

**Town of Cromwell  
Planning and Zoning Commission**

**REGULAR MEETING  
7:00 P.M. TUESDAY JULY 16, 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: Accept and Schedule New Applications:**
9. **New Business:**
  - a. Application #05-52: Request to Release the Performance Bond for Pasco Hill Rd, Northbrook Estates.
  - b. Application #05-52: Request to Release the letter of credit for Northbrook Estates (Northbrook Subdivision).
10. **Public Hearings:**
  - a. Application #19-21: Request to Amend the Zoning Regulations to add to Section 4.0 Special Zones a new Section 4.8 Commercial Billboard District. DFC of Cromwell LLC is the Applicant.
  - b. Application #19-29: Request for Special Permit under Section 3.5.C.4 of the Zoning Regulations to allow for a Contractor's Yard at 150 Sebethe Drive. Robert Gallitto is the Applicant and Alvin Ravizza is the Owner.
  - c. Application #19-27: Request for Special Permit under Section 2.2.C.4 of the Zoning Regulations to allow for a place of worship at 573 Main Street. Omar Islamic Center is the Applicant and the Knights of Columbus Building Association is the Owner (Public Hearing continued).
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
  - a. April 2, 2019
  - b. June 18, 2019
  - c. June 25, 2019
13. **Adjourn:**

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

P&Z 2019 Permit Report						
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	
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	Pending	
19-14	TNO Cromwell, LLC	136 Berlin Rd. Starbucks	Coffee shop with drive thru window	Approved 4/2/2019	Awaiting construction	
19-15	Heather Polke	1 River Road	Farmer's Market	Approved by staff 3/25/19	Event in progress	
19-16	Kenneth Jarvis	51 Shunpike Road	Great Clips Hair Salon	Approved by staff 3/28/19	Opened	
19-17	Albion Kallogjeri	199 Shunpike Road	Giulia Pizza Restaurant	Scheduled for 5/7/19	Business Open	
19-18	Town of Cromwell	100 County Line Drive	Relocation of Transfer Station	Approved 4/16/19	Construction in progress	
19-19	Shoprte of Cromwell Trolino Ann	45 Shunpike Road	Beer Permit	Scheduled for 5/9/19	Operational	





# Memo

**To: Planning and Zoning Commission**  
**From: Stuart B. Popper, AICP**  
**Director of Planning and Development**  
**Date: July 9, 2019**  
**Re: Comments for the July 16, 2019 Meeting Agenda**

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## 9. Public Hearings:

a. Application #19-21: Request to Amend the Zoning Regulations to add to Section 4.0 Special Zones a new Section 4.8 Commercial Billboard District. DFC of Cromwell LLC is the Applicant.

*The applicant is proposing to amend the Zoning Regulations to add to Section 4.0 Special Zones a new Section 4.8 Commercial Billboard District. According to the Applicant: "Billboards are elements of urban landscape identifying businesses, relaying messages and advertising". The proposed regulations would allow for the creation of a new zoning district that would allow for billboards.*

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

*The applicant is proposing to operate a contractor's yard on the rear portion of 150 Sebeth Drive to the east of the existing driving range. The 52.62 acre site is located on the east side of Sebeth Drive in the Industrial Zone District and contains an existing restaurant, driving range and miniature golf course.*

c. Application #19-27: Request for Special Permit under Section 2.2.C.4 of the Zoning Regulations to allow for a place of worship at 573 Main Street. Omar Islamic Center is the Applicant and the Knights of Columbus Building Association is the Owner. The public hearing is continued from June 18, 2019.

June 28, 2019

To Planning & Zoning/Commissioner Stuart Popper:

At this time I am requesting a performance bond for Pasco Hill Rd, Northbrook Estates  
& Pasco Hill Development for \$20,105.78 plus interest. *appl. # 05-52*

Also, I am seeking a letter of credit for Northbrook Estates (Northbrook Subdivision) \$250,000 to be  
released. *appl. #05-52*

Kindly,

A handwritten signature in black ink, appearing to read "William H. Coons", written over a horizontal line.

