



Town of Cromwell Planning and Zoning Commission

REGULAR MEETING
7:00 P.M. TUESDAY JANUARY 21, 2020
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 New Applications:**
9. **New Business:**
 - a. Application #19-59: Request for Site Plan Modification to permit a Donation Bin at 15 Court Street. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner.
 - b. Application #19-60: Request for Site Plan Modification to permit a Donation Bin at 30 Woodside Road. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner.
 - c. Application #19-54: Request for Site Plan Approval to install a walk-up ATM at 26 Shunpike Road. Bank of America is the Applicant and Montgomery Development Group LLC is the Owner.
10. **Public Hearing:**
 - a. Application # 19-53: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures at 26 Shunpike Road.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
 - a. November 7, 2019
 - b. November 19, 2019
 - c. January 7, 2020
13. **Adjourn:**

RECEIVED FOR RECORD
Jan 14, 2020 01:54P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT

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

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

Permit#	Name of Applicant	P&Z 2019 Permit Report Site Location	Commission Approved are shaded Type of Activity	Decision Date	Status						
19-20	Alicia Harriman	199 Shunpike Road	Stretch Pediatric Therapy	Approved by Staff 4/11/19	Business Open						
19-21	DCF of Cromwell, LLC	Town wide	Amend zoning regs billboards	Continued to 9/3/2019	Pending						
19-22	Michael Terenzio	105 Coles Road	Flower sale Mother's Day	Approved by staff 5/3/2019	Event complete						
19-23	Harry Patel	111 Berlin Road	Storage Trailer/Quality Inn	Scheduled for 6/18/2019	Pending						
19-24	Christine Sipes	Pierson Park	Flag Football Fund Raiser	Approved by staff 5/3/2019	Event complete						
19-25	Town of Cromwell	Coles Road	Reconstruction Project	Approved 5/21/2019	Awaiting reconstruction						
19-26	Sally Petrella	Frisbee Landing	Town wide tag sale	Approved by Staff 5/15/2019	Event Complete						
19-27	Omar Islamic Center Inc.	573 Main Street	Place of Worship	Denied 7/16/2019	Application Denied						
19-28	Cromwell Children Coalition	419 Main Street	Memorial Day Car Show	Approved by Staff 5/20/2019	Event complete						

			P&Z 2019 Permit Report		Commission Approved are shaded		
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status		
19-29	Robert Gallitto	150 Sebethe Drive	Storage of construction materials & equipment	Approved 8/20/2019	Operational		
19-30	St. John's Church	5 St. John's Court	St. John's Parish Picnic	Approved 6/17/2019	Event Complete		
19-31	Town of Cromwell	51 Shunpike Road	"Welcome to Cromwell" Sign modification	Approved 6/18/2019	Project Complete		
19-32	Creative Dimensions	5 Progress Drive	Sign	Approved 6/25/2019	Complete		
19-33	Town of Cromwell	100 County Line Drive	Public Works/Sewer Garage facility	Spec mtg. 7/30/2019	Construction in Progress		
19-34	Richard Steele	199 Shunpike Road	The Vanity Room Hair Salon	Approved by staff 7/18/19	Complete		
19-35	Town of Cromwell	100 County Line Drive	New Public Works/Sewer Dept. Bldg.	Approved 8/6/2019	Constuction in Progress		
19-36	Town of Cromwell	River Port at Frisbee Landing	Big Jam Music Festival	Approved by staff 7/31/19	Event Complete		
19-37	Manon Patel	538 Main Street	Gulf Express	Approved by staff 7/25/19	Complete		
19-38	Hartford Sign & Design	51 Shunpike Road	SPM to insall new sign	Approved 8/6/2019	Complete		

Permit#	P&Z 2019 Permit Report			Type of Activity	Decision Date	Status
	Name of Applicant	Site Location				
19-39	Town of Cromwell	80 River Road		Improvement to Cromwell Landing Park	Approved 8/20/2019	Construction in progress
19-40	Town of Cromwell	80 River Road		Site Plan Modification Cromwell Landing Park	Approved 8/20/2019	Construction in progress
19-41	Donald Mondani	14 South Street		Construct single family home in Flood Zone	Approved 9/17/2019	Construction in progress
19-42	Arnco Sign Company	161 Berlin Road		New wall sign for WalMart Fed Ex Office	Approved 10/1/2019	Awaiting Installation
19-43	Pat Precourt	2 Willowbrook Road		Spades Design Co., LLC	Approved by staff 9/6/2019	Use permit approved
19-44	Ralph Coppola	14 Alcap Ridge		Office & Warehouse	Approved by staff 9/13/2019	Use permit approved
19-45	Timothy Farrell	562 Main Street		Ice Cream Shop	Approved 10/1/2019	Awaiting opening
19-46	ECS/WIS PTO	Pierson Park		Trick or Trunk	Approved by staff 9/17/2019	Complete
19-47	DFC of Cromwell	Town wide		Commercial Billboard Dist.	Pending	Pending
19-48	Cailyn Musinski	326F Main Street		SPM for Sign	Approved 10/20/2019	Installation Complete
19-49	Cailyn Musinski	326F Main Street		Use Permit for Beauty Bar	Approved by staff 10/15/19	Complete

