



## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY JUNE 19, 2018**  
**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. Executive Session:
  - a. Discuss Pending Litigation for Application #17-22: Request for 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.
9. New Business: Accept and Schedule New Applications:
  - a. Application #18-36: Request for Site Plan Modification to add more parking at Adelbrook 60 Hicksville Road. Linden Landscape Architects LLC is the Applicant and Adelbrook Inc. is the Applicant.
  - b. Application #18-37: Request to Operate a Top Soil Processing Facility under Section 3.5.C.3 of the Zoning Regulations at 150 Sebethe Drive. Robert Gallitto is the Applicant and Alvin Ravizza is the Owner.
10. New Business:
11. Old Business:
  - a. Application #18-21: Request for Site Plan Approval to construct a new retail building at 539 Main Street. Garrett Homes, LLC is the Applicant and P&D LLC is the Owner.
12. Public Hearings:
  - a. Application #18-33: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to permit private garage facilities greater than 1000 square feet at 14 North Ridge Drive. Dennis J. King is the Applicant and the Owner.
  - b. Application #18-20: Request for a Special Permit under Section 6.1.D of the Zoning Regulations to permit the importing of fill at 539 Main Street. Garrett Homes, LLC is the Applicant and P&D LLC is the Owner (Continued).
  - c. Application #18-32: Request to amend Section 3.3.B. of the Zoning Regulations to Increase the Maximum Building Height from 40 feet to 55 feet in the Highway Business Zone District. The Town of Cromwell is the Applicant (Continued).

13. **Approval of Minutes:**
  - a. April 3, 2018
  - b. June 5, 2018
14. **Commissioner's Comments:**
15. **Adjourn**



		P&Z 2018 Permit	Report		
Permitt#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
18-17	PGA Tour, Inc.	674 Main Street	Gravel parking lot 1st tee	Accept 4/24/18	Site improvements underway
18-18	Covenant Village	Missionary Road	Amend max bldg height zoning reg.	Approved 5/15/18	Awaiting Construction
18-19	Covenant Village	Missionary Road	Amend master plan for Covenant Village	Accept 4/24/18	Approved
18-20	Garrett Homes, LLC	539 Main Street	Importing of fill	Cont.	Awaiting approval
18-21	Garrett Homes, LLC	539 Main Street	Construct retail bldg.	Tabled	Awaiting approval
18-22	Luca & Sons	6 Kirby Road	Revise Site Plan	Accept 4/2/18	Awaiting approval
18-26	Ed Bartolotta	New Lane & Hillside Rd	Car Show	Approved by staff 4/30/18	Completed
18-27	Kemal Cecunjamin	35 Berlin Road	Restaurant	App with/cond. 6/5/18	Awaiting Approval
18-28	Town of Cromwell	41 West Street	Library Expansion	Approved 5/15/18	Awaiting construction
18-29	Town of Cromwell	204 Main Street	Transfer materials and grading	Approved 6/5/18	Awaiting Construction
18-31	The Well LLC	540 Main Street	Amend zoning reg. To permit cafe/tavern	Withdrawn	



# Memo

**To: Planning and Zoning Commission**

**From: Stuart B. Popper, AICP**  
**Director of Planning and Development**

**Date: June 12, 2018**

**Re: Comments for the June 5, 2018 Meeting Agenda**

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## **8. Executive Session:**

a. Discuss Pending Litigation for Application #17-22: Request for 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.

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

a. Application #18-36: Request for Site Plan Modification to add more parking at Adelbrook 60 Hicksville Road. Linden Landscape Architects LLC is the Applicant and Adelbrook Inc. is the Applicant. *The applicant is proposing to add an additional 10 parking spaces. Please see the attached plans and memo. The applicant is requesting a waiver of the requirement to plant a tree. Staff is requesting that the Commission accept the application at the June 19, 2018 meeting and considers it that evening.*

b. Application #18-37: Request to Operate a Top Soil Processing Facility at 150 Sebeth Drive under Section 3.5.C.3 of the Zoning Regulations. Robert Gallitto is the Applicant and Alvin Ravizza is the Owner. *The 52+ acre site contains the Tap House Restaurant, driving range and miniature golf facility and is located on the east side of Sebeth Drive in the Industrial Zone District. The proposed top soil processing facility is located north and east of the driving range and access is provided by an existing driveway north of the Tap House. Attached is a map showing the location of the facility and a memo describing the proposed operation. Staff is requesting that the Commission accept the application at the June 19, 2018 meeting and considers it that evening.*

## **11. Old Business**

a. Application #18-21: Request for Site Plan Approval to construct a new retail building at 539 Main Street. Garrett Homes, LLC is the Applicant and P&D LLC is the Owner. *The existing house and accessory buildings will be demolished and replaced with a 9,100 square foot single story retail building with 37 parking spaces. The 1.04 acre site contains an existing a two family house and accessory buildings and is located on the west side of Main Street in the Local Business Zone.*

