)

Parcel ID #: 1543/344 00148500 Volume/Page: 1543/344

Applicant: NGA NGUYEN

Address: C/O KKN, LLC 15 ANITA DRIVE, EAST HARTFORD, CT 06118

Telephone Number (daytime): 860-490-9093

Email Address: \_\_\_\_\_

Property Owner: NGA NGUYEN

Address: 15 ANITA DRIVE, EAST HARTFORD, CT 06118

Description of Proposed Activity:

CONSTRUCTION OF A NEW 3,500 S.F. RETAIL BUILDING  
AND RELATED SITE IMPROVEMENTS IN  
A SPECIAL FLOOD HAZARD AREA

"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."

James P. Cassidy AS AGENT 12/06/16  
(Signature of Owner or Designated Agent) (date)

JAMES P. CASSIDY  
(printed name of signer)

APPLICATION FEE \$100.00  
+ \$87.50  
15-~~00.00~~  
\$277.50

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

#16-49

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: PROPOSED RETAIL BUILDING @  
Street Address: 25 SILVERIAC ROAD  
Volume/Page: 1543 / 344 PIN #: 00148500

Applicant Name: NGA NGUYEN  
Address: C/O KIKI, LLC  
15 ANITA DRIVE, ~~CROMWELL~~ EAST HARTFORD, CT 06118  
Telephone: 860-490-9093 (day) 860-633-1751 (evening)  
Email Address: \_\_\_\_\_

Property Owner Name: NGA NGUYEN  
Address: 15 ANITA DRIVE  
EAST HARTFORD, CT 06118

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

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

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

James P. Cassidy AS AGENT      12/06/16  
Applicant Name and Signature      Date

## Popper, Stuart

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**From:** Curtin, Fred  
**Sent:** Tuesday, January 10, 2017 12:41 PM  
**To:** Popper, Stuart  
**Cc:** Jim Cassidy (jcassidy@hpcengr.com)  
**Subject:** 25 Shunpike Road, job: 2730

Stuart:

I have reviewed 25 Shunpike Road and I have the following requests:

- 1: Paint the word "STOP" before the stop bar.
- 2: Paint in and out arrows at the entrance/exit.
- 3: Since the free standing sigs will be removed, what will be replacing them.
- 4: Are they going to allow the food retail store to remain open during the construction of the new building and them move into the new building. If so, an construction schedule should be given.

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday, January 17, 2017 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. 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.

2. 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.

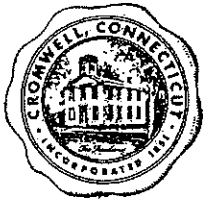
3. Application #16-47: Request to amend the Section 3.5.C.4 Other Uses of the Zoning Regulations to permit as a Special Permit retail sales and small engine repair in the Industrial Zone District. The Planning and Zoning Commission is the Applicant.

4. 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.

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 4<sup>th</sup> day of January 2017.



**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)



**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)



**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:**

\_\_\_\_\_  
\_\_\_\_\_

Stewart B. Pizzier  
(applicant)

11/29/16  
(date)