		P&Z 2019 Permit Report			
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
19-50	Enzo Faienza	328 1F Main Street	Republican Headquarters	Approved 9/27/2019	Event Complete
19-51	Borghesi Bldg. & Eng.	104 Sebethe Drive	Office & Warehouse - Leaf Fitter	Approved by staff 10/15/19	Operational
19-52	Cromwell Fire Dept.	82 Court Street	Xmas tree sales	Approved by staff 10/22/19	Event in progress
19-53	Bank of America	26 Shunpike Road	Special Permit to install light fixtures	PH on 12/17/19	Application Pending
19-54	Bank of America	26 Shunpike Road	SPA to install walk-up ATM	Scheduled for 1/21/2020	Application Pending
19-55	TNO Cromwell, LLC	136 Berlin Road	Starbucks with drive through window	Approved 11/7/2019	Awaiting Construction
19-56	Majid Rasool	136 Berlin Road	SPM to install new sign	Approved 11/19/2019	Awaiting Installation
19-57	Majid Rasool	136 Berlin Road	Puff Kulture Smoke Shop	Approved by staff 11/20/19	Awaiting opening
19-58	Alex Carlisle	161 Berlin Road	SPM temporary storage-Walmart	Denied 11/19/2019	Storage units removed
19-59	Charities of Hope	30 Woodside Road	Donation Bin	To be heard 12/17/19	Application Pending

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: January 14, 2020
Re: Comments for the January 21, 2020 Meeting Agenda

9. New Business:

a. Application #19-59: Request for Site Plan Modification to permit a Donation Bin at 15 Court Street. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner. *The applicant is proposing locate the donation bin on the grounds of the Edna Stevens School at 15 Court Street. Staff has not heard back from Applicant and the application will need to acted upon at the January 21, 2020 meeting.*

b. Application #19-60: Request for Site Plan Modification to permit a Donation Bin at 30 Woodside Road. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner. *The applicant is proposing locate the donation bin on the grounds of the Woodside School at 30 Woodside Road. Staff has not heard back from Applicant and the application will need to acted upon at the January 21, 2020 meeting.*

c. Application #19-53: Request for Site Plan Modification to install a walk-up ATM at 26 Shunpike Road. Bank of America is the Applicant and Montgomery Development Group LLC is the Owner. The 1.38-acre site with an existing 8,788 square foot office building is located in the Highway Business Zone District on the east side of Shunpike Road. *The applicant is proposing to install a walk-up ATM machine in the parking lot. The applicant is proposing to install two 24' tall light fixtures for security. There is a question open to the Commission's interpretation of the Zoning Regulations as to whether or not walk-up ATM machine is allowed without an associated main use i.e. a bank office.*

10. Public Hearing:

a. Application #19-54: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures at 26 Shunpike Road. *The applicant is proposing to install a walk-up ATM machine in the parking lot. The applicant is proposing to install two 24' tall light fixtures for security.*

19-59

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Cromwell - Edna Stevens School
Street Address: 25 Court St, Cromwell, CT 06416
Volume/Page: _____ PIN #: _____

Applicant Name: Churches of Hope Inc
SONIK
Address: 770 Wethersfield Ave
Hartford, CT 06114
Telephone: 860-424-0093 (day) _____ (evening)
Email Address: bb@chhope.org

Property Owner Name: Bd of Ed Town of Cromwell
Address: 9 Mann Memorial Dr
Cromwell, CT 06416.

Attached:

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

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

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

Maria Ann Bunk
Applicant Name and Signature

11/8/2019
Date

#19-59

Narrative of Proposed Activity by Charities of Hope, Inc.

