

## Town of Cromwell Planning and Zoning Commission

***SPECIAL MEETING***  
***7:00 P.M. TUESDAY JUNE 23, 2020***  
***ROOM 224 CROMWELL TOWN HALL 41 WEST STREET***  
**AGENDA**

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Development Compliance Officer Report:**
7. **Town Planner Report:**
8. **New Business: Accept and Schedule New Application:**
9. **New Business:**
  - a. Application #20-28: Request for a Site Plan Approval to construct three buildings at 70 Commerce Drive. 70 Commerce Drive LLC is the Applicant and Henry Vassel is the Owner.
  - b. Application #20-29: Request for a Site Plan Modification to expand the front deck at Luna Café at 35 Berlin Road. Kemal Cecuistranis is the Applicant and River Grace Plaza LLC is the Owner.
10. **Public Hearings:**
  - a. Application #20-10: Request to Amend the Zoning Map to Change the Zoning District Classification from Residential -15 (R-15) to Commercial Billboard District (CBD) at 6 Piney Ridge Road. DFC of Cromwell LLC is the Applicant and the Owner.
  - b. Application #20-20: Request to Amend the Zoning Map to Change the Zoning District Classification from Local Business (LB) to Commercial Billboard District (CBD) at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
  - a. January 21, 2020
  - b. March 17, 2020
  - c. May 5, 2020
  - d. June 2, 2020
13. **Adjourn:**

	P&Z 2020 Permit Report					
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	
20-01	Scannell Properties	120 County Line Drive	Site Plan Modification	Approved 1/7/2020	Construction in progress	
20-02	Greater Hartford Community Foundation	One Golf Club Road	PGA Golf Tournament	Scheduled 3/4/2020	Pre-Construction meeting pending	
20-03	John Hagel	43 Shadow Lane	Create a rear lot	Scheduled 3/17/2020	Pre-Construction meeting pending	
20-04	John Hagel	43 Shadow	Resubdivide into 3 lots	Scheduled 3/17/2020	Pre-Constructyion meeting pending	
20-05	Curtis Weybright	34 Shunpike Road	Middlesex Habitat for Humanity	Approved by staff 1/28/2020	Complete	
20-06	Joseph Moon	35A Berlin Road	Add patio liquor permit	Approved 2/4/2020	Complete	
20-07	Town of Cromwell	161 Coles Road	Special Permit to allow filling	PH on 4/7/2020	Approved, work in process	
20-08	Crown Battery - Site Plan Approval	50 Sebethe Drive	New signage	Approved 2/4/2020	Complete	
20-09	Crown Battery - Use Permit	50 Sebethe Drive	Distribution Center for Northeast Batteries	Approved by staff 1/31/2020	Business Open	

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
20-10	DFC of Cromwell, LLC	6 Piney Ridge Road	Erect commercial billboards facing Rt. 9	Scheduled for 4/21/2020	Awaiting PH
20-11	Kim Serignese	2 Willowbrook Plaza	Zerio's enlarged restaurant	Approved by staff 2/20/2020	Renovations underway
20-12	Justin Philauong	199 Shunpike Road	Cut Republic Barbershop & Shave Co. (Use Permit)	Approved by staff 2/24/2020	Business open
20-13	Baltazas Contractors	53 Willowbrook	Staging area for materials and equipment (Use Permit)	Approved 2/24/2020	In process
20-14	Baltazas Contractors	181-183 Coles Road	Staging area for materials and equipment (Use Permit)	Approved 2/24/2020	In process
20-15	BSC Services	50 Berlin Road	Gaylord Healthcare (Use Permit)	Approved by staff 2/26/2020	Business open
20-16	Samantha DiFilippo	28-1 Shunpike Road	Chi Lash Academy	PH on 4/7/2020	Awaiting opening
20-17	Arnco Sign	76 Berlin Road	Signs for Springhill Suites	Approved 3/4/2020	Awaiting Installation
20-18	Benjamin Salerni	199 Shunpike Road	Karate classes for kids & adults	Approved 3/6/2020	Awaiting opening



# Memo

**To: Planning and Zoning Commission**  
**From: Stuart B. Popper, AICP**  
**Director of Planning and Development**  
**Date: June 16, 2020**  
**Re: Comments for the June 23, 2020 Special Meeting Agenda**

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**9. New Business:**

a. Application #20-28: Request for a Site Plan Approval to construct three buildings at 70 Commerce Drive. 70 Commerce Drive LLC is the Applicant and Henry Vassel is the Owner.

*The 8.25 acres site is located in the Industrial Zone at the west of the end of the cul-de-sac on Commerce Drive. The applicant is proposing to construct two 1story 31,500 square foot industrial buildings and one story 4,200 square foot office building and an associated 86-space parking lot on the property.*

b. Application #20-29: Request for a Site Plan Modification to expand the front deck at Luna Café at 35 Berlin Road. Kemal Cecuistranis is the Applicant and River Grace Plaza LLC is the Owner.

*The restaurant is located in the River Grace Plaza and the applicant is proposing to expand the sidewalk area in front of the restaurant to provide an additional area for outside dining with 6 tables with 4 seats each. The existing sidewalk is 5 feet 3 inches wide and the new sidewalk area will be 8 feet 11 inches wide. The area to be widened will is 47 feet long.*

**10. Public Hearings:**

a. Application #20-10: Request to Amend the Zoning Map to Change the Zoning District Classification from Residential -15 (R-15) to Commercial Billboard District (CBD) at 6 Piney Ridge Road. DFC of Cromwell LLC is the Applicant and the Owner.