William H. Coons

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday July 16, 2019 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #19-21: Request to Amend the Zoning Regulations to add to Section 4.0 Special Zones a new Section 4.8 Commercial Billboard District. DFC of Cromwell LLC is the Applicant.
2. Application #19-29: Request for Special Permit under Section 3.5.C.4 of the Zoning Regulations to allow for a Contractor's Yard at 150 Sebethe Drive. Robert Gallitto is the Applicant and Alvin Ravizza is the Owner.
3. Application #19-27: Request for Special Permit under Section 2.2.C.4 of the Zoning Regulations to allow for a place of worship at 573 Main Street. Omar Islamic Center is the Applicant and the Knights of Columbus Building Association is the Owner (Public Hearing continued).

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 1<sup>st</sup> day of July 2019.



19-21



**Town of Cromwell  
Planning and Zoning Commission**

**APPLICATION TO AMEND THE ZONING REGULATIONS**

Name: DFC OF CROMWELL LLC  
Address: 920 South Colony Road  
Wallingford CT 06492  
Telephone: (203) 410-7649 Email: \_\_\_\_\_

**A. Request to Change an Existing Regulation:**

- 1. Current Article Number: \_\_\_\_\_
- 2. Current Regulation wording (attach if necessary):  
\_\_\_\_\_  
\_\_\_\_\_
- 3. Proposed Change wording (attach if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

**B. Request to Create a New Regulation:**

- 1. Suggested Article Number: 4.8
- 2. Zoning District(s) to be Affected by New Regulation: New District
- 3. New Regulation wording (attach if necessary):  
Attached  
\_\_\_\_\_

**C. Reason for Proposed Change or New Regulation:**

Attached  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
(applicant)

4/29/2019  
(date)

## **MEMORANDUM STATING REASONS FOR PROPOSED NEW ZONE**

Statement of Purpose: Billboards are elements of the urban landscape identifying businesses, relaying messages and advertising. In order to promote, preserve, enhance and protect the public health, safety and welfare of the Town, these standards/regulations intend to diminish any possible distraction to traffic, minimize any potential visual concerns and ensure urban design fundamentals to preserve Cromwell's landscape. The following standards/regulations control billboard location, size, height, spacing, luminance and frequency of image.

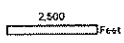
# Zoning Map

Cromwell, CT

- Legend**
- A-15 Residential
  - A-25 Residential
  - A-40 Residential
  - AA Active Adult Housing
  - LB Local Business
  - BP Business Park
  - HB Highway Business
  - DC Downtown Cromwell
  - IND Industrial
  - ID Institutional Development
  - RPD Riparian Protection District
  - Water
  - Right of Way

Effective May 1, 2011

BILLBOARD OVERLAY DISTRICT (SP-1)



BILLBOARD ANALYSIS  
CROMWELL, CONNECTICUT

NO.	DATE	DESCRIPTION
1	05/11/11	PRELIMINARY
2	05/11/11	FINAL
3	05/11/11	FINAL
4	05/11/11	FINAL

OVERALL SITE LOCATION MAP

SP-0



**GENERAL NOTES:**

1. NOT EVERY OVERLAY DISTRICT IS IDENTIFIED BY COLOR AND OVERLAYS MAY NOT BE IDENTICAL TO THE ORIGINAL ZONING MAP.
2. NOT ALL ZONING DISTRICTS ARE IDENTIFIED BY COLOR. SEE THE ZONING MAP FOR DETAILS.

**PROPOSED OVERLAY DISTRICT NOTES:**

1. BILLBOARD OVERLAY DISTRICT IS A ZONING DISTRICT OF THE TOWN OF CROMWELL, CONNECTICUT.
2. BILLBOARD OVERLAY DISTRICT IS A ZONING DISTRICT.

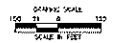
**LEGEND:**  
 LB - LIGHT BUSINESS  
 RES - RESIDENTIAL  
 RPD - RECREATION PARK  
 IND - INDUSTRIAL  
 DOWNTOWN - DOWNTOWN  
 BILLBOARD OVERLAY DISTRICT - BILLBOARD OVERLAY DISTRICT



**BILLBOARD ANALYSIS  
 CROMWELL, CONNECTICUT**

**SITE LOCATION  
 MAP**

SP-1



**CROMWELL PLANNING & ZONING COMMISSION**  
**PROPOSED ZONING TEXT AMENDMENT**  
**PER SECTION 8.8 AND 8.10 OF THE CROMWELL ZONING**  
**REGULATIONS**

## **SPECIAL ZONES**

### **4.8 Commercial Billboard District**

#### **Billboards**

(a) Statement of Purpose: Billboards are elements of the urban landscape identifying businesses, relaying messages and advertising. In order to promote, preserve, enhance and protect the public health, safety and welfare of the Town, these standards/regulations intend to diminish any possible distraction to traffic, minimize any potential visual concerns and ensure urban design fundamentals to preserve Cromwell's landscape. The following standards/regulations control billboard location, size, height, spacing, luminance and frequency of image.