Bins contents are set on a bi-weekly and weekly pickup schedule our truck cleans out the bin and any debris left on the outside of all bins. We request a 24 hour notice time to clear any debris left on unscheduled pickup days. The schedule will depend on the location of the bin and the amount of product regularly retrieved from the bin. All bins are cleaned out weekly, however some require more pickup days per week.

19-60

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Woodside Elementary School
Street Address: 30 Woodside Road, Cromwell, CT 06416
Volume/Page: _____ PIN #: _____

Applicant Name: Cromwell Charities of Hope, Inc
Address: 770 Westfield Ave
Hartford, Ct 06416
Telephone: 860.424.0093 (office) 860.929.0271 (evening) mobile
Email Address: _____

Property Owner Name: Town of Cromwell
Address: 9 Mann Memorial Dr
Cromwell, CT 06416

Attached:

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

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

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

Majin Ajay Ban
Applicant Name and Signature

11/8/2015
Date

Narrative of Proposed Activity by Charities of Hope, Inc.

Bins contents are set on a bi-weekly and weekly pickup schedule our truck cleans out the bin and any debris left on the outside of all bins. We request a 24 hour notice time to clear any debris left on unscheduled pickup days. The schedule will depend on the location of the bin and the amount of product regularly retrieved from the bin. All bins are cleaned out weekly, however some require more pickup days per week.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Bank of America Walk-up ATM

Street Address: 26 Shunpike Road

Volume/Page: 1620/258 **PIN #:** 00424400

Applicant Name: Bank of America (Howard Martin CBRE)

Address: 101 East River Drive CT2-550-03-03 East Hartford, CT 06108

Telephone: 860-244-4069 (day) _____ (evening)

Email Address: Howard.Martin@cbre.com

Property Owner Name: Montgomery Development Group, LLC

Address: Knox Circle Westfield, MA 01085

Attached:

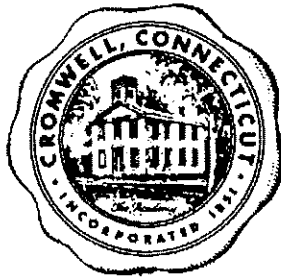
- () Application fee.
- () Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

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

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


Howard Martin 
Applicant Name and Signature

10/24/19
Date



MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development

From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer 

Date: December 16, 2019

Re: **REVISED - Plan Review, PZC Application Special Permit #19-53, Site Plan #19-54
Proposed Walk-Up Bank of America ATM Kiosk at 26 Shunpike Road,
"THE SUBJECT PROPERTY"**

BACKGROUND

"THE SUBJECT PROPERTY" is 1.38 acres in size with a 8.768 SF building hosting seven (7) professional offices. There are currently fifty-six (56) parking spaces located in the front and back of "THE SUBJECT PROPERTY".

PROPOSAL

The Applicant is seeking approval for:

1. A stand-alone ATM kiosk (there is no bank on premises)
2. A pylon sign (Height- 12', Width- 7'8", Depth- 18.75")
3. Additional lighting on 24-FT tall poles

COMMENTS

Cromwell Zoning Regulation Highway Business Zone §3.3C.3 (below) does not specifically indicate "Stand Alone" ATM's are permitted, thus presenting an opportunity for Commission interpretation.

Requires Site Plan Approval (new construction) [Section 8.5] / Change of Use Permit (existing building / structure) [Section 8.3]

OFFICE RELATED USES	ADDITIONAL CRITERIA (SEE SECTION)
<ul style="list-style-type: none">• ATM, drive-up	
<ul style="list-style-type: none">• ATM, walk-up	
<ul style="list-style-type: none">• Bank or savings and loan (State or Federally association chartered)	

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 21, 2020 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application # 19-53: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures at 26 Shunpike Road.

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

Alice Kelly
Chairman

Dated in Cromwell, Connecticut this the 6th day January of 2020.

19.53

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
APPLICATION FOR SPECIAL PERMIT**

Type of Activity: Proposed Walk-up ATM with Lighting Improvements
(Per Section 5.6.C(8) of the Cromwell Zoning Regulations)
Street Address: 26 Shunpike Road Zoning District: HB/SFHA
Assessor's Parcel ID #: 00424400 Volume/Page: 1620/258


Applicant's Name: Bank Of America (Howard Martin CBRE)
Address: 101 East River Drive CT2-550-03-03 East Hartford, CT 06108
Telephone Number (daytime): 860-244-4069
Email Address: Howard.Martin@cbre.com

Property Owner's Name: Montgomery Development Group, LLC
Address: Knox Circle Westfield, MA 01085

Description of Proposed Activity:

Proposed instillation of a walk-up bank ATM with associated lighting upgrades for bank lighting security. The applicant is proposing to install a light pole at 24'.