*The 8.57acre site is located on the south side of South Street in the Residential Zone District. The site contains three existing homes: one single family home and two multifamily homes. The applicant is proposing to Change the Zoning District Classification from Residential -15 (R-15) to Commercial Billboard District (CBD).*

b. Application #20-20: Request to Amend the Zoning Map to Change the Zoning District Classification from Local Business (LB) to Commercial Billboard District (CBD) at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.

*The site of the proposed Zone Change includes 241 Main Street (1.93 acres vacant land) and 251 Main Street (2.23 acres site of former Citgo Station). The properties are located on the west side of Main Street in the Local Business Zone District. The applicant is proposing to Change the Zoning District Classification from Local Business (LB) to Commercial Billboard District (CBD).*

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Site Plan Application for 70 Commerce Drive, LLC  
Street Address: 70 Commerce Drive, Cromwell  
Volume/Page: 1271/237 PIN #: 00192900

Applicant Name: 70 Commerce Drive, LLC  
Address: 510 Christian Lane, Berlin, CT 06037

Telephone: (860) 829-8820 (day) \_\_\_\_\_ (evening) \_\_\_\_\_

Email Address: jack@jlncontracting.com

Property Owner Name: Henry Vasel  
Address: 54 Fuller Way, Berlin, CT 06037

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 if yes, have you obtained it?*  Yes  No *Application pending with IWW*
- 3. *Will this project require a DEP Stormwater Management Permit if yes, have you applied for it?*  Yes  No *Application to be submitted following approval*
- 4. *Will this Project Require an STC Permit if yes, have you submitted a copy of the plans to the STC?*  Yes  No *May require modification to existing STC permit*
- 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.**

  
\_\_\_\_\_  
Applicant Name and Signature

05/29/20  
\_\_\_\_\_  
Date

**Project Narrative:**

The applicant/developer, 70 Commerce Drive, LLC, is proposing to construct two 1-story 31,500 square foot buildings, one 1-story 4,200 square foot building, and an associated 86-space parking lot on the property at 70 Commerce Drive in Cromwell (parcel 00192900). The property is in the Industrial Zone and the proposed uses are office/industrial. The parcel is currently owned by Henry Vasel.

Access to the parcel will be via the parcel known as 50 Commerce Drive, which the applicant intends to purchase from the Town of Cromwell. At their May 13, 2020 meeting, the Cromwell Town Council authorized the Town Manager to negotiate the sale under parameters set in Executive Session.

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: CAFE LUNA  
Street Address: 35 BERLIN ROAD CROMWELL CT 06416  
Volume/Page: \_\_\_\_\_ PIN #: \_\_\_\_\_

Applicant Name: KEMAL CECUNTAHIN  
Address: 35 BERLIN RD CROMWELL CT 06416

Telephone: (518) 637-7154 (day) \_\_\_\_\_ (evening)

Email Address: ~~LORENZOK~~ LORENZOK64@GMAIL.COM  
River Grace Plaza LLC.

Property Owner Name: Sylvia G. Miceli Manager/  
Address: 35A Berlin Road. Member  
Cromwell, CT 06416.

Attached:

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

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

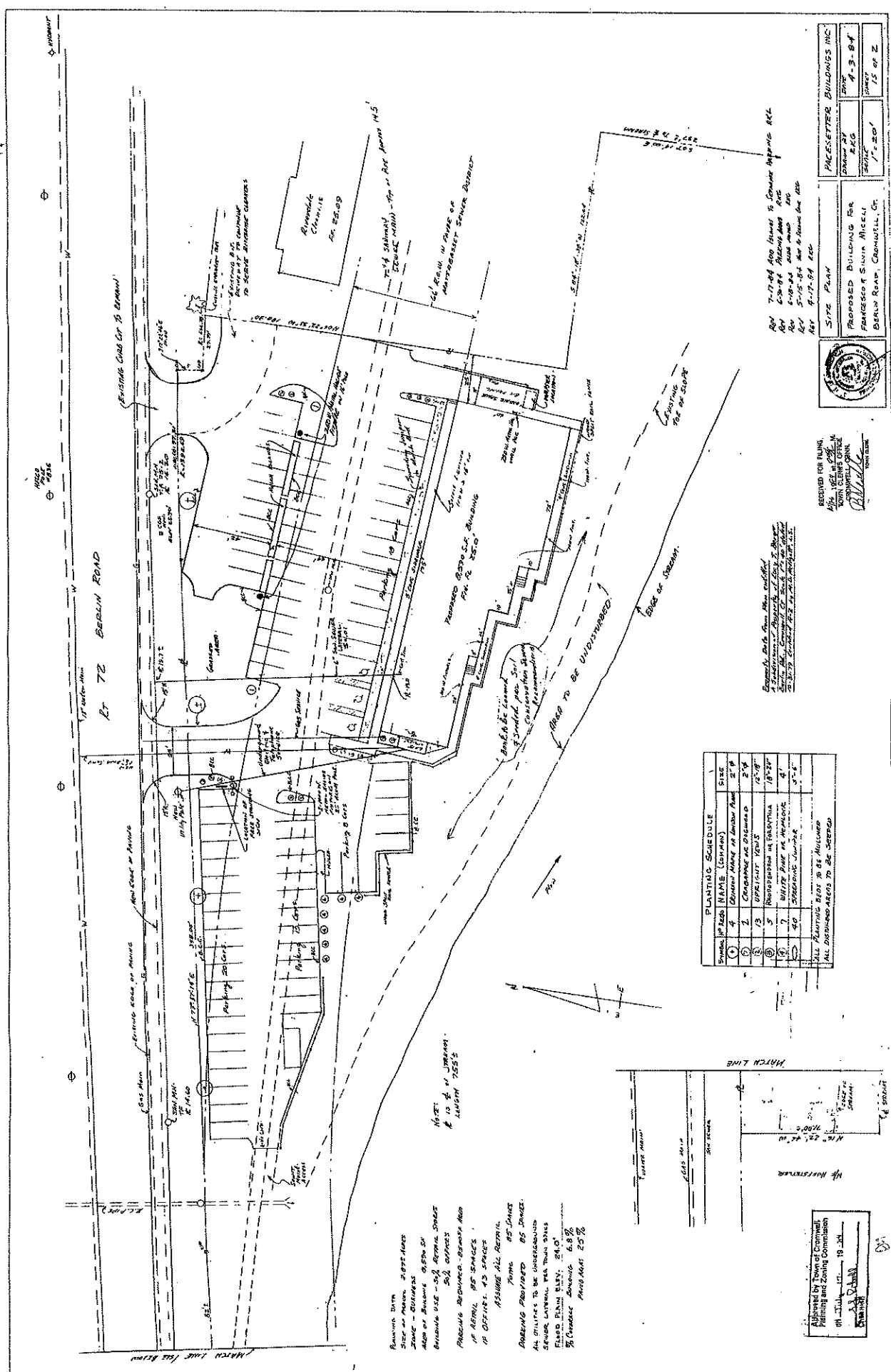
I hereby certify that the information presented above is correct to the best of my knowledge.

Kemal Cecunthahin [Signature] 6/1/20  
Applicant Name and Signature Date





c:\ScamMAPS-00\025-1-1.CAL



SYMBOL	PLANTING SCHEDULE	PLANTING NAME (COMMON)	SIZE
1	1	ORIENTAL PINE	2" x 8"
2	2	ORIENTAL PINE	2" x 8"
3	3	ORIENTAL PINE	2" x 8"
4	4	ORIENTAL PINE	2" x 8"
5	5	ORIENTAL PINE	2" x 8"
6	6	ORIENTAL PINE	2" x 8"
7	7	ORIENTAL PINE	2" x 8"
8	8	ORIENTAL PINE	2" x 8"
9	9	ORIENTAL PINE	2" x 8"
10	10	ORIENTAL PINE	2" x 8"

NOTE:  
 10' x 4' x 10' JUNCTION  
 & LENGTH 155'

REVISION DATA  
 SIZE OF PAPER: 24" x 36"  
 SCALE - BUSINESS  
 DATE OF DRAWING: 08/26/84  
 DRAWING NO.: 025-1-1  
 PROJECT NO.: 025-1-1  
 PROJECT NAME: PROPOSED BUILDING - BEYOND AVE  
 PROJECT ADDRESS: 72 BERLIN RD  
 PROJECT CITY: WASHINGTON, DC  
 PROJECT STATE: DC  
 PROJECT ZIP: 20004  
 PROJECT PHONE: 202-462-1111  
 PROJECT FAX: 202-462-1111  
 PROJECT E-MAIL: 025-1-1@GMAIL.COM

7-17-84 ADD HOURS TO SCHEME IMPROVING ALL  
 BY 2-28-84 ADDING MORE AREAS  
 BY 5-18-84 ADDING MORE AREAS  
 BY 5-18-84 ADDING MORE AREAS  
 BY 9-17-84 ADDING MORE AREAS

PROPOSED BUILDING FOR  
 FRANCESCO & SUEVA MISCELL  
 BEYOND AVE, WASHINGTON, DC

PALETTE BUILDINGS INC.  
 SHOW BY: 08-23-84  
 DATE: 08-23-84  
 15 OF 2

RECEIVED FOR PLANNING  
 TOWN ENGINEER OFFICE  
 TOWN OF WASHINGTON  
 08/26/84  
 PROJECT NO. 025-1-1

Approved by Town of Council  
 Planning and Zoning Commission  
 on 08/26/84 at 10:30 AM  
 [Signature]

V-25

V-25

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Special Public Hearing on Tuesday June 23, 2020 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #20-10: Request to Amend the Zoning Map to Change the Zoning District Classification from Residential -15 (R-15) to Commercial Billboard District (CBD) at 6 Piney Ridge Road. DFC of Cromwell LLC is the Applicant and the Owner.
2. Application #20-20: Request to Amend the Zoning Map to Change the Zoning District Classification from Local Business (LB) to Commercial Billboard District (CBD) at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is 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 9<sup>th</sup> day of June 2020.