**12. Public Hearing:**

a. Application #18-33: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to permit private garage facilities greater than 1000 square feet at 14 North Ridge Drive. Dennis J. King is the Applicant and the Owner. *The applicant is proposing an addition to an existing shed that will make it greater than 1000 square feet. Please see attached plan. The 1.44 acre site contains an existing a single family house and shed and is located on the west side of North Ridge Drive in the R-40 Zone District.*

b. Application #18-20: Request for a Special Permit under Section 6.1.D of the Zoning Regulations to permit the importing of fill at 539 Main Street. Garrett Homes, LLC is the Applicant and P&D LLC is the Owner (Continued). *The existing house and accessory buildings will be demolished and replaced with a 9,100 square foot single story retail building with 37 parking spaces. The 1.04 acre site contains an existing a two family house and accessory buildings and is located on the west side of Main Street in the Local Business Zone. The applicant is requesting to import fill to level the site to allow for development of the site.*

c. Application #18-32: Request to amend Section 3.3.B. of the Zoning Regulations to increase the Maximum Building Height from 40 feet to 55 feet in the Highway Business Zone District. The Town of Cromwell is the Applicant. *The Town is proposing to amend the Zoning Regulations to allow for increased height of buildings within the Highway Business Zone District.*

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Additional Parking, Adelbrook, Inc.  
Street Address: 60 Hicksville Road, Cromwell, CT  
Volume/Page: 30/31/25 PIN #: \_\_\_\_\_

Applicant Name: Linden Landscape Architects, LLC  
Address: 39 Parkview Drive  
Wethersfield, CT 06109  
Telephone: 860-899-9556 (day) \_\_\_\_\_ (evening)  
Email Address: tom@lindenlandscapearchitects.com

Property Owner Name: Adelbrook, Inc. c/o Mr. David Maibaum, CFO  
Address: 60 Hicksville Road, Cromwell, CT 06416  
860-635-6010 dmaibaum@adelbrook.org

Attached:

- (X) Application fee. \$160
- (X) Twenty-five copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations. 5 full-size, 15 reduced-size

- 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)

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

Thomas J. Linden  
Applicant Name and Signature

5/30/18  
Date

David Maibaum  
Owner: David Maibaum

5/29/18  
Date



# LINDEN LANDSCAPE ARCHITECTS

Site Planning

Athletic Facilities

39 Parkview Drive

Wethersfield, CT 06109

860-249-1801

www.LindenLandscapeArchitects.com



May 30, 2018

Mr. Stuart Popper, Director of Planning & Development  
Town of Cromwell  
41 West Street  
Cromwell, CT 06416

Dear Stuart:

On behalf of Adelbrook, Inc, at 60 Hicksville Road, we are applying for Site Plan Approval as a modification to the existing permit. We have prepared site plans for "New Parking Expansion" to be located adjacent to the existing Administration Building.

The following is a summary of the key elements of this proposed plan:

1. The purpose of this proposal is to help alleviate the parking situation where staff and visitors now park along Missionary Road and on the grass in various locations. A campus-wide parking Master Plan was prepared last year identifying various possible locations for expansion. In the Fall of last year, 17 spaces were added to the parking at the Administration Building.
2. The site is in the ID Institutional Development District. Total site area is 54.27 acres. Construction will affect a gross area of approximately 3,500 s.f.
3. The campus had 160 spaces, plus the 17 added last year for a total of 177 existing. This proposal will add 10 more spaces for a new total of 187.
4. Stormwater will go to the existing catch basin in the drive immediately adjacent to the new spaces. This structure is connected to the original detention system. The project last Fall reduced the amount of stormwater entering this system. The small increase in paved area that this project proposes to add is negligible. See the attached letter from Torres Engineering.
5. One tree per 10 spaces is required. The Fall 2017 project required five. Nine were provided, two of which are adjacent to this work area. We request that no additional trees be required.
6. Existing lighting is sufficient in the area of the proposed parking.

We will attend the June 19th Planning and Zoning meeting, if scheduled for that date, to present the plan and be available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Linden".

Thomas J. Linden, RLA

cc: Adelbrook, Inc.



TORRES ENGINEERING, INC.

May 30, 2018

Tom Linden  
Linden Landscape Architects, LLC  
39 Parkview Drive  
Wethersfield, CT 06109

Re: Impact of additional pavement on detention systems for Adelbrook, Inc., Cromwell,  
CT  
File # 1713

Dear Mr. Linden:

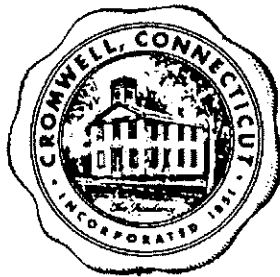
The latest improvements to the parking lot for Adelbrook, Inc., proposes additional parking with a total net new pavement area of 1,340 sf. The new parking addition installed last year, removed 793 sf. of drainage area to the old existing detention system. The final drainage area to the old detention system will be  $1,340 - 793 = 547$  sf. Typical design of detention systems use SCS Hydrographs. These hydrographs generate very conservative runoff values which produce detention systems with a built-in factor of safety.

It is my professional opinion that the small additional runoff from the increased pavement of 547 sf. will easily be handled by the existing detention system and will not require any increase in storage volume.

If you have any questions, please do not hesitate to contact us at your earliest convenience.

Sincerely,

Ozzie Torres, P.E.  
President  
Torres Engineering, Inc.



## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development  
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer BD  
Date: June 5, 2018  
Re: **Plan Review- PZC Application #18-36, 60 Hicksville Road, "The Site"**

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### **BACKGROUND**

The Adelbrook Site is located within 54.27 acres served by the Institutional Development Zone. An existing stormwater detention system implementing catch basins exists onsite.

### **PROPOSAL**

The Applicant proposes to add ten (10) additional parking spaces in the immediate vicinity of the Administration Building and has requested; "...no additional trees be required."

### **COMMENTS**

The requirements of Cromwell Zoning Code, BASIC STANDARDS, 5.1 LANDSCAPING should be applied to this application.