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


(applicant)

10/24/19
(date)

**TOWN OF CROMWELL
PLANNING AND ZONING
REGULAR MEETING
7:00 P.M. THURSDAY NOVEMBER 7, 2019
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
MINUTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Chris Cambareri, Nick Demetriades, Jeremy Floryan, and John Keithan

Absent: Mo Islam, Brian Dufrense, Ken Rozich, and Kenneth Slade

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

- 1. Call to Order:** The meeting was called to order by Chairman Alice Kelly at 7:03 PM.
- 2. Roll Call:** The presence of the above members was noted.
- 3. Seating of Alternates:**

Vice Chairman Michael Cannata made a motion to seat John Keithan; Seconded by Chris Cambareri. *All were in favor; motioned passed.*

4. Approval of Agenda:

Mr. Popper asked that applications #19-55 and application #19-58 be heard tonight under New Business. Mr. Popper also requested that the Executive Session be heard last on the agenda.

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

Paul Cordone entered the meeting at 7:06 PM.

5. Public Comments:

Mari Carmen Cajahuaringa, 18 Fairview Heights, stated that she has moved to Cromwell a couple years ago and is interested in learning more about the town officials.

6. Development Compliance Officer Report:

Mr. Driska passed out the reports and asked if anyone had any questions.

Chairman Alice Kelly inquired about the pending status on Application #19-26, Mr. Popper stated that this would be taken off the Permit Report; that the tag sale never took place.

Chairman Alice Kelly inquired about the pending status on Application #19-23, Mr. Popper stated that this would be taken off the Permit Report; that nothing came of this application.

7. Town Planner Report:

Mr. Popper reported that the Marriott Hotel on 26 Berlin Road is under construction. Starbucks will be starting excavation very soon depending on tonight's results with their application.

Mr. Popper noted that he has included the approval of next year's meeting calendar in his report and asked the Commission to review and approve the calendar.

Vice Chairman Michael Cannata made a motion to approve the 2020 meeting calendar; Seconded by Chris Cambareri. *All in favor; Motion passed.*

8. New Business: Accept and Schedule New Applications:

- a. Application # 19-53: Request for Site Plan Modification to install a walk-up ATM at 26 Shunpike Road. Bank of America is the Applicant and Montgomery Development Group LLC is the Owner.

Vice Chairman Michael Cannata made a motion to Accept and Schedule Application # 19-53 for December 17, 2019; Seconded by Jeremy Floryan. *All in favor; Motion passed.*

- b. Application # 19-54: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures at 26 Shunpike Road.

Vice Chairman Michael Cannata made a motion to Accept and Schedule Application # 19-54 for December 17, 2019; Seconded by Jeremy Floryan. *All in favor; Motion passed.*

- c. Application #19-55: Request for Site Plan Modification for the Starbucks Coffee Shop at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner.

Vice Chairman Michael Cannata made a motion to Accept and Schedule Application # 19-55 for tonight's meeting; Seconded by Chris Cambareri. *All in favor; Motion passed.*

9. New Business:

- a. Application # 19-48: Site Plan modification to add a new wall sign for a Beauty Salon at 328 Main Street. Cailyn Musinski is the applicant and Mario J. and Maria S. Alemida are the Owners.

Cailyn Musinski, 326f Main Street presented her application. She is seeking approval for a new wall sign associated with a new business. Ms. Musinski explained that she opened the salon 2-3 weeks ago and wanted to add a signature sign to promote her business. Ms. Musinski said the proposed sign would be a maximum of 2.5' X 7', and in the colors of black and white.

Mr. Popper stated that the owner of the salon and the owners of the building have done a great job making improvements to the interior and exterior of the building. The commission wished her luck on her salon.

Vice Chairman Michael Cannata made a motion to approve Application #19-48: Site Plan modification to add a new wall sign for a Beauty Salon at 328 Main Street. Cailyn Musinski is the applicant and Mario J. and Maria S. Alemida are the Owners. Seconded by Paul Cordone. *All in favor; motion passed.*

- b. Application #19-55: Request for Site Plan Modification for the Starbucks Coffee Shop at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner.