20-10



Town of Cromwell  
Planning and Zoning Commission

APPLICATION TO AMEND THE ZONING MAP

Property Address: 6 Piney Ridge Road PIN 00212500

Current Zone: R-15 Proposed Zone: Commercial Billboard District

Applicant: DFC OF CROMWELL, LLC  
Mailing Address: 920 South Colony Road  
Wallingford, Ct 06492  
Email: dom@demartinofixtures.com  
Telephone: 203-410-7649

Owner: DFC OF CROMWELL LLC  
Mailing Address: 920 South Colony Road  
Wallingford, CT 06492

Reason for Proposed Change:  
To erect commercial billboards facing Rte. 9

Is the property within 500' of an adjoining town? (yes) \_\_\_\_\_ (no) X  
Does the property contain streams or wetlands? (yes) X (no) \_\_\_\_\_  
Is the property within the Historic District? (yes) \_\_\_\_\_ (no) X

- The following shall be submitted with this Application:
- (✓) \$160 application fee;
  - (✓) Legal Description of the property (metes and bounds);
  - (✓) 3 copies of a map prepared in accordance with Article 8.9 of the Zoning Regulations.

[Signature] 2/5/2020  
(signature of owner) (date)  
[Signature] 2/5/2020  
(applicant) (date)



Town of Cromwell  
Planning and Zoning Commission

APPLICATION TO AMEND THE ZONING MAP

Property Address: 241 + 251 MAIN ST PIN \_\_\_\_\_

Current Zone: LB Proposed Zone: CRD

Applicant: RODNEY BITGOOD  
Mailing Address: 263 MAIN ST  
CROMWELL, CT 06416  
Email: FATAL2@snet.net  
Telephone: 860-613-2355

Owner: RODNELLA REALTY  
Mailing Address: 263 MAIN ST  
CROMWELL, CT 06416

Reason for Proposed Change:  
To erect commercial billboards facing  
 rte 9.

Is the property within 500' of an adjoining town? (yes) \_\_\_\_\_ (no)   
Does the property contain streams or wetlands? (yes)  (no) \_\_\_\_\_  
Is the property within the Historic District? (yes) \_\_\_\_\_ (no)

- The following shall be submitted with this Application:
- ( ) \$160 application fee;
  - ( ) Legal Description of the property (metes and bounds);
  - ( ) 3 copies of a map prepared in accordance with Article 8.9 of the Zoning Regulations.

[Signature] \_\_\_\_\_ 3-17-2020  
(signature of owner) (date)

RODNEY BITGOOD \_\_\_\_\_ 3-17-2020  
(applicant) (date)

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY JANUARY 21, 2020  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Mo Islam and Paul Cordone.

**Absent:** Chris Cambareri, Nicholas Demetriades, Brian Dufresne, John Keithan, and Kenneth Slade.

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

**1. Call to Order:**

The meeting was called to order by Chairman Kelly at 7:03 PM.

**2. Roll Call:**

The presence of the above members was noted.

RECEIVED FOR RECORD  
Feb 20, 2020 02:01P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

**3. Seating of Alternates:**

None.

**4. Approval of Agenda:**

Michael Cannata made the motion to approve the agenda; Seconded by Mo Islam.  
*All in favor; motion passed.*

**5. Public Comments:**

There were no comments from the public.

**6. Development Compliance Officer Report:**

Development Compliance Officer Bruce Driska provided a summary of several current projects and asked if there were any other questions. There were no questions for the Development Compliance Officer.

**7. Town Planner Report:**

Mr. Popper provided an update on the Marriott Hotel under construction as well as providing information regarding several other projects.

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

There were none.

9. **New Business:**

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

Mr. Popper informed Commission members Application #19-59 has been withdrawn.

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

Mr. Popper informed Commission members Application #19-60 has been withdrawn.

c. Application #19-54: Request for Site Plan Approval to install a walk-up ATM at 26 Shunpike Road. Bank of America is the Applicant and Montgomery Development Group LLC is the Owner.

Mr. Popper asked that Application #19-54 be heard together with Application #19-53.

Mr. Cannata made the motion to combine Application #19-54 with Public Hearing Application # 19-53; Seconded by Paul Cordone. *All in favor; motion passed.*

10. **Public Hearing:**

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

Mr. Cannata made the motion to open the Public Hearing for Application # 19-53; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Mr. Jake Modestow, P.E., Stonefield Engineering, Boston MA presented the proposal for a stand-alone ATM and 24' high light fixtures to the Commission. He explained the location of the existing site, the office building and parking lot. Mr. Modestow described size and location of the proposed walk up ATM, the improvements to be made in the parking lot and the 24' high light fixtures to be installed for security.

Mr. Cannata cited Development Compliance Officer Bruce Driska's December 16, 2019 memorandum which stated stand-alone ATM's are not provided for as permitted uses in the Highway Business Zone.

Mr. Islam inquired if the proposed stand-alone ATM had "real time" capabilities allowing customer interaction with a Bank of America host and was informed by Mr. Modestow that it did not.

Chairman Kelly and Mr. Floryan expressed their opinions that the proposed stand-alone ATM is an accessory use lacking a principal use.

The Commission members and Mr. Modestow continued to discuss Section 3.3.C.3 of the Zoning Regulations, "Office Related Uses" under which "ATM, walk-up" was listed. Mr. Modestow stated that the current mode of banking is moving away from brick and mortar buildings to automated teller machines as proposed for this site and that the ATM is in essence a bank.

