

**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY JUNE 2, 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:**
- 10. Public Hearings:**
 - 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.
- 10. Commissioner's Comments:**
- 11. Approval of Minutes:**
 - a. April 7, 2020
 - b. January 21, 2020
 - c. March 17, 2020
 - d. May 5, 2020
- 12. 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-Construction 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	Meeting Pending	
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	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	Awaiting Renovations
20-12	Justin Philauong	199 Shunpike Road	Cut Republic Barbershop & Shave Co. (Use Permit)	Approved by staff 2/24/2020	Ready to 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	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

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 2, 2020 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #20-22: 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.

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 18th day of May 2020.

20-22



Town of Cromwell
Planning and Zoning Commission

APPLICATION TO AMEND THE ZONING MAP

Property Address: 19 Pasco Hill Road PIN 00307200

Current Zone: Industrial Proposed Zone: R-25

Applicant: Reed Builders, LLC
Mailing Address: 73 Pebblebrook Drive
Cromwell, CT 06416
Email: reedbuilders@att.net
Telephone: (860) 209-1138

Owner: same as above
Mailing Address:

Reason for Proposed Change:
See attached.

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:
- (x) \$160 application fee;
 - (x) Legal Description of the property (metes and bounds);
 - (x) 3 copies of a map prepared in accordance with Article 8.9 of the Zoning Regulations.

Sean Hussey (signature of owner) of Reed Builders, LLC _____ (date)

(applicant) _____ (date)

Zone Change Application

(continuation page)

The applicant is requesting a Zone Change from Industrial to R-25 for the vacant property at 19 Pasco Hill Road so that it may be used for residential purposes.

The subject parcel is triangular in shape and oriented towards the single family residences along Thomas Court and Robertson Road, which are in the R-40 zone. The property is surrounded by all single family residential uses, and other than 5 Pasco Hill Road, there are no other non-residential uses in the immediate area. There are wetlands to the east, which create a natural buffer between this piece and the industrial use at 5 Pasco Hill Road, and those wetlands force any development to be closer to the surrounding residences rather than the adjacent industrial property.

The applicant has tried to market the property for industrial uses since acquiring it in 2011, and has had no interest, despite having an approved site plan. The lot's location along the curve of Pasco Hill Road, between Robertson Road and Thomas Court, may not be desirable for commercial uses that will generate frequent trips, either by employees or customers.

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 that zone's bulk requirements of 40,000 square feet. 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. See Section 2.2.A(3) *“R-40. Purpose: To cover those areas of Cromwell which are largely undeveloped or predominately rural in character and which are least likely to have access to water and sewer lines.”*

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.

Legal Description of Area for Requested Zone Change from Industrial to R-25

A certain piece or parcel of land located on the easterly side of Pasco Hill Road in the Town of Cromwell, County of Middlesex, and State of Connecticut, as shown or depicted on a map entitled "Property & Topographic Survey Showing Existing Conditions Prepared for Reed Builders, LLC Property of John Massirio & Janice Piccoli Parcel 00307200 Pasco Hill Road Cromwell, Connecticut" dated June 8, 2011, and prepared by Hallisey, Pearson & Cassidy Civil Engineers & Land Surveyors.

Said parcel being more particularly bounded and described as follows:

Beginning at a point on the easterly street line of Pasco Hill Road, said point being the northernmost corner of the parcel herein described and proceeding S 11° 03' 31" E along the westerly line of land now or formerly of Pasco Hill Holdings, LLC a distance of one hundred eighty one and 56/100 feet (181.56') to a point;

Thence proceeding S 06° 33' 11" E along the westerly line of land now or formerly of Pasco Hill Holdings, LLC and Richard F. & Deborah A. Boutin, partly by each, in all a distance of one hundred fifty nine and 13/100 feet (159.13') to a point;

Thence proceeding S 80° 03' 39" W along the northerly line of land now of formerly of Joseph B. Polkowski, et al, a distance of one hundred seventy three and 80/100 feet (173.80') to a point;

Thence proceeding N 12° 33' 01" W a distance of forty nine and 97/100 feet (49.97') to a point on the southeasterly street line of Pasco Hill Road;

Thence proceeding along a curve to the left with a radius of 208.00', a central angle of 28° 23' 20" and an arc length of 103.06' to a point;

Thence proceeding N 18° 05' 29" E a distance of two hundred eleven and 00/100 feet (211.00') to a point;

Thence proceeding N 16° 28' 09" E a distance of thirty two and 00/100 feet (32.00') to a point, said point being the place of beginning.

The last three courses being along the easterly street line of Pasco Hill Road.

The above described parcel containing 31,976 square feet or 0.7341 acres.

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

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

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

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 7:00 PM.

2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

None.

RECEIVED FOR RECORD
APR 23, 2020 03:19P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT



4. Approval of Agenda:

Mr. Popper asked that the agenda be amended to include under 8. New Business: Accept and Schedule New Applications, Application# 20-20: Request for a Zone Map Amendment at 19 Pasco Hill Road from Industrial to R-25. Reed Builders, LLC is the Applicant and the Owner.