Mr. Justin Packard, Engineer with Hallisey, Pearson & Cassidy Engineers Associates Incorporated at 630 Main Street Cromwell introduced the application. He said he was here this evening with Jim Hallisey to present the application. Mr. Packard described the

location of the Starbucks Coffee shop and the previously approved site plan.

Mr. Packard summarized the proposed modifications including the removal of the entrance driveway off of Route 372, the additional parking spaces to be installed, the new traffic circulation pattern and the relocated dumpster.

Mr. Jim Cassidy said the one way drive, which is accessed via a right turn in from west bound Berlin Road, has been eliminated in order to allow for the addition of 12 angled parking spaces. He said total parking count now is 630 for the entire plaza, which is more than the 468 spaces required.

Mr. Cassidy said that traffic will enter and exit the site from the shared accessway with Burger King only. He explained that the two lane one-way access drive around the Starbucks composed of a bypass lane and a drive through lane remains the same.

Mr. Cassidy said that the proposed dumpster enclosure has been relocated to the west side of the Starbucks site. He explained that it will be a dedicated dumpster for Starbucks' use. Mr. Cassidy said that a second dumpster with a concrete pad and enclosure will be added north of Burger King, for that restaurant's dedicated use.

The Commission members and Mr. Cassidy discussed the removal of the entrance driveway off of Route 372, the additional parking spaces, the new traffic circulation pattern and the dumpster relocation.

Vice Chairman Michael Cannata made a motion to approve Application #19-55: Request for Site Plan Modification for the Starbucks Coffee Shop at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner. Seconded by Chris Cambareri. *All in favor; motion passed.*

10. Executive Session to Discuss Pending Litigation Regarding:

- a. Discuss Pending Litigation "JPG Partners, LLC v. Cromwell Planning & Zoning Commission LND HHD CV18-6091023-S" involving Application #17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner.

Vice Chairman Michael Cannata made a motion to go into Executive Session with Town Attorney Kari Olson, Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, and the commission members; Seconded by Nicholas Demetriades. *All in favor; motion passed.*

Vice Chairman Michael Cannata made a motion to come out of Executive Session with Town Attorney Kari Olson, Stuart Popper, Bruce Driska, and the commission members; Seconded by Chris Cambareri. *All in favor; motion passed.*

11. Old Business:

- a. Discussion and Possible Action of Proposed Settlement for "JPG Partners, LLC v. Cromwell Planning & Zoning Commission LND HHD CV18-6091023-S" involving Application #17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner.

Town Attorney, Kari Olson read the Settlement Memorandum into the record:

The Cromwell Planning & Zoning Commission (Commission) and JPG Partners, LLC (JPG) being the parties to an action entitled JPG Partners, LLC v. Cromwell Planning & Zoning Commission LND HHD CV18-6091023-S in settlement of the above-captioned agree that JPG and its successors or assigns shall have the right to construct two (2) thirty (30) unit apartment buildings, said units to be rented at market rates and two (2) commercial buildings and other related improvements at 186 Shunpike Road, Cromwell as more particularly shown and described in certain maps or plans entitled:

"Center Point Apartments, #186 Shunpike Road, (Connecticut Route 3), Cromwell, CT Date: 05/20/19 Scale 1" = 40', Juliano Associates, Engineers & Surveyors, 405 Main Street (Yalesville), Wallingford, CT, (203) 265-1480"

Said plans include the following:

Site Layout Plan: Sheet 2 of 16, Grading & Erosion Control Plan Sheet 3 of 16, Site Utility Plan Sheet 4 of 16, Photometrics Plan Sheet 5 of 16, Storm Trap Detention System Sheet 6 of 16, Storm Trap Oil/Grit Separator Sheet 7 of 16, Storm Trap Specifications Sheet 8 of 16, Site Details Sheet 9 of 16 Revision: 0, Storm Drainage Details Sheet 10 of 16, Sanitary Sewer Details Sheet 11 of 16, Water Details Sheet 12 of 16, Sediment & Erosion Control Principles, Practices, and Specifications Sheet 13 of 16, Construction Sequence Plan Sheet 14 of 16, Construction Sequence Plan Sheet 15 of 16, Landscaping Plan Sheet 16 of 16. And also including a Plan showing off-site improvements entitled "Off-site Improvements Plan Center Point Apartments, #186 Shunpike Road, (Connecticut Route 3), Cromwell, CT Date: 11/13/17 Scale 1" = 30' sheet 1 of 1, "Off-site Improvements Plan Center Point Apartments, #186 Shunpike Road, (Connecticut Route 3), Cromwell, CT Date: 11/15/17 Scale 1" = 30' sheet 2 of 2, "Off-site Improvements Plan Center Point Apartments, #186 Shunpike Road, (Connecticut Route 3), Cromwell, CT Date: 11/15/17 Scale 1" = 30' sheet 3 of 3, Juliano Associates, Engineers & Surveyors, 405 Main Street (Yalesville), Wallingford, CT, (203) 265-1480".