The Commission members concluded at this time since there was no office the proposed ATM was related to and therefore it was not a permitted use. Mr. George Flevotomos, Property Owner, addressed the Commissions comments regarding the proposal of a stand-alone ATM and his opinion as to whether or not it needed a bank office to be related to.

Councilman Demetriades asked Mr. Modestow if the proposed 24-ft tall light fixtures would produce light pollution and spillover onto abutting properties. Mr. Modestow replied stating that full cutoff shields would prevent light spillover.

Mr. Flevotomos and Mr. Modestow momentarily caucused. Upon their return they withdrew Application # 19-53: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures and Application #19-54: Request for Site Plan Approval to install a walk-up ATM at 26 Shunpike Road.

Mr. Cannata made a motion to close the Public Hearing Application; Seconded by Paul Cordone. *All in favor; motion passed.*

**11. Commissioner Comments:**

There were none.

**12. Approval of Minutes:**

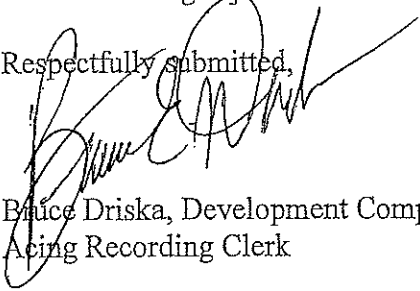
- a. November 7, 2019
- b. November 19, 2019
- c. January 7, 2020

There was no action taken.

**13. Adjourn:**

Michael Cannata made a motion to adjourn the meeting with all in favor; motion passed. Meeting adjourned at 7:58 PM.

Respectfully submitted,

  
Bruce Driska, Development Compliance Officer  
Acting Recording Clerk



**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY MARCH 17, 2020  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

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

**Absent:** Paul Cordone, Ken Rozich, Brian Dufresne, John Keithan, Mo Islam, and Kenneth Slade.

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

**1. Call to Order:**

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

**2. Roll Call:**

The presence of the above members was noted.

RECEIVED FOR RECORD  
Mar 31, 2020 02:28P  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT



**3. Seating of Alternates:**

None.

**4. Approval of Agenda:**

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

**5. Public Comments:**

There were no comments from the public.

**6. Development Compliance Officer Report:**

Mr. Driska reviewed his PZC Permit report and asked anyone had any questions regarding the report. He said that the work on the previously approved modifications to the site plan at 120 County Line Drive have begun. Mr. Driska said the stormwater storage areas are being reconfigured, work on the interior has started and the driveway access and parking lot will be next. He said that the foundation is done and the steel for the new DPW and Sewer building on County Line Drive was delivered today.

Mr. Driska read a letter into the record from the owner of the Energy Zone Fitness at 199 Shunpike Road regarding the positive use of feather flags. The Commission members agreed that it is an issue that will need to be discussed during the updating of Sign Regulations.

**7. Town Planner Report:**

Mr. Popper provided updates on the following projects in Town. He noted that the expansion at Covenant Village and the new Marriott are both moving forward quickly while the new Starbucks is not.

Mr. Popper said due to the current circumstances which may impact our future meetings he is asking the Commission to accept the request to grant Application #20-10, DFC of Cromwell LLC a 65-day extension since the next public hearing is still tentative.

Michael Cannata made the motion to accept the request of DFC for a 65-day extension of time, seconded by Jeremy Floryan. *All in favor; motion passed.*

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

Mr. Popper requested that the Commission accept and schedule the following applications:

- a. Application #20-19: Request for Site Plan Modification at 328 Main Street for a new sign. Mr. Popper asked that the Commission accept and schedule the application to be heard this evening.

Michael Cannata made the motion to accept and schedule Application #20-19 for this evening March 17, 2020; seconded by Chris Cambareri. *All in favor; motion passed.*

- b. Application #20-20: Request to amend the zoning map for 241 & 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.

Michael Cannata made the motion to accept and schedule Application #20-20 on April 21, 2020 for a public hearing; seconded by Jeremy Floryan. *All in favor; motion passed.*

- c. Section 8-24 Mandatory Referral to purchase 112 square feet of privately-owned property at the northeast corner of 617 Main Street.

Michael Cannata made the motion to accept and schedule an 8-24 discussion for 617 Main Street for this evening March 17, 2020; seconded by Jeremy Floryan. *All in favor; motion passed.*

**9. New Business:**

- a. Application #20-01: Request for Site Plan Modification – Erosion Control Bond Reduction at 120 County Line Drive. Scannell Properties #315 LLC is the Applicant and the Owner.

Mr. Popper asked the commission to reduce the original bond to \$40,150.00. He asked the commission to specify in the motion that the total amount to be reduced is \$11,038.00 plus any accrued interest.

Michael Cannata made the motion to reduce the erosion control bond at 120 County Line Drive Scannell Properties by the amount of \$11,038.00 plus accrued interest. seconded by Chris Cambareri. *All in favor; motion passed.*

- b. Application #20-19: Request for Site Plan Modification at 328 Main Street for a new sign.

Mr. Popper noted the location of the Peaceful Chaos Yoga Studio and handed out copies of the sign design. Mr. Driska stated that the sign application complies with the requirements of the zoning regulations.

Michael Cannata made the motion to approve Application #20-19, seconded by Chris Cambareri. *All in favor; motion passed.*

- c. Section 8-24 Mandatory Referral to purchase 112 square feet of privately-owned property at the northeast corner of 617 Main Street.