(b) Definitions:

**BILLBOARD-** A sign, including any support, structures, displaying a message not related to the use of the property on which it is located.

**CONVENTIONAL BILLBOARD-** A billboard displaying static message or copy that cannot be changed mechanically or electronically.

**DIGITAL BILLBOARD-** A billboard utilizing digital message technology capable of changing the static message or copy electronically, but not displaying any movement, or the appearance or optical illusion of movement, or any flashing, scintillating or varying of light intensity during the static display periods.

**COMMERCIAL BILLBOARD DISTRICT-** Billboards must be oriented to the limited access highway known as CT Route 9 and further restricted to the Commercial Billboard District as shown on the Town Zoning Map.

(c) Development Standards:

- [1] Maximum height: 50 feet. The vertical distance from the grade of the closest lane of the limited access highway to the top of the highest component of the billboard may not exceed fifty (50") feet.
- [2] Maximum sign area: 672 square feet.
- [3] Clearance: nine feet. Billboards shall have a minimum clearance of nine feet between the lowest component of the billboard and the land grade.
- [4] Minimum Setback from Route 9. There is a zero foot minimum setback in the yard contiguous to Route 9.

(d) Location and orientation:

- [1] Commercial Billboard District ("CBD"): digital billboards are restricted to the Commercial Billboard District; such District is deemed commercial in nature; Conventional Billboards are not permitted. The total number of Billboards permitted in the CBD is two (2).
- [2] Orientation: All billboards consisting of back-to-back or parallel design shall be no greater than eight feet apart. All billboards shall be oriented with faces at an angle no greater than 35° perpendicular to CT Route 9.

(e) Spacing:

Digital billboards shall be spaced at a horizontal distance of not less than 750 feet from any other digital billboard within the CBD.

(f) Digital Billboards:

[1] Display time: Messages and/or imagery must be displayed in a static manner for a minimum of seven seconds.

[2] Transition time: Transition time from one message or copy to another must be direct and immediate without special effects and not exceed one second.

[3] Brightness:

[a] No digital billboard may operate at brightness levels of more than 0.3 foot-candle above ambient light for the following distances from the sign face based on the size of the sign:

<b>Distance (feet)</b>	<b>Sign Size (square feet)</b>
100	242
150	378
200	672

[b] The brightness measurement shall be made with the light meter or similar device positioned at a ninety-degree angle to the orientation of the digital billboard.

[4] Malfunction: Digital billboards must be designed and equipped to freeze the sign face in position if malfunction occurs. Such billboard must also be equipped with a means to immediately discontinue operation in case of malfunction. The billboard owner must immediately turn off the display when ordered by the Town.



(g) Miscellaneous:

- [1] Content: Billboards shall not use the word “stop”, “danger” or any other word, phrase or symbol or character in a manner that might be misconstrued to be a public safety warning or traffic sign.
- [2] Landscaping: Every billboard shall be suitably landscaped covering the area between the billboard and property lines. This landscaped area shall be properly maintained.
- [3] Maintenance:
  - [a] All billboards shall be maintained in good repair and in safe condition. The owners of the premises on which the billboard is located shall be directly responsible for keeping such billboard and premises in a safe and neat condition.
  - [b] All parts, including the backs, of billboards shall be painted a dark or neutral color and shall be well-maintained.

(h) Process:

- [1] All billboards must obtain a Site Plan approval from the Planning and Zoning Commission prior to receiving a building permit.
- [2] A Site Plan approval is also required for a conversion of an existing billboard into a digital billboard. The converted digital billboard must comply with all standards/requirements of this chapter.

19-29

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

Type of Activity: Request for Contractor's Yard  
(Per Section 35.6.4 of the Cromwell Zoning Regulations)

Street Address: 150 Sebethe Dr Zoning District: IND

Assessor's Parcel ID #: 00384600 Volume/Page: 1601-348

Applicant's Name: Gallitto Robert

Address: 150 Sebethe Dr.