Michael Cannata made the motion to approve the agenda as amended; 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 said given the time constraints of this evening's meeting he will skip his report and answer any of the commissioner's questions.

7. Town Planner Report:

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 a 65-day extension to Application #20-20: Request for a Zone Map Amendment from Local Business to Commercial Billboard District at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty LLC is the Owner

Michael Cannata made the motion to accept the request of Rodney Bitgood 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# 20-20: Request for a Zone Map Amendment at 19 Pasco Hill Road from Industrial to R-25. Reed Builders, LLC is the Applicant and the Owner. Mr. Popper asked that the Commission accept and schedule the application to be heard at the second meeting in May.

Michael Cannata made the motion to accept and schedule Application #20-19 for the second meeting in May; seconded by Chris Cambareri. *All in favor; motion passed.*

9. New Business:

There was none.

10. Public Hearing:

Mr. Popper noted that Application #20-16: Request for a Special Permit under Section 3.3.C of the Zoning Regulations to allow for a School for Training & Occupational Skills (Beauticians) at 28-1 Shunpike Road. Samantha DiFilippo, Chi Lash Academy is the Applicant and Vincent Cambareri Etal Michael J. Polke, are the Owners has been withdrawn and will not be heard this evening.

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

Chairman Kelly read the legal notice into the record.

- a. Application #20-08: Request for a Special Permit under Section 6.1 of the Zoning Regulations to permit filling at 161 Coles Road (Snow Park) Baltazar Contractors, Inc. is the Applicant and the Town of Cromwell is the Owner.

Mr. Popper said Kyle Murphy representing the applicant is on the phone in speaker mode and he can answer any questions the commission members may have. Mr. Popper said he would like to summarize the application for the record. He said,

“The 29.75 acres site known as Snow Park is located on the north side of Coles Road in the Residence -25 Zone District. The Applicant is proposing to clear and fill the area and create a level landing behind the detention basin located between Houses#181 and #183 Coles Road on the Town Drainage Easement. The approximately 2,200 cubic yards of fill will be surplus

material created from the Coles Road Project. The hours of operation will be Monday thru Friday from 7 AM to 5 PM. The anticipated truck traffic will be 2-3 trucks per day with about a one and half month time frame. According to the applicant the work will commence as soon as approved.” Mr. Popper said the Commission members received plans in their meeting packets.

Town Manager Anthony Salvatore was present and addressed the Commission. Mr. Salvatore said the town would like to use the excess material to grade that area of Snow Park and someday have Snow Park be usable for active and passive recreation. He noted that the placement of the excess fill material from the Coles Road reconstruction project will be a start in the right direction.

The Commission members discussed the future use of Snow Park. The Commission members and Mr. Murphy discussed the time frame for the application operations and the nature of the material to be deposited in Snow Park. They also discussed the current location of the source of the fill material which is a hill along Coles Road that will be excavated to allow for the installation of sidewalks. Brian Dufresne expressed concerns regarding the nature of the material to be deposited and suggested that some type of restrictions be placed upon the materials to be deposited.

Chairman Kelly asked if there were any staff comments

Mr. Popper read a memo dated April 1, 2020 from Bruce Driska Zoning & Wetlands Enforcement Officer. Mr. Driska made the following comments,

“The commission may wish to consider the following conditions to accompany an approval:

1. Schedule an on- site preconstruction meeting with Town Staff.
2. Provide a 24/7 emergency contact for any project related issues identified by the Town.
3. Prior to any clearing, stake out the proposed clearing limit as depicted on the applicant’s plan.”

Mr. Popper asked that the Commission incorporate the conditions from Mr. Driska’s April 1, 2020 memo into the application approval if the Commission were to act favorably this evening.

Michael Cannata said he agreed with Brain Dufresne’s concerns and recommended that additional restrictions be placed upon the type of fill material to be deposited at Snow Park.

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

Michael Cannata made the motion to approve Application #20-08, with the conditions: 1. Outlined in Bruce Driska Zoning & Wetlands Enforcement Officer’s memo dated April 1, 2020 be addressed and 2. That no inorganic or organic material other than the soil being removed from Coles Road be deposited at Snow Park; 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

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

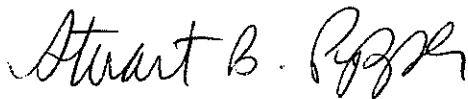
c. March 17, 2020 No action taken.

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 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:

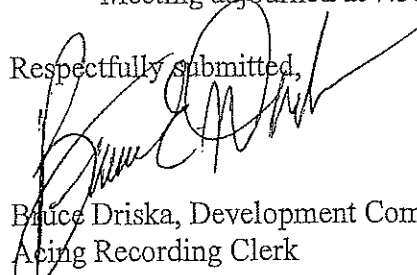
- a. November 7, 2019
- b. November 19, 2019
- c. January 7, 2020

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 02:28F
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

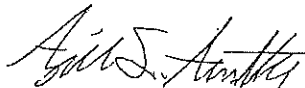
No action taken.

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