Mr. Popper explained that the Town will need to acquire the 112 square feet of privately-owned property at the northeast corner of 617 Main Street for the expansion of sidewalks north on Main Street. He said that the appraised value of the property is \$7,000. Mr. Popper asked the commission for a recommendation on this; it will need to go to the Town Council to be voted upon.

Michael Cannata made the motion to issue a positive 8-24 report for 617 Main Street, seconded by Jeremy Floryan. *All in favor; motion passed.*

## 10. Public Hearing:

Chairman Kelly read the legal notice into the record.

- a. Application #20-03: Request for a special permit under Section 6.6 of the Zoning Regulations to create a Rear Lot at 43 Shadow Lane. John Hagel is the Applicant and Michael Lanteri is the Owner.
- b. Application #20-04: Request for to create a Three Lot Resubdivision at 43 Shadow Lane. John Hagel is the Applicant and Michael Lanteri is the Owner.

Michael Cannata made the motion to open the public hearings seconded by Jeremy Floryan. *All in favor; motion passed.*

Mr. Jim Cassidy Project Engineer with Hallisey, Pearson & Cassidy Engineering Associates at 630 Main Street in Cromwell said he was here presenting on behalf of John Hagel the applicant this evening. He said that he would like to present both applications together.

Mr. Cassidy said the 5.71-acre site contains an existing single-family house and outbuildings on the east side of Shadow Lane in the R-25 Zone District. He explained that the applicant is proposing to create a three lot resubdivision. Mr. Cassidy said the resubdivision will contain lot #2 a 4.38-acre rear lot and two front lots. He noted that Front Lot #1 is 28,426 square foot or .6 acres and front lot #3 is 25,749 square feet or .65 acres and all three lots will contain single family homes. Mr. Cassidy said Lot 2 will be a rear lot and that it meets all of the General Requirements outlined in Section 6.6.C. of the Zoning Regulations as follows:

The required front yard setback is 40' the rear lot has an 80' front yard setback; the minimum lot area in the R-25 zone is 25,000 square feet Lot 2 will be 186,960 square feet, exclusive of the access right-of-way. Lot 2 has a 25,000 square foot "buildable square" and has a 20' access right-of-way, to be owned in fee simple, that fronts on Shadow Lane. The proposed rear lot meets all of the bulk requirements for the R-25 zoning district.

Mr. Cassidy explained how the lot meets the requirement of the both the Subdivision and Zoning Regulations with the following explanations:

The use of the rear lot in this subdivision negates the necessity of constructing a short Town Road to access this small development; the subdivision has been designed to minimize impacts to the Upland Review Area and to avoid altogether any impacts on the wetlands located to the rear of the property. He noted that the proposed resubdivision had received a permit from the Inland Wetlands Watercourses Agency for activities within the Upland Review Area at the Agency's February 5, 2020 meeting.

He continued with his presentation on compliance with the Subdivision and Zoning regulations:

The proposed use of the site for residential single-family use is in accordance with the R-25 zoning district in which it is located. The proposed site at 43 Shadow Lane is adequately sized to support this use and there is access to the site from Shadow Lane. There are no proposed design elements at this time. The surrounding area is mostly developed as other single-family residences and this development will not hinder or discourage development or impair the value of the surrounding properties. No exposed artificial lights, colored lights of any nature, flashing lights, loudspeakers or other noisemaking devices are associated with this type of use. The residential use will not impact traffic circulation. There are no parking areas, other than driveways, being proposed and no screening is necessary. Shadow Lane can adequately accommodate this new development. Public water and other utilities are available. The applicant has been granted a waiver from connecting to public sewer and the lots will be serviced by on-site septic systems. The site, being off of Shadow Lane, will be easily accessible by fire apparatus and police protection. The developer has a proven track record of providing quality residential developments in the Town of Cromwell.

Mr. Cassidy and the Commission members discussed the history and topography of the site and sand and gravel operations at the site and the surrounding properties.

Chairman Kelly opened the public hearing to the members of the public. Mr. Gavin Andrade, resident at 47 Shadow Lane, came forward to ask about the timeframe of the project and what time they will start and stop during the day.

Mr. Cassidy answered saying this could be anywhere from a 6 month to a year-long process for construction. He noted that this will depend on whether all three houses are constructed at the same time or if they are built on individual time frames. Mr. Cassidy the hours of operation for house construction will be from about 7am to 5pm during the week.

Chairman Kelly asked if there were any staff comments. Mr. Popper said Sal Nesci the Public Health Director provided the results of the soil testing at all 3 proposed lots, and noted that they meet the requirements and public health code for the support of onsite subsurface sewage disposal systems.

Mr. Popper read a memo dated January 28, 2020 from Town Engineer Jon Harriman. He would like to see confirmation that the proposed driveways will have proper site lines. As conditions of approval, Mr. Harriman suggests the following. 1. The removal of the existing septic system shall be completed to the satisfaction of the Health Department. 2. The as-builts shall confirm that any tree trimming, tree removal or earth work required to generate proper site lines has been completed. 3. The developer shall complete all road cuts for site utilities prior to the Town of Cromwell repaving Shadow Lane. The Town is contemplating repaving the road during this coming construction season. The Town shall provide the developer with a minimum of 30 days' notice prior to the start of the work.