Telephone Number (daytime): 860-398-0091

Email Address: Gallitto excavation@yahoo.com

Property Owner's Name: Alvin Ravizza

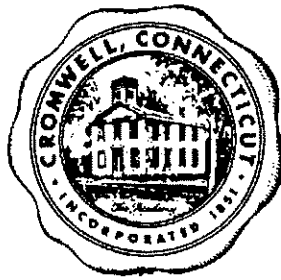
Address: 28 Laurel Drive, Berlin, CT, 06037

Description of Proposed Activity:  
Construction Materials & Equipment Storage

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).

[Signature]  
(applicant)

6/5/19  
(date)



## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development  
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer BD  
Date: June 20, 2019  
Re: **PZC Special Permit Application #18-15; 19-29**  
**150 Sebeth Drive, Gallitto Construction**

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### BACKGROUND

The Subject Property is 49+ Acres located at 150 Sebeth Drive and contains several businesses (Torza Miniature Golf & Driving Range, Tap House 150, C.A.R.S. Automotive, and other contractor yards). Adjacent to the activity site are existing clay pit ponds.

### PROPOSAL

The Applicant is seeking approval for contractor and construction related activities at the site including earth material storage and topsoil screening. In 2018 the IWWA issued a 5 year approval (Permit #18-15) to the Applicant for activity within the Upland Review Area.

### COMMENTS

Special Permit approval should include the following condition for the record:

1. No additional storage within 100-ft of the Upland Review Area
2. Location of trailers/containers to be less visible from Golf Driving Range Tees
3. A 24/7 contact for erosion & sedimentation control compliance

## Popper, Stuart

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**From:** Michael Terenzio <mterenzio@cromwellfd.com>  
**Sent:** Thursday, June 27, 2019 10:56 AM  
**To:** Popper, Stuart  
**Cc:** Todd Gagnon  
**Subject:** P&Z application 19-29 150 Sebeth Drive

Good Morning Mr. Popper,

The office of the Fire Chief has reviewed the above referenced application in the scope of determining fire department forces ability to provide effective fire suppression and protection a response. The plans and information submitted for review has not shown or demonstrates any hindrances or obstacles for the fire department to provide an effective response to an emergency occurring at this site or surrounding areas.

Michael Terenzio; B.S. EM; FO IV, FSI II  
Fire Chief

**Cromwell Fire Department**  
82 Court St  
Cromwell, CT 06416  
Phone: 860-635-6155 x1320  
Cell: 860-471-1450  
Fax: 860-632-1599  
Email: [mterenzio@cromwellfd.com](mailto:mterenzio@cromwellfd.com) / [www.cromwellfd.com](http://www.cromwellfd.com)



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

## Popper, Stuart

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**From:** Chief Lamontagne  
**Sent:** Monday, June 24, 2019 8:05 AM  
**To:** Popper, Stuart  
**Subject:** 19-29

Stuart,

I have reviewed the plans for the application of 19-29, special permit for a contractor's yard. I have no comments in regards to the submission.

*Denise Lamontagne*

Chief of Police  
Cromwell Police Department  
860-635-2256 x.7843  
860-613-2934 fax

19-27



**Town of Cromwell  
Planning and Zoning Commission**

**APPLICATION FOR SPECIAL PERMIT**

Type of Activity: PLACE OF WORSHIP  
(Per Section 2-2-C-4 of the Cromwell Zoning Regulations)  
Street Address: 573 MAIN STREET Zoning District: R-15  
Parcel ID #: 00260100 Volume/Page: 32-214

Applicant: OMAR ISLAMIC CENTER, INC  
Address: P.O. BOX 2772 MIDDLETOWN CT 06457  
Telephone Number (daytime): 860-559-4521  
Email Address: INFO@OICET.ORG

Property Owner: 573 BUILDING ASSOCIATION  
Address: 505 MAIN ST, CROMWELL, CT 06416

Description of Proposed Activity:  
REQUEST FOR SPECIAL PERMIT FOR PLACE OF WORSHIP

*"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."*

AHMED BEDIR  
(Signature of Owner or Designated Agent)

5/20/19  
(date)

AHMED BEDIR  
(printed name of signer)

**COMMERCIAL GROSS LEASE AGREEMENT  
FOR  
Parking Areas of 569 Main Street**

THIS INDENTURE OF LEASE, made on this \_\_\_\_ day of July, 2019 by and between Fasola Realty LLC, a Connecticut limited liability company of the Town of Cromwell, or its designee, (Hereinafter referred to as "Landlord"), and Omar Islamic Center, a Connecticut non-stock corporation (Hereinafter referred to as "Tenant") is as follows: The Landlord hereby leases to Tenant and Tenant hereby rents from Landlord, the entire paved rear parking area and the driveway from the parking area to the road situated at 569 Main Street, Cromwell, Connecticut (hereinafter referred to as the "Leased Premises") as further described on Exhibit A and depicted on Exhibit B.