Said settlement is subject to JPG complying with the comments set forth in the following:

1. Memorandum from Stuart Popper to the Commissioner dated August 21, 2018;
2. Memorandum from Jon Harriman to Stuart Popper dated August 19, 2019;
3. Memorandum from Rich Peak to Stuart Popper dated August 13, 2019;
4. Memorandum from Denise Lamontagne to Stuart Popper dated August 1, 2019;
5. Memorandum from Bruce Driska to Stuart Popper dated July 24, 2019; and
6. Memorandum from Michael Terenzio to Stuart Popper dated August 20, 2019.

The above-referenced Memoranda being attached hereto.

And subject to the following conditions:

1. JPG shall provide a Phasing Plan.
2. Color architectural elevations of all sides of the proposed buildings on site must be submitted along with a narrative of the materials that will be used for the outside of the buildings.
3. The elevations and narrative will become a part of the approved plans and must be submitted for staff approval prior to construction.
4. Phase I must include all infrastructure improvements, i.e. drainage, utilities, curbing, sidewalks, handicapped ramps, etc., as well as a binder course on all pavement.
5. Prior to the issuance of a certificate of occupancy for the second residential building the clubhouse shall be completed and the exterior of at least one commercial building shall be completed. Exterior completion shall include all structural components, roof, door, window and building façade. In addition, all off-site improvements (road improvements, sidewalks, etc.) must be completed before the C/O will issue.
6. Terms of this settlement Memorandum shall be including on the approved plans and incorporated therein as part of and as a condition of the site plan approval.
7. The land use appeal to be withdrawn and the requirement that the public be advised per the requirements of Section 8.8 (n) that Judge Burger will hold a public hearing on November 21, 2019 at Hartford Superior Court at 10:00 AM.

Chairman Alice Kelly calls for vote. *All in favor.*

Chairman Alice Kelly said the settlement agreement has been approved.

12. Commissioner's Comments:

13. Approval of minutes:

- a. September 3, 2019 Chairman Kelly noted the following corrections to the minutes:

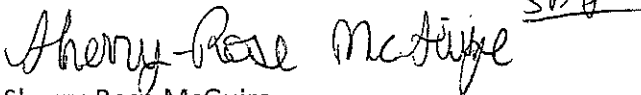
Page 1, Section 3- John Keithan was seated as an alternate not Jeremy Floryan.

Page 3, Section 9, Part B- There was a discussion about the two handicap parking spots and their locations.

Vice Chairman Michael Cannata made a motion to approve the amended minutes; Seconded by Paul Cordone. All in favor; motion passed.

- 14. Adjourn:** Vice Chairman Michael Cannata made a motion to adjourn the meeting; Seconded by Paul Cordone. Meeting adjourned at 8:12 PM.

Respectfully submitted,

 SRM

Sherry-Rose McGuire

Commission Clerk

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY NOVEMBER 19, 2019
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Jeremy Floryan, Paul Cordone and Ken Rozich

Absent: Nicholas Demetriades, Brian Dufresne, Mo Islam, John Keithan and Kenneth Slade

Also Present: Director of Planning and Development Stuart Popper

1. Call To Order

The meeting was called to order by Chairman Kelly at 7:02 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

4. Approval of Agenda

Mr. Popper asked to add one new items under 8. New Business Accept and Schedule New Applications:

Application #19-62: Request for Site Plan Modification to permit construction of additional parking spaces at 120 County Line Drive. Scannell Properties #315 LLC is the Applicant and the Owner.

Michael Cannata made a motion to amend the agenda under New Business Accept and Schedule Applications; Seconded by Jeremy Floryan. *All in favor; motion passed.*

5. Public Comments

There were no public comments at this time.

6. Development Compliance Officer

Mr. Popper said Mr. Driska would not be here this evening. He said he would be happy to any questions for Bruce. There were none.

7. Town Planner Report:

Mr. Popper said that construction of the new Marriott Hotel at 76 Berlin Road was moving forward. He noted that the Covenant Village project was also going well.