There were no further questions or comments.

Michael Cannata made the motion to close the public hearings, seconded by Chris Cambareri. *All in favor, motion passed.*

Michael Cannata made the motion to approve Application #20-03, seconded by Chris Cambareri. *All in favor, motion passed.*

Michael Cannata made the motion to approve Application #20-04 with the conditions outlined in the memo dated 2/14/2020 from Town Engineer Jon Harriman, seconded by Chris Cambareri. *All in favor, motion passed.*

**11. Commissioner Comments:**

There were none.

**12. Approval of Minutes:**

a. January 21, 2020

No action taken.

b. March 4, 2020

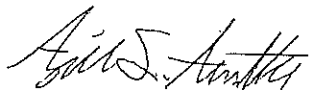
No action taken.

**13. Adjourn:**

Michael Cannata made a motion to adjourn the meeting. *All in favor; motion passed.*

Meeting adjourned at 8:08 PM.

Respectfully submitted,



April Armetta  
Recording Clerk

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY MAY 5, 2020  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Paul Cordone, Nicholas Demetriades, Brian Dufresne, and Ken Rozich.

**Absent:** Jeremy Floryan, John Keithan and Mo Islam.

**Also Present:** Director of Planning and Development Stuart Popper

**1. Call to Order:**

The meeting was called to order by Chairman Kelly at 7:03 PM.

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates:**

None.

**4. Approval of Agenda:**

Mr. Popper said there were no amendments to the agenda.

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

**5. Public Comments:**

There were no comments from the public.

**6. Development Compliance Officer Report:**

Mr. Driska was not present and Mr. Popper offered to answer any questions anyone may have. There were no questions.

**7. Town Planner Report:**

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

Mr. Popper said there were not new applications at this.

**9. New Business:**

a. Section 8-24 Mandatory Referral for the removal of an island in the cul-de-sac on Wildwood Road.

Mr. Popper said the Town was proposing to repave Wildwood Road and that there was an island located in the center of the cul-de-sac. He explained that the road was built back in the 1950's and the road and cul-de-sac were undersized and the presence of the island made plowing the road difficult. Mr. Popper said the town would like to remove the island to make it easier to plow and maintain. The Commission members asked if the public was aware of the work. Mr. Popper said that the trees in the island were marked to be removed and the neighbors have been notified of the future road work.

Michael Cannata made the motion to issue a positive Section 8-24 Mandatory Referral for the removal of an island in the cul-de-sac on Wildwood Road; Seconded by Chris Cambareri. All in favor; motion passed.

b. Request to Authorize staff to issue Administrative approvals for Temporary Outside Dining based on the Governor's Executive Order.

**11. Commissioner Comments:**

There were none.

**12. Approval of Minutes:**

a. January 21, 2020 No action taken.

b. March 4, 2020

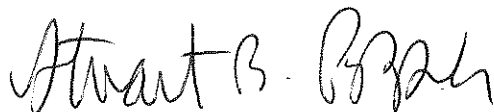
Michael Cannata made the motion to approve the minutes of March 4, 2020, seconded by Chris Cambareri. *All in favor, motion passed.*

c. March 17, 2020 No action taken.

**13. Adjourn:**

Michael Cannata made a motion to adjourn the meeting. *All in favor; motion passed.*  
Meeting adjourned at 7:13 PM.

Respectfully submitted,



Stuart B. Popper  
Acting Recording Clerk

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY JUNE 2, 2020  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET  
MINUTES AND RECORD OF VOTES**

RECEIVED FOR RECORD  
Jun 12, 2020 09:20A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Jeremy Floryan, Ken Rozich and Brian Dufresne.

**Absent:** Paul Cordone, Nicholas Demetriades, John Keithan, Mo Islam, and Kenneth Slade.

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

**1. Call to Order:**

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

**2. Roll Call:**

The presence of the above members was noted.

**3. Seating of Alternates:**

None.

**4. Approval of Agenda:**

Mr. Popper passed out a meeting comments memo and asked the commission to add two items under 8. New Business: Accept and Schedule New Applications:

a. Application #20-28: Request for a Site Plan Approval to construct three buildings at 70 Commerce Drive. 70 Commerce Drive LLC is the Applicant and Henry Vassel is the Owner.

b. Application #20-29: Request for a Site Plan Modification to expand the front deck at Luna Café at 35 Berlin Road. Kemal Cecuistranis is the Applicant and River Grace Plaza LLC is the Owner.

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

**5. Public Comments:**

There were no comments from the public.

**6. Development Compliance Officer Report:**

Mr. Driska passed out the updated report to the commission and said he will address any questions or comments.



Mr. Driska added that the project that was previously approved by the commission at the former Nike site is under way. He said currently trees are being cleared and the old buildings are being demolished.

7. **Town Planner Report:**

Mr. Popper reported that work has been resumed at Starbucks. He said the issues with the soil at the site have been addressed and the detention basin is being moved closer to the former Baci Grill. Mr. Popper said the Amazon building on County Line Drive is moving forward as is the new Marriott hotel. He said the permitting for the temporary outside dining in town is going well and that the Tall Man Ice Cream shop has opened up and is doing very well. Mr. Popper said that the TPC is scheduled to occur but with no spectators on site but it will be broadcast live.