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Holding yard on 150 Sebathe Dr.  
Street Address: 150 Sebathe Dr. Cromwell, CT.  
Volume/Page: \_\_\_\_\_ PIN #: \_\_\_\_\_

Applicant Name: Robert Gallitto  
Address: 62 Westfield St Rear  
Middletown, CT. 06457

Telephone: 860-398-0091 (day) Same (evening)  
Email Address: gallittoexcavation@yahoo.com

Property Owner Name: Alvin Riviza  
Address: 150 Sebathe Dr.  
Cromwell CT

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.

Robert Gallitto  
Applicant Name and Signature

6/8/18  
Date

# memo

## Gallitto Construction

To: Town of Cromwell Planning and Zoning  
From: Robert P Gallitio  
CC:  
Date: 6/8/2018  
Re: **PROJECT: SEBETHE DRIVE HOLDING YARD**

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### **PROPOSED PURPOSE:**

- Main Purpose to store extra topsoil, stone, millings, and other construction type materials
- Use of property to screen topsoil, which is the main purpose of the land and also a large part of the business to supply materials to towns, other contractors, and for our own jobs: We sell wholesale to other contractors and the property not open to public

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### **USE OF EQUIPMENT:**

- Excavator, Screener, Loader, Dozer, Dump Trucks Will Come and Go

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### **EMPLOYEES:**

- 2-3 employees at any given time on property at various times within working hours to prepare and remove materials

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### **TIMES OF OPERATION:**

- M-F from 7 AM to 6:30PM
- Saturday from 8:00AM to 6:00PM
- Sunday: Occasional use only from 10:00AM to 5PM

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### **EROISION CONTROL:**

- Dust control--Spray water to access road as needed
- Street sweeping every day as needed
- Water control to stop erosion on property

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### **MATERIALS:**

- Topsoil estimation 1,000 to 2,000 yards
- Sand estimation 100-200 yards
- Stone estimation 300 to 400 yards
- Millings estimation 200-300 yards

# memo

- Fill estimation 300 to 500 yards
- Wood Chip estimation 200-400 yards

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## **IMPORT AND EXPORT:**

- Import approximately 200-300 yards a week
- Export approximately 200-300 yards leaving
- ***\*Based on demand of materials***

Thank you for your time in this matter and look forward to working with you

Robert Gallitto

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: PROPOSED RETAIL  
Street Address: 539 MAIN STREET CROMWELL, CT 06416  
Volume/Page: 1317/44 PIN #: \_\_\_\_\_

Applicant Name: GARRETT HOMES, LLC  
Address: 6 WILLIAM WAY HARWINTON, CT 06791

Telephone: (860)-307-5479 (day) \_\_\_\_\_ (evening) \_\_\_\_\_  
Email Address: eucalittogary@gmail.com

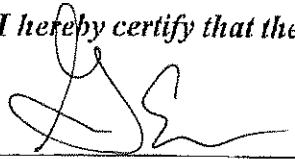
Property Owner Name: P & D LLC  
Address: 295 TWO ROAD HIGHWAY WETHERSFIELD, CT 06109

Attached:

- (X) Application fee.
- (X) 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.

  
GARY EUCALITTO  
Applicant Name and Signature

4-12-16  
Date

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday June 19, 2018 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. Application #18-33: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to permit private garage facilities greater than 1000 square feet at 14 North Ridge Drive. Dennis J. King is the Applicant and the Owner.

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

Alice Kelly  
Chairman

Dated in Cromwell, Connecticut this the 4<sup>th</sup> day of June 2018.



# 18-33

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

Type of Activity: Addition to the East side of existing accessory building  
(Per Section 2.7.A of the Cromwell Zoning Regulations)

Street Address: 14 North Ridge Drive

Zoning District: R-40

Assessor's Parcel ID #: 00607000

Volume/Page: 1390-044

Applicant's Name: Dennis J King

Address: 14 North Ridge Drive

Telephone Number (daytime): 860.559.7534

Email Address: Dennisjking@rocketmail.com

Property Owner's Name: Dennis J King

Address: 14 North Ridge Drive

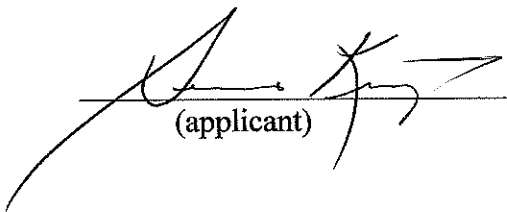
Description of Proposed Activity: (See attachments)

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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)

5-30-2018  
\_\_\_\_\_  
(date)

#18-33

Dennis J King  
14 North Ridge Drive  
Cromwell Ct. 06416  
860-559-7534

5/30/18

**Description of Purposed Activity:**

I am requesting zoning approval to add up to 208 square feet to an existing accessory structure (shed) on my property. Recently, I have had email and phone conversations with Mr. Bruce Driska and it is my understanding that I may be granted a special permit under section 2.7.A 3. to increase the total size of accessory structures up to 1600 square feet. The current calculations indicate that I have 1392 square feet of accessory buildings that were previously permitted. (Attached are Mr. Driska's calculations.)

My family and I garden as a hobby and this additional space is intended for the storage of garden tractors and their implements. It will not be in anyway used for rental storage or commercial use.

Attached to this application is the as built site plan which illustrates the existing structure with the proposed addition. This building with the total purposed square footage looks proportional to my 1.44 acre property and appears to be well positioned on the lot.