8. New Business: Accept and Schedule New Applications:

a. Application #19-56: Request for Site Plan Modification to install a new sign at Unit H 136 Berlin Road. Majid Rasool is the Applicant and TNO Cromwell LLC is the Owner.

Michael Cannata made a motion to accept and to consider this evening Application #19-56 to the agenda; Seconded by Paul Cordone. *All in favor; motion passed.*

b. Application #19-59: Request for Site Plan Modification to permit a Donation Bin at 15 Court Street. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner.

Michael Cannata made a motion to accept and schedule Application #19-56 to be heard on December 17, 2019; Seconded by Paul Cordone. *All in favor; motion passed.*

c. Application #19-60: Request for Site Plan Modification to permit a Donation Bin at 30 Woodside Road. Charities for Hope Inc. is the Applicant and the Town of Cromwell is the Owner.

Michael Cannata made a motion to accept and schedule Application #19-60 to be heard on December 17, 2019; Seconded by Paul Cordone. *All in favor; motion passed.*

d. Application #19-61: Request for Site Plan Modification to permit a Donation Bin at 199 Shunpike Road. Charities for Hope Inc. is the Applicant and Diversified Unlimited LLC is the Owner.

Michael Cannata made a motion to accept and schedule Application #19-61 to be heard this evening; Seconded by Chris Cambareri. *All in favor; motion passed.*

Application #19-62: Request for Site Plan Modification to permit construction of additional parking spaces at 120 County Line Drive. Scannell Properties #315 LLC is the Applicant and the Owner.

Michael Cannata made a motion to accept and schedule Application #19-62 to be heard this evening; Seconded by Jeremy Floryan. *All in favor; motion passed.*

9. New Business:

a. Application #19-58: Request for Site Plan Modification to permit temporary storage trailers at 161 Berlin Road. Walmart is the Applicant and Infinity Cromwell Property LTD Partnership is the Owner.

Mr. Dennis Jackson Co-Manager and Mr. Zachary White Sales Supervisor from Walmart represented the applicant. Mr. Jackson explained that the current management team was not told by the corporate office (which installed the temporary storage trailers) that the temporary storage trailers required town approval. He said that the trailers were being

used for Christmas merchandise that will be picked up by December 10, 2019 and then the trailers will be removed on or about December 10, 2019.

The Commission members discussed the history of temporary trailers at Walmart and the Commission's previous actions. Chris Cambareri asked why were they using trailers this year when they did not use them last year. Mr. Jackson said that this year the store had lost storage space to the new food pickup program and hence the need for the temporary trailers again.

The Commission members reminded the applicant of their previous recommendation to Walmart to either use interior store space, to add more store space or to rent space for seasonal storage. Michael Cannata said he was very concerned about the loss of parking spaces due to the use of the temporary trailers at this time of the year when the store is the busiest. Ken Rozich noted that the Walmart had acted without regard to the Commission's previous recommendations regarding no further use of the temporary storage trailers. The Commission members discussed their previous actions and comments regarding the use of temporary storage trailers by Walmart.

Michael Cannata made a motion to deny Application #19-58: Request for Site Plan Modification to permit temporary storage trailers at 161 Berlin Road. Walmart is the Applicant and Infinity Cromwell Property LTD Partnership is the Owner He asked that staff include in the letter a note requesting the Walmart not use trailers again and instead find temporary seasonal storage space to rent; Seconded by Ken Rozich. *All were in favor; motion passed.*

b. Application #19-56: Request for Site Plan Modification to install a new sign at Unit H 136 Berlin Road. Majid Rasool is the Applicant and TNO Cromwell LLC is the Owner.

Mr. Mohammed Aged represented the applicant and said they were opening a new smoke shop at 136 Berlin Road next to the Asian Bistro. Mr. Popper said the proposed sign meets the requirements of the zoning regulations. The Commission members and Mr. Aged discussed the "Puff Kulture" sign and the smoke shop business to be located at 136 Berlin Road.

Michael Cannata made a motion to approve Application #19-56; Seconded by Jeremy Floryan. *All in favor; motion passed.*

c. Application #19-61: Request for Site Plan Modification to permit a Donation Bin at 199 Shunpike Road. Charities for Hope Inc. is the Applicant and Diversified Unlimited LLC is the Owner.