**I. COMMENCEMENT**

**OF TERM:** The effective date of this Lease and the date on which occupancy shall commence is the same as the term, which shall commence if and only upon the Tenant taking title to 573 Main Street (presently Knights of Columbus in Cromwell, Connecticut).

**II. LENGTH**

**OF TERM** The term of this Lease shall be for ninety-nine (99) years after the commencement of the term, unless terminated prior to the expiration of the term. Notwithstanding the foregoing, Tenant shall be bound by all of the provisions of this Lease, except for the payment of rent, from the date of the first use of the Leased Premises by Tenant or its agents for any purpose prior to the Commencement Date.

**III. RENT:** Tenant hereby agrees to pay Landlord or its designee rent, by cash, business check, certified check or money order, for the use of the Premises to operate a parking lot in conjunction with its operation of a mosque, in an amount as set forth below, which monthly rent is due and payable on the first day of each month for the current month. The rent shall be delivered or mailed to the address specified below, in a timely fashion to ensure receipt thereof on or before the due date.

Year 1:           \$250.00 monthly

All Years Therafter: Rent shall increase 2% annually thereafter

If the Landlord or its designee has not received the full rent payment by the tenth (10) day of the month, Tenant shall pay to Landlord or its designee a late fee of \$10.00 in addition to the monthly rent due and owing. Landlord and Tenant agree that this provision does not establish a grace period for the payment of rent, and

that Landlord or its designee may make a written demand for the payment of rent at any time after it is due.

**IV. CONTINGENCY:**

The obligations of the Tenant and the Landlord contained in this Lease Agreement are conditioned and contingent upon the Tenant taking title of the Knights of Columbus property located at 573 Main Street, Cromwell, Connecticut.

**V. UTILITIES:**

Each party shall be responsible for their own utilities, including but not limited to, Electric, Gas and Water charges.

**VI. USE:**

Tenant agrees that the Premises are to be used solely by participants of the mosque for parking purposes. Tenant shall not do or permit anything to be done on the Premises that will interfere with the rights of the other tenants. Likewise, the other tenant shall not do or permit anything to be done on the Premises that will interfere with the rights of the Tenant.

**VII. CONDITION OF PREMISES:**

The tenant may perform, at tenant's sole expense, the following improvements: (1) landscaping (removal of shrubs between the two adjacent properties - up to 10 feet from the edge of the street sidewalk); (2) striping of eight (8) parking spaces. Two of those parking spaces are designated for 569 Main Street, Cromwell, CT tenant use only. Signs "Tenant Use Only" will be provided; (3) surfacing and sealing; and (4) improved lighting (pathway lighting bollards up to 38 inches of height). Tenant agrees to obtain all required permits, if required, in connection with improvements to the Premises.

**VIII. ALTERATIONS AND REPAIRS:**

Tenant shall make no alteration to the Premises without prior written consent of the Landlord, which consent shall not be unreasonably withheld, other than those set forth in Paragraph 13. Any alteration and improvement made to the Premises itself after such consent is granted, will at Landlord's option become the landlord's property on the expiration or earlier termination of the Lease Agreement; provided however, that Tenant must be first afforded an opportunity to remove all equipment and fixtures he installed at his expenses.

**IX. ENTRY BY LANDLORD:**

Landlord will provide Tenant with reasonable notice of Landlord's intent to enter the Premises, except in the case of an emergency or in the event that Tenant has abandoned or surrendered the Premises.



**X. INSURANCE:**

Tenant shall provide Landlord with proof that it has obtained general commercial liability and personal property insurance in an amount no less than one hundred thousand (\$100,000) dollars and shall name Landlord as an additional insured.

**XI. TAXES:**

Landlord shall be solely responsible for all taxes assessed against the Premises.