#18-33

14 NORTH RIDGE  
CALCULATIONS OF COMBINED ACCESSORY S

<u>STRUCTURE</u>	<u>AREA SQ FT</u>
Garage	864
Shed	528
<b>TOTAL EXISTING:</b>	<b>1392</b>
Proposed Shed Add-On	208
<b>TOTAL PROPOSED:</b>	<b>1600</b>

**From:** Driska, Bruce <bdriska@cromwellct.com>  
**Sent:** Monday, May 21, 2018 2:56 PM  
**To:** dennisjking@rocketmail.com  
**Subject:** REG

## ACCESSORY STRUCTURES

### 2.7.A Accessory Buildings in Residential Use Districts.

1. No accessory building in a residential district shall be located in any front yard (except for accessory buildings which may be permitted in the front yard at a municipal facility). No accessory building shall be located in any side yard nearer to the side lot line than the minimum width required for a side yard for the principal building, or in a rear yard unless at least five (5) feet from any lot line. No accessory building, except a building used in connection with a farm, shall exceed 18 feet in height.
1. On corner lots in addition to the above requirements, no accessory building in a rear yard shall be nearer a street line than the least depth of any front yard required along such street.
2. A building attached to the principal building by a covered passageway, or by having a wall or a part of a wall in common with it, shall be considered an integral part of the principal structure and not an accessory building.
3. The total combined private garage facilities in connection with a single-family dwelling may not exceed 1,000 square feet in area except as follows. By Special Permit, total combined garage facilities on a conforming lot may exceed 1,000 square feet but shall not exceed 1,600 square feet. An application for a Special Permit shall include a site plan showing existing and proposed screening (buildings, trees, and shrubbery) which in the Commission's judgment will adequately screen the proposed garage facilities.

Regards,

Bruce

Bruce E. Driska, CZEO  
Zoning & Wetlands Enforcement Officer

**Town of Cromwell**  
Nathaniel White Building  
41 West Street  
Cromwell, CT 06416

Office 860.632.3422  
Direct Dial 860.632.3431  
Cell 860.622.9265

18-20

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

Type of Activity: SITE EXCAVATION (FILL)  
(Per Section 6.1.D EXCAVATION of the Cromwell Zoning Regulations)  
Street Address: 539 MAIN STREET Zoning District: LOCAL BUSINESS (LB)  
Assessor's Parcel ID #: 00180600 Volume/Page: 1317/44


Applicant's Name: GARRETT HOMES, LLC  
Address: 6 WILLIAM WAY HARWINTON, CT 06791  
Telephone Number (daytime): (860)-307-5479  
Email Address: eucalittogary@gmail.com

Property Owner's Name: P & D LLC  
Address: 295 TWO ROAD HIGHWAY WETHERSFIELD, CT 06109

Description of Proposed Activity:

The improvements, covered under this special permit application, shall consist of importing ~1,350 CY of fill required to raise the FFE of a proposed 9,100 SF retail building. The FFE of this building is anticipated to match the elevation of the existing roadway. The total earthwork required for this development is approximately 650 CY (Cut) and 2,000 CY (Fill), resulting in a net total of 1,350 CY of imported fill.

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).*

  
GARY EUCALITTO  
(applicant)

1-12-18  
(date)

18-32



**Town of Cromwell  
Planning and Zoning Commission**

**APPLICATION TO AMEND THE ZONING REGULATIONS**

Name: Town of Cromwell  
Address: 41 West Street  
Cromwell, CT 06416  
Telephone: 860-632-3422 Email: spopper@cromwellct.com

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

1. Current Article Number: Section 3.3.B
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: \_\_\_\_\_
2. Zoning District(s) to be Affected by New Regulation: \_\_\_\_\_
3. New Regulation wording (attach if necessary):  
Increase the Maximum Building Height from 40 feet to 55 feet  
in the Highway Business Zone District

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

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

Thomas B. Popper \_\_\_\_\_ 5/8/18  
(applicant) (date)

3. Requires Site Plan Approval [Section 8.6]

USE	ADDITIONAL CRITERIA (SEE SECTION)
<ul style="list-style-type: none"> <li>Outdoor storage of material</li> </ul>	
<ul style="list-style-type: none"> <li>Parking areas for Principal Uses (less than 20 parking spaces)</li> </ul>	5.2

4. Requires Special Permit Approval [Section 8.7]

USE	ADDITIONAL CRITERIA (SEE SECTION)
<ul style="list-style-type: none"> <li>Parking areas for Principal Uses (20 or more parking spaces)</li> </ul>	5.2

### 3.3 HIGHWAY BUSINESS (HB)

#### 3.3.A Purpose.

The Highway Business District encourages high quality business development along key transportation routes in Cromwell.

#### 3.3.B Bulk Requirements.

Zone	Minimum		Minimum Yards				Maximum	
	Lot Area	Frontage	Front	Side	Aggregate Side	Rear	Building Coverage	Building Height
HB	60,000 square feet	200 feet	25 feet	25 feet	50 feet	25 feet	65 percent	40 feet

#### 3.3.C Principal Uses.

1. No Permit is Required

USE
<ul style="list-style-type: none"> <li>Farms</li> </ul>
<ul style="list-style-type: none"> <li>Public open space</li> </ul>
<ul style="list-style-type: none"> <li>Public utilities, pursuant to the Connecticut Siting Council.</li> </ul>

RECEIVED FOR RECORD  
APR 12 2018 03:55P  
JOAN AHLQUIST  
TOWN CLERK  
CROMWELL, CT

1e

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY APRIL 3, 2018  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Vice Chair Michael Cannata, Chris Cambareri, Jeremy Floryan, Paul Córdone, Brian Dufresne, David Fitzgerald (alternate)

**Absent:** Chairman Alice Kelly, Ken Rozich, Nicholas Demetriades, John Keithan (alternate)

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

**1. Call To Order**

The meeting was called to order by Vice Chair Cannata at 7:01 p.m.