Ms. Sonia Barkman-Carusio President/CEO of Charities for Hope Inc. represented the applicant and noted their efforts to always maintain their donation bins. The Commission members and Ms. Barkman-Carusio discussed the history of the Charities for

Hope donation bins around town and the one at 199 Shunpike Road in particular. Chairman Alice Kelly said she has concerns regarding the approval of this donation bin while the Commission has denied other donation bins around town. Ms. Barkman-Caruso noted that they do have two other additional bins at the Edna Stevens and Woodside schools and they have had no problems with either of those bins.

Michael Cannata suggested that the applicant may wish to locate their bin at the transfer station instead of 199 Shunpike Road and asked the staff to look into that idea.

Michael Cannata made a motion to approve Application #19-61: Seconded by Jeremy Floryan. *All in favor; motion passed.*

d. Application #19-62: Request for Site Plan Modification to permit construction of additional parking spaces at 120 County Line Drive. Scannell Properties #315 LLC is the Applicant and the Owner.

Mr. Rock Emond Civil Engineer with the firm of Milone and McBroom, Inc. presented the application. He discussed the history of the development of the site. Mr. Emond explained that the applicant was proposing to add an additional 171 parking spaces to the site. He said that the spaces would be located on the west and north sides of the building. Mr. Emond said that the site was designed from day one to allow for the construction of additional parking spaces on the west side and north side of the building. He noted that the appropriate drainage infrastructure had been designed and installed to handle the additional parking spaces if they were ever built.

The Commission members and Mr. Emond discussed the location of the proposed parking spaces and the infrastructure needed. Mr. Popper said that the staff had reviewed the application and the only comment was from Town Engineer Jon Harriman. Mr. Popper noted that Mr. Harriman in his memo dated 11/18/19 had requested that, "A trash rack be fitted to the inlet of the outlet structure".

Michael Cannata made a motion to approve with the condition contained in Town Engineer Jon Harriman's memo of 11/18/19; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Public Hearing:

a. Application #19-47: Request to amend the Zoning Regulations to include a new Business Zone District (Section 3.6 Commercial Billboard District). DFC of Cromwell LLC is the Applicant.

Chairman Kelly read the Legal Notice.

Attorney Dennis A. Ceneviva said he was here with Mr. Dominick DeMartino owner of the property. He summarized the previous application to the Commission. He said in response to the Commission's concerns the application has been modified from a floating zone district proposal to a commercial zone district with possible locations along State Route

and Interstate 91. Attorney Ceneviva presented the application, reviewing the proposed Sections 3.6A The Purpose; 3.6B Bulk Requirements; 3.6C Principle Uses; 3.6D Location, Orientation, Size and Spacing; 3.6E Display time, Transition time, and Brightness; 3.6F Digital Billboard malfunction and maintenance. He said the required frontage requirement along Route 9 has been reduced from 1000 feet to 700 feet to allow for another potential site along Route 9. Attorney Ceneviva then discussed Sections 5.1H Variations to landscaping requirements; 5.31 Prohibited Signs; and 6. Special Permits; 6.11 Digital Billboards of the proposed regulations.

Attorney Ceneviva described the possible locations for the Commercial Billboard Zone District which would be adjacent to certain portions of Interstate 91 and State Route 9. The Commission members and staff discussed additional possible locations for the zone district including Main Street (State Route 99) and Berlin Road (State Route 372).

Attorney Ceneviva pointed out the support the proposal had received from Police Chief Denise Lamontagne especially regarding the use of the billboards for amber alerts and public announcements. He also pointed out the support from the Larry McHugh President of the Middlesex Chamber of Commerce and existing Cromwell businesses and their desire to advertise on the proposed electronic billboards.

Mr. Popper noted that he had not received the review comments from the Lower Connecticut River Valley Regional Planning Commission and asked that the public hearing be continued to the Commission's December meeting to allow for the receipt of the comments. The Commission members raised a question as to the exact number of possible locations for the Zone District along Route 9 and Interstate 91. They asked that the number of possible locations be clarified for the next meeting.

Michael Cannata made a motion to continue the public hearing; Seconded by Ken Rozich. *All in favor; motion passed.*

11. Approval of Minutes:

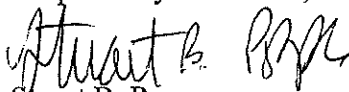
- a. November 7, 2019: No action taken

12. Commissioner's Comments:

Chris Camber updated the Commission on the status of the subcommittee's work on the sign regulations. He said that he will present more information at the next meeting.

13. Adjourn: A motion to adjourn was made by Michael Cannata. Meeting adjourned at 8:42 p.m.

Respectfully submitted,


Stuart B. Popper
Acting Recording Clerk