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

a. Application #20-28: Request for a Site Plan Approval to construct three buildings at 70 Commerce Drive. 70 Commerce Drive LLC is the Applicant and Henry Vassel is the Owner.

Michael Cannata made the motion to accept and schedule Application #20-28 for June 23, 2020; Seconded by Brian Dufresne. *All in favor; motion passed.*

b. Application #20-29: Request for a Site Plan Modification to expand the front desk at Luna Café at 35 Berlin Road. Kemal Cecuistranis is the Applicant and River Grace Plaza LLC is the Owner.

Michael Cannata made the motion to accept and schedule Application #20-29 for June 23, 2020; Seconded by Brian Dufresne. *All in favor; motion passed.*

Mr. Popper said he would like to cancel the Planning and Zoning Commission meeting scheduled for June 16, 2020 and reschedule it as a Special meeting for June 23, 2020. Mr. Popper would like to hold public hearings for the following applications on June 23<sup>rd</sup>:

Application #20-10: Request to Amend the Zoning Map to Change the Zoning District Classification from Residential -15 (R-15) to Commercial Billboard District (CBD) at 6 Piney Ridge Road. DFC of Cromwell LLC is the Applicant and the Owner.

Application #20-20: Request to Amend the Zoning Map to Change the Zoning District Classification from Local Business (LB) to Commercial Billboard District (CBD) at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.

Mr. Popper explained that the Governor will be issuing new guidelines for public meetings on June 20, 2020 and we will follow whatever those guidelines are.

9. **New Business:**

There was no new business.

10. **Public Hearing:**

Ken Rozich read the legal notice into the record.

Michael Cannata made the motion to open the public hearing for Application #20-22; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- a. Application #20-22: Request to Amend the Zoning Map to Change the Zoning District Classification from Industrial to R-25 at 19 Pasco Hill Road. Reed Builders, LLC is the Applicant and the Owner.

Mr. Jim Cassidy Engineer with Hallisey, Pearson & Cassidy at 630 Main Street Cromwell Connecticut presented an overview of the requested zone change from Industrial to R-25 for 19 Pasco Hill Road. He described the size (31,976 square feet) and location (east side of Pasco Hill Road across from Thomas Court) of the site. Mr. Cassidy summarized the history of the zoning of the parcels located west of north road and described the current zoning and existing land uses of those parcels within 500 feet and greater of 19 Pasco Hill Road.

Mr. Cassidy explained that the parcel at 31,976 square feet is too small to be eligible for a zone change to R-40, as it does not meet in that zone's bulk requirements of 40,000 square feet. He noted that public water and sewer are available in the street, so the differentiation between R-40 and R-25 as listed in Section 2.2.A. is not critical.

Mr. Cassidy read Section 2.2.A (3) "*R-40. Purpose: to cover those areas of Cromwell which are largely undeveloped or predominantly rural in character and which are least likely to have access to water and sewer lines.*" He explained that changing the zone from Industrial to R-25 and allowing the parcel to be used for residential purposes will fit in with and be in the best interests of the surrounding neighbors and best protect their property values.

Mr. Cassidy discussed the previous site plan approved for the site in July 2011 for a 2,000 square foot office building which was never built. He noted that a business would create a much higher traffic demand than a single-family house.

Mr. Cassidy showed a proposed site plan for a single-family home utilizing the same driveway access and layout used in the previously approved site plan. He discussed the location of the house and the sight lines for the driveway onto Pasco Hill Road. Mr. Cassidy, He pointed out that there is an underground detention basin on the site and that there is an easement to the town for the maintenance of the basin.

The Commission members discussed the proposed layout for the single-family house, the driveway access and the sight lines.

Mr. Cassidy summarized the reasons for the Zone Change:

- Property is surrounded by all single-family residential uses, except for 5 Pasco Hill Road to the east.
- Orientation towards single family residences along Thomas Court and Robertson Road, rather than towards the industrial use at 5 Pasco Hill Road.
- Wetlands create natural buffer between this property at industrial use at 5 Pasco Hill and force development closer to surrounding residences.
- Location along curve cause for concern for commercial/industrial uses that will generate frequent trips by customers or employees.

The Commission members, staff and Mr. Cassidy discussed the history of zoning in the area, access to the site and the underground detention basin.

Michael Cannata made the motion to close the public hearing; seconded by Ken Rozich. *All in favor; motion passed.*

Michael Cannata made the motion to approve Application #20-22 for the following reasons: This is not spot zoning because although the property is a small area, it is not out of harmony with comprehensive plans. It is a residential use contiguous to other residential uses. It is compatible with the existing neighborhood. This development as single-family residence more protective of the surrounding property values than industrial use; seconded by Chris Cambareri. *All in favor, motion passed.*

**11. Commissioner Comments:**

None.

**12. Approval of Minutes:**

a. April 7, 2020

Michael Cannata made the motion to approve the minutes of April 7, 2020 with the correction of Brian's name on page 3; seconded by Brian Dufresne. *All in favor, motion passed.*

b. January 21, 2020

No action.

c. March 17, 2020

No action.

d. May 5, 2020

No action.

**13. Adjourn:**

Michael Cannata made the motion to adjourn at 8:10 PM. *All in favor, motion passed.*

Respectfully submitted,

A handwritten signature in black ink that reads "April Armetta". The signature is written in a cursive, flowing style.

April Armetta  
Recording Clerk