**2. Roll Call**

The presence of the above members was noted.

**3. Seating of Alternates**

Jeremy Floryan made a motion to seat David Fitzgerald; Seconded by Paul Cordone. *All in favor; motion passed.*

**4. Approval of Agenda**

Vice Chair Michael Cannata asked if there any amendments to the Agenda. Mr. Popper asked that the Commission to amend the agenda to add the acceptance and scheduling of two new applications:

Application # 18-10 Application: Request for a Site Plan Modication to add a clothing bin at 529 Main Street. AMG Retail LLC is the Applicant and the Owner. and

Application #18-13: Request for a Special Permit under Section 6.1 of the Zoning Regulations for the proposed substantial filling (18,000 cubic yards over a 5+ year period) at 76 Field Road, 59R Nooks Hill Road and 10 South Ridge Road. Carrier Group, Inc. is the Applicant and the Owner.

Jeremy Floryan made a motion to amend the agenda; Seconded by Paul Cordone. *All in favor; motion passed.*

**5. Public Comments**

There were no public comments at this time.



**6. Development Compliance Officer**

Mr. Driska referenced his report included in the Commission's packet and asked if there were any questions. The Commission did not have any questions.

**7. Town Planner Report**

Mr. Popper stated the Regular meeting of April 17, 2018 is cancelled. A Special Meeting is scheduled for April 24, 2018 at 7 PM in Room 224 of Town Hall.

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

A motion made to accept and schedule Application # 18-10 Application: Request for a Site Plan Modification to add a clothing bin at 529 Main Street. AMG Retail LLC is the Applicant and the Owner to be considered at the May 1, 2018 meeting.

Jeremy Floryan made a motion to accept the application and schedule it as a business item for the May 1, 2018 meeting; Seconded by Brian Dufresne.  
*All in favor; motion passed.*

A motion made to accept and schedule Application #18-13: Request for a Special Permit under Section 6.1 of the Zoning Regulations for the proposed substantial filling (18,000 cubic yards over a 5+ year period) at 76 Field Road, 59R Nooks Hill Road and 10 South Ridge Road. Carrier Group, Inc. is the Applicant and the Owner to be heard at the April 24, 2018 public hearing.

The motion was made by Paul Cordone; Seconded by Chris Cambareri.  
*All in favor; motion passed.*

**9. Public Hearing:**

Stuart Popper read the legal notice.

- a. Application #18-03: Request for a Special Permit under Section 2.10.3 and 2.10.4 of the Zoning Regulations to allow for the parking of storage trailers in R-15 Zone District at 20 Pleasant Street. Matthew Zeiner is the Applicant and the Owner.

Jermy Floryan made a motion to open the public hearing; Seconded by Brian Dufresne. *All in favor; motion passed.*

Matt Zeiner of 20 Pleasant Street presented the application. He displayed an aerial image of his property commenting that the Pleasant Street lot had 500-ft. depth to River Road. Mr. Zeiner requested approval to keep three commercial trailers at his property in addition to one boat/trailer and one utility trailer. Mr. Zeiner stated two motor vehicles currently stored in plain view in the rear of his property will be removed in the immediate future. He stated he would plant 6-ft. to 8-ft. Arborvitae bushes as screening for neighbors as well as the River Road street view.

Barbara Spada, 15 Pleasant Street questioned traffic patterns and times of travel for the commercial trailers.

Mr. Popper read written comments in opposition received from Diane McBride on behalf of her mother, Marilyn Lord owner of 69 River Road and 14 Wall Street.

03/28/2018

Town of Cromwell Planning and Zoning

To whom this may concern,

I am writing this on behalf of Marilyn Lord, owner of 69 River Road and 14 Wall Street. This is regarding the application # 18-03 from applicant Matt Zeiner. My mother would prefer the 3 trailers not to be parked on the property. If they are allowed to be parked on the property, we would like the 3 trailers to be parked between the house and the garage.

Thank you, Marilyn Lord and Diane McBride, daughter

The Commission members and staff discussed the proposed application. Mr. Driska read Section 2.10.1 of the Zoning Regulations into the record noting that per the regulations by special permit the applicant could only have one additional commercial vehicle (i.e. one additional trailer in this case) not the three the applicant was requesting.

Paul Cordone made a motion to close the public hearing; Seconded by Brian Dufresne. *All in favor; motion passed.*

The Commission members discussed the application and the implications of the storage of these commercial trailers in a residential neighborhood.

Brian Dufresne made a motion to deny Application #18-03: Request for a Special Permit under Section 2.10.3 and 2.10.4 of the Zoning Regulations to allow for the parking of storage trailers in R-15 Zone District at 20 Pleasant Street. Matthew Zeiner is the Applicant and the Owner. Seconded by Jeremy Floryan. *All in favor; motion passed.*

- b. Application #18-05: Request for a Special Permit under Section 8.7 of the Zoning Regulations for the proposed Planned Residence Development at 76 Field Road. Carrier Group, Inc. is the Applicant and the Owner. Application #18-06: Request for Site Plan Approval for the Planned Residence Development Zone District at 76 Field Road. Carrier Group, Inc. is the Applicant and the Owner.