**XII. DEFAULT:**

Landlord and Tenant agree that every condition, covenant, and provision of this Lease Agreement is material. For any material breach by Tenant, Landlord may provide Tenant with a written thirty-day notice that describes the breach and demand that Tenant cure the default.

**XIII. NAMES AND ADDRESSES:**

All payment for rent shall be made in the form of cash, certified check or money order, made payable to Landlord or his designee at

\_\_\_\_\_  
Any notice from Landlord to Tenant relating to the Leased Premises shall be deemed duly served if left at 573 Main Street, Cromwell, Connecticut addressed to Tenant, or if mailed to the Leased Premises, registered or certified mail, return receipt requested, postage prepaid, addressed to Tenant. Any notice from Tenant to Landlord relating to the Leased Premises or to the occupancy thereof, shall be deemed duly served if mailed to the Landlord by registered or certified mail, return receipt requested, postage prepaid, addressed to the Landlord at such address as the Landlord may from time to time advise.

**XIV. SURRENDER:**

Tenant shall at the expiration or other termination of this Lease remove all Tenant's effects from the Leased Premises. Tenant shall deliver to landlord the Leased Premises and all keys, locks thereto, and other improvements connected therewith, and all alterations and additions made to the Leased premises, in good condition, damage by fire or other casualty excepted.

**XV. ENTIRE AGREEMENT:**

This document constitutes the entire and sole agreement between Landlord or its designee and Tenant respecting the Leased Premises. Any agreements or representations respecting the Leased Premises or its renting by Landlord to Tenant not expressly set forth in this Agreement are null and void.

**XVI. GOVERNING**

**LAW:** All of the rights and remedies of the respective parties shall be governed by the provisions of this instrument and by the laws of the State of Connecticut.

Executed on this \_\_\_\_ day of July, 2019 in the Town of Cromwell, County of Hartford, State of Connecticut.

Authentisign  
*Maciek Holodziejczak*  
7/1/2019 9:38:15 PM EDT  
\_\_\_\_\_  
**Fasola Realty LLC, Landlord**

07/01/2019

\_\_\_\_\_  
**Witness**

Authentisign  
*Ahmed Bedier*  
7/1/2019 11:18:36 PM EDT  
\_\_\_\_\_  
**Omar Islamic Center, Inc., Tenant**

07/01/2019

\_\_\_\_\_  
**Witness**

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

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

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

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

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

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

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

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

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

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

- 5. Public Comments:** None

**6. New Business:**

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

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

He summarized the changes as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

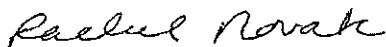
**10. Commissioner's Comments:** Nicholas Demetrius thanked the commission for sponsoring him and Chairman Kelly at a recent Land Use seminar hosted by the Connecticut Bar Association. Mr. Demetrius said that the meeting reminded him that Planning and Zoning rules and regulations are different, and said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

**11. Approval of Minutes:**

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

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

Respectfully submitted,



Rachel Novak  
Recording Clerk

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

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

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

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

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

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

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

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

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

**5. Public Comments:**

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

Michael Cannata withdrew his original motion.

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

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

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

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

## **9. Public Hearings:**

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

Chairman Kelly read the legal notice.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chairman Kelly opened the hearing to public comment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The hearing was opened to Commissioner comments.

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

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

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

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

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

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

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

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

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

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

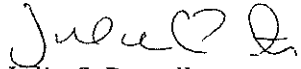
**10. Commissioner's Comments:** Chris Cambareri said that the Town needs two members as appointed representatives to the Lower Connecticut River Valley Council of Governments, with the regular member being a member of the Commission and an alternate, who can be a member of the community at large. Chris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

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

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

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

Respectfully submitted,



Julie C. Petrella  
Recording Clerk



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

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

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

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

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

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

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

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

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

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

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

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

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

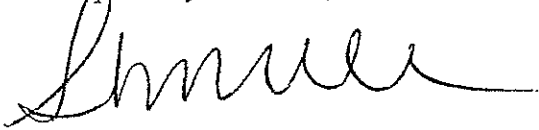
Michael Cannata made motion to go into Executive Session; Seconded by Chris Cambareri, with the Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, and Town Attorney Kari Olson at 6:12 p.m.

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

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

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

Respectfully submitted,



Sherry-Rose McGuire  
Commission Clerk