Paul Cordone made a motion to open the public hearing; Seconded by Brian Dufresne.  
*All in favor; motion passed.*

Attorney Joan Molloy with the law firm of Loughlin & Fitzgerald discussed the previously submitted and approved PRD Zone Change application and concept plan. Attorney Molloy presented an overview of the proposed Special Permit Application and the Site Plan Application and how they complied with Section 8.7 of the Zoning Regulations.

Mr. Tom Daley, P.E. with the firm Milone & McBroom provided specifics associated with the development of the site, utilities and over all layout of the plan.

Mr. Scott Driscoll, Licensed Environmental Professional discussed the history of the use of pesticides at the site. He then discussed the plan to remediate the site and relocate the polluted soils on site.

Nathan Peck, P.E. & Traffic Engineer discussed the traffic study prepared in conjunction with the application and reviewed the traffic intersections around the site.

The Commission members and Mr. Peck discussed the traffic study and the various intersections noted in the study. Mr. Cannatta raised concerns about residents heading south to Middletown using Nooks Hill Road and asked the Engineers to take a second look at that area and the implications to traffic.

Mr. John Carrier of the Carrier Group discussed the history of the family owned business and showed a PowerPoint presentation about the business. He also showed a brief video about of one of the Carrier Group's more recent developments.

The Commission members and the applicant's representatives and the applicants discussed the Special Permit and Site Plan applications in general.

Vice Chair Michael Cannata opened the public hearing to the members of the public.

Mr. Michael Millane of 34 Field Road Cromwell addressed the Commission. He had concerns regarding the future traffic in the neighborhood. Mr. Millane also discussed in depth the history of pesticide use at the site.

Mr. Michael Camilleri of 14 Centerwood Drive Cromwell addressed the Commission. He complimented the developer's efforts to work with the neighborhood. Mr. Camilleri had positive comments on the site plan and buffer. He also had concerns about the traffic and asked the town to look at ways to mitigate its impact.

Mr. Bob Fuller of 7 Wexford Lane Cromwell addressed the Commission. He also had concerns regarding the traffic to be generated by the development and its impact on the already busy streets in the neighborhood.

Ms. Julie Schmidt of 54 Field Road Cromwell addressed the Commission. She was very concerned about the existing traffic in the neighborhood and was very concerned about the impact of the additional traffic will have upon the safety of the current and future residents of the neighborhood.

Mr. Nick DiBattista of 71 Field Road Cromwell addressed the Commission. He also had concerns about the safety of all the people walking on Field Road. Mr. DiBattista discussed previous traffic accidents in the neighborhood and noted the need to do something to control the additional traffic that will be associated with the new development.

Vice Chair Michael Cannata asked for any other members that wished to address the Commission. There being none he asked for a motion to continue the public hearing.

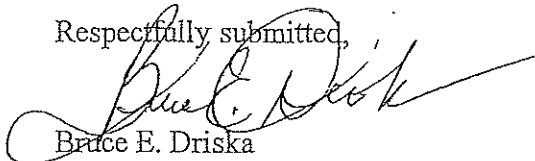
Paul Cordone made a motion to continue the public hearing to April 24, 2018; Seconded by Brian Dufresne. *All in favor; motion passed*

11. **Commissioner's Comments:** There were no comments.

12. **Adjourn:**

A motion to adjourn was made by Paul Cordone; Seconded by Brian Dufresne.  
Meeting adjourned at 9:24 p.m.


Respectfully submitted,



Bruce E. Driska  
Zoning & Wetlands Enforcement Officer  
Acting Recording Clerk

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING**

**7:00 PM TUESDAY JUNE 5, 2018  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

RECEIVED FOR REC  
Jun 08, 2018 01:03  
JOAN AHLQUIST  
TOWN CLERK  
CROMWELL, CT 

**Present:** Vice Chairman Michael Cannata, Chris Cambareri, Jeremy Floryan, Ken Slade, David Fitzgerald (alternate)

**Absent:** Chairman Alice Kelly, Ken Rozich, Brian Dufresne, Nicholas Demetriades, Paul Cordone, John Keithan (alternate)

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

**1. Call To Order**

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

**2. Roll Call**

The presence of the above members was noted.

**3. Seating of Alternates**

Ken Slade made a motion to seat David Fitzgerald; Seconded by Jeremy Floryan. *All in favor; motion passed.*

**4. Approval of Agenda**

Mr. Popper added three items to New Business Accept and Schedule New Applications:

#18-33, Dennis J. King, Special Permit Application for 14 North Ridge Drive to add an accessory building over 1000 feet, to be heard June 19, 2018;

#18-35, Curaleaf CT Retail, LLC, amendment to Section 3.3 of the Zoning Regulations to add a marijuana dispensary, to be heard on July 17, 2018; and

#18-36, Linden Landscaping, site plan modification for 60 Hicksville Road, to add parking at Adelbrook.

Chris Cambareri made a motion to accept the amended agenda; 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. Driska referenced his report that was included with the agenda packet. He said that 1 Wall Street had been issued a liquor permit and would be re-opening as Donnolly's.

**7. Town Planner Report:**

Mr. Popper stated that ShopRite was under construction. The property owner had signed a lease with Marshalls and was continuing to look for a tenant for the former K Mart garden area. 120 County Line Drive was almost done with the application process for their OSTA permit. The Nike Site application would be in front of Inland Wetlands on June 6, 2018, for grading work to be done within the Upland Review Area. Mr. Popper expected the Nike Site application to be in front of Planning and Zoning in July.

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

- a. #18-33, Dennis J. King, Special Permit Application for 14 North Ridge Drive to add an accessory building over 1000 feet, to be heard June 19, 2018;

Ken Slade made a motion to accept the application and schedule it to be heard on June 19, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- b. #18-35, Curaleaf CT Retail, LLC, amendment to Section 3.3 of the Zoning Regulations to add a marijuana dispensary, to be heard on July 17, 2018;

Jeremy Floryan made a motion to accept the application and schedule it to be heard on July 17, 2018; Seconded by Ken Slade. *All in favor; motion passed.*

- c. #18-36, Linden Landscaping, site plan modification for 60 Hicksville Road, to add parking at Adelbrook.

Chris Cambareri made a motion to accept the application and schedule it to be heard on July 17, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

**9. Old Business**

- a. Application #18-21: Request for Site Plan Approval to construct a new retail building at 539 Main Street. Garrett Homes, LLC is the Applicant and P&D LLC is the Owner.

This application was heard in conjunction with Application #18-20.

**10. Public Hearing:**

- a. Application #18-20: Request for a Special Permit under Section 6.1D of the Zoning Regulations to permit the importing of fill at 539 Main Street. Garrett Homes, LLC is the Applicant and P&D LLC is the Owner (continued).

Vice Chairman Cannata read the legal notice for all of the public hearings scheduled to be heard at the meeting.

Jeremy Floryan made a motion to re-open the public hearing; Seconded by Ken Slade. *All in favor; motion passed.*

Matthew Bruton, Engineer with BL Companies, presented the application. He began by reviewing the 1 acre site at 539 Main Street, saying it currently has a single family home and several outbuildings located on it. The applicant was proposing a 9,100 square foot retail building with 37 parking places. He reviewed the abutters and zones surrounding the site. He said that there were no wetlands on site, all setbacks and parking requirements were met, and all utilities were available. He was proposing an access drive onto Main Street and said that an encroachment permit from the state would be required, but local approval was needed first.

Mr. Bruton reviewed the grading and drainage plan next, saying the site was shaped like a bowl. He proposed both a detention basin and subsurface infiltration system to reduce peak runoff and reduce total suspended solids. There would be no outlet to the road drainage, but all water would be retained on site. He also reviewed the erosion and sedimentation plan. He said that he had submitted a stormwater management report to staff for review.

Mr. Bruton next reviewed the landscaping plan and highlighted the vegetative buffer between the site and the adjoining residential uses. He presented the proposed elevations, saying the building had been re-designed with a New England feel, with a gable roof, gooseneck lighting, brick wainscoting, hardy plank siding, glass entry doors, and windows. The HVAC units would be elevated to keep them above the 100 year flood line.

The applicant was asking for a Special Permit for 1,350 cubic yards of fill to bring the finished elevation to 139.5. Mr. Bruton said this would take about 10 days of trucking in the materials, during normal business hours.

Chris Cambareri asked why there were no windows on the north side of the building and Mr. Bruton said that side would be screened by landscaping. There was some discussion regarding the size and spacing of the windows and Mr. Bruton said he thought they were about 10 feet apart and 5 feet tall by 4 feet wide. Chris Cambareri said he wanted to make sure that they are proportionate to the building. Mr. Bruton said they would be glazed to look real, but would not be functioning windows.

The hearing was opened up to Commission comments. Jeremy Floryan asked about the landscaping tree height and spacing and was told they were Eastern Red Cedar, 6 feet at

planting, spaced 8 feet apart. David Fitzgerald asked about the height of the building and was told it was 27 feet. Mr. Bruton said the plantings would grow and screen more of the building each year. Vice Chairman Cannata asked about the retaining wall and was told it varied in height from 2 to 5 feet and went along the parking lot, facing the Eversource property. Vice Chairman Cannata said that the elevated HVAC would be noisy and visible to the neighbors. Mr. Bruton said that it was an issue of not impacting wall space / retail space within the store. Vice Chairman Cannata asked that he look into using a split system and lowering it to address the noise and aesthetics, and that he was ok with it being one to two feet of the ground, so it would be better screened and quieter. Mr. Bruton agreed to make the change.

Vice Chairman Cannata asked about the surrounding elevation and there was a brief discussion regarding the general topography of the site. Mr. Bruton said he couldn't have the site lower than the surrounding properties because it would cause issues with the additional stormwater. Town Engineer Jon Harriman said he was ok with the plan as presented. Mr. Bruton said that he cannot connect to the Department of Transportation's drainage since the site is not currently connected.

The application was opened to public comment. Richard Waters, 84 South Street, said he had seen HVAC systems built into indentations, and platforms and shielded. He asked about the dust control measures proposed and street sweeping during the fill operation.

Michael Weidler, 512 Main Street, said he was concerned about traffic on Main Street, between Evergreen Road and Court Street. He asked if a traffic light at Evergreen Road could be installed.

Vice Chairman Cannata said that Main Street is a state road and that the Commission has no jurisdiction. He said that those concerns have to go to the state or to the Police Chief, as the town traffic authority, to be brought to the state.

Mr. Driska read Note #25 from Page EC2 of the plans regarding sweeping and other dust control measures, such as watering and anti-tracking devices, and said they were specific enough for him to enforce in his capacity as Zoning Enforcement Officer.

Vice Chairman Cannata said that he wanted details on the windows, HVAC unit, and specifics on the dimensions and spacing. He wanted the applicant to work towards making the building more attractive.

Mr. Bruton asked if the public hearing for #18-20 could be closed and Mr. Popper said that he would prefer it stay open in case there were any changes to the site plan application that could impact it, such as the proposed grading. Vice Chairman Cannata asked the applicant to consider the comments about fencing made by the Town Engineer in his memo. Chris Cambareri asked that no trucks operate when the school buses are operating as Main Street is a busy school route.



Chris Cambareri made a motion to continue the public hearing for Application #18-20 and to table Application #18-21, both to June 19, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- b. Application #18-27: Request for a Special Permit under Section 3.3.4 of the Zoning Regulations to permit a restaurant with the accessory sale of alcoholic beverages at 35 Berlin Road. Kemal Cecunjanin is the Applicant and River Grace Plaza LLC is the Owner.

Steven Inghilterra, the applicant's realtor and representative, said that they were seeking a restaurant liquor permit for a 79 seat restaurant. Mr. Popper said that staff had reviewed the floor plan and proposed signage. He had requested a revised parking plan prior to it being re-striped, so he could confirm that it complied with the parking requirements. He also wanted the applicant to construct an enclosed dumpster area. Mr. Popper said that the Special Permit was to allow alcohol sales.

Chris Cambareri asked why the dumpster couldn't be located to the rear behind the cleaners. Mr. Inghilterra said that they did not own that land and only had an easement to use it for parking.

Mr. Popper said that he would be happy to work with the applicant on the dumpster location. The applicant said he would place the dumpster in the easement area if it was allowed. There were no public comments.

Jeremy Floryan made a motion to close the public hearing; Seconded by Ken Slade. *All were in favor; motion passed.*

Jeremy Floryan made a motion to approve Application #18-27: Request for a Special Permit under Section 3.3.4 of the Zoning Regulations to permit a restaurant with the accessory sale of alcoholic beverages at 35 Berlin Road, with the following two conditions: that the applicant work with staff regarding the location and construction of the dumpster enclosure and submit the striping plans so staff can verify the parking locations; Seconded by Chris Cambareri. *All in favor; motion passed.*

- c. Application #18-29: Request for a Special Permit under Section 4.2.R of the Zoning Regulations to permit transfer of materials and grading at 204 Main Street (area north of Frisbee Park). The Town of Cromwell is the Applicant and the Owner.

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

Jon Harriman, Town Engineer, presented the application. He said that the required mailings and the posting of the sign had been completed. He began by reviewing the history of the parcel north of Frisbee Park and along River Road. He said that the property had been an air strip, then a grass field, and then a vegetated wetlands with the triangular piece filled and topsoil stripped. He said that it appears that the intent was to

fill the parcel, and then replace the topsoil that had been piled at River Road, but that was not done.

Mr. Harriman said that the town needs additional parking by the river for town events, such as the farmer's market. The parcel is currently very uneven. The plan is to bulldoze the site into a flat field and to screen and then relocate a portion of the topsoil from River Road. A Special Permit is required because they are in the flood plain. Mr. Harriman said that this higher area could have some flood control properties, but the entire area around it floods and it is breached by the discharge flow from the Mattabasset. The plan is to take topsoil from an area with less trees.

Chris Cambareri said it was good to see the town utilizing its resources.

Mr. Harriman said that taking topsoil from a lower elevation to a higher elevation creates additional flood compensation in the low area.

The application was opened to the public.

Richard Waters, 84 South Street, said he was in favor of the application. He wanted to see test bores done. He said that the parcel provides some protection from flooding for the surrounding property owners. He said that he did not agree with the Town Manager's plan for to construct a roadway to River Road. Vice Chairman Cannata told Richard Waters that the application only concerned the moving of the dirt and nothing else. Richard Waters said he agreed with moving some dirt, but not all of it from one area.

Michael Weidler, 512 Main Street, said that the river area is an underutilized asset and he approved of plans to improve it. He said that he wanted to see some of the construction debris removed along the highway ramp.

Mr. Harriman said that some UConn students had conducted testing and sampling about a year and half prior and found no impairment. He said that he had no plans for building a road per Richard Water's concerns. He said that the town was looking at addressing the removal of the debris.

Chris Cambareri made a motion to approve Application#18-29: Request for a Special Permit under Section 4.2.R of the Zoning Regulations to permit transfer of materials and grading at 204 Main Street (area north of Frisbee Park; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- d. Application #18-32: Request to amend Section 3.3.B of the Zoning Regulations to increase the Maximum Building Height from 40 feet to 55 feet in the Highway Business Zone District. The Town of Cromwell is the Applicant.

Mr. Popper presented this application. He said that the Highway Business Zone runs along 372 to the Wal-Mart, from Route 9 and 91. He said that 40 feet limits buildings to three stories, and that most hotel and office building developers want at least four stories.

He said that the Fire Department did not have any concerns and that the building and fire codes would address issues raised by the increased heights. He had solicited a response from the Capital Region Council of Governments and the Lower River Valley Council of Governments but had not received their final response. He wanted to have that to read into the record. He asked that the hearing be continued.

Ken Slade made a motion to continue the public hearing; Seconded by Jeremy Floryan.  
*All in favor; motion passed.*

**11. Approval of Minutes:**

- a. April 3, 2018: No action taken
- b. May 1, 2018: A motion to approve as presented was made by Jeremy Floryan; Seconded by Ken Slade. *All were in favor; motion passed.*
- c. May 15, 2018: A motion to approve as presented was made by Jeremy Floryan; Seconded by Ken Slade. *All were in favor; motion passed.*

**13. Commissioner's Comments: NONE**

**14. Adjourn:** A motion to adjourn was made by Jeremy Floryan. Meeting adjourned at 8:39 p.m.

Respectfully submitted,



Julie C. Petrella  
Recording Clerk