

Town of Cromwell Planning and Zoning Commission

REGULAR MEETING
7:00 P.M. TUESDAY JUNE 5, 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. **New Business Accept and Schedule New Applications:**
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.
10. **Public Hearing:**
 - a. 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).
 - b. Application #18-27: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sales of alcoholic beverages at 35 Berlin Road. Kemal Cecunjanin is the Applicant and River Grace Plaza LLC is the Owner.
 - 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.
 - 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.
11. **Approval of Minutes:**
 - a. April 3, 2018
 - b. May 1, 2018
 - c. May 15, 2018
12. **Commissioner's Comments:**
13. **Adjourn**

RECEIVED FOR RECORD
May 25, 2018 11:37A
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT

Memo

To: Planning and Zoning Commission

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

Date: May 25, 2018

Re: Comments for the June 5, 2018 Meeting Agenda

9. Old Business:

c. 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 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 existing house and accessory buildings will be demolished and replaced with a 9,100 square foot single story retail building with 37 parking spaces. Attached are the staff comment received to date.*

10. Public Hearing:

a. 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 applicant is requesting to import fill to level the site and allow for development of the site.*

b. Application #18-27: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sales of alcoholic beverages at 35 Berlin Road. Kemal Cecunjanin is the Applicant and River Grace Plaza LLC is the Owner. *The applicant is proposing to open a full service restaurant in the former Franco's Restaurant space.*

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. *The Town is proposing to relocate material (the berm on River Road) to the field immediately north and adjacent to Frisbee Park. The material added to this area and will be graded and seeded to create a grass parking area.*

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. *The Town is proposing to amend the Zoning Regulations to allow for increased height of buildings within the Highway Business Zone District.*

P & Z 2018 Permit Report						
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	
18-01	Coles Road Brewing LLC	14 Alcap Ridge	Manufacture and sale of beer	Approved 2/6/2018	Awaiting renovations	
18-03	Matthew Zeiner	20 Pleasant Street	Park Storage Trailers	Denied 4/3/2018	Trailers removed	
18-04	Greater Hartford Community Foundation	100 Golf Club Road	Travelers Golf Tournament	Approved 3/27/2018	Awaiting 6/18/18 start	
18-05	Carrier Group, Inc.	76 Field Road	Special permit for Planned Residence Development	Approved	Approved	
18-06	Carrier Group, Inc.	76 Field Road	Site Plann approval for Planned Residence Development	Approved	Approved	
18-10	AMG Retail I LLC	529 Main Street	Donation Bin	Denied 5/15/18	Bin removed	
18-13	Carrier Group, Inc.	76 Field Rd/59R Nooks Hill/10 S. Ridge Rd	Substantial filling	Continued	Awaiting construction	
18-14	Joe's Filling Station LLC	35A Berlin Road	Permit to see Alcohol	Approved 5/15/18	Building under renovation	
18-15	Cromwell Little League	WIS School ballfield	Add a scoreboard	Approved 5/15/18	Awaiting installation	

Permit#	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	
18-19	Covenant Village	Missionary Road	Amend master plan for Covenant Village	Accept 4/24/18	
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.	Cont.	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	Scheduled 5/5/18
18-27	Kemal Cecunjamin	35 Berlin Road	Restaurant	Scheduled for 6/5/18	
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	Scheduled for 6/5/18	
18-31	The Well LLC	540 Main Street	Amend zoning reg. To permit café/tavern	Withdrawn	

Memo

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

Date: May 25, 2018

Re: Comments for the June 5, 2018 Meeting Agenda

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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. *The Town is proposing to relocate material (the berm on River Road) to the field immediately north and adjacent to Frisbee Park. The material added to this area and will be graded and seeded to create a grass parking area.*

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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 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.


GARY EUCALITTO
Applicant Name and Signature

4-12-16
Date

**Engineering Department
Town of Cromwell
Cromwell, CT**

Memorandum

To: Stuart Popper
CC: Planning & Zoning Commission
From: Jon Harriman, P.E. 
Date: 5/8/2018
Re: #18-20 & 18-21: 539 Main Street

This office has reviewed the set of plans entitled "Land Development Plans Issued for Planning and Zoning Approval for Proposed Retail" dated April 17, 2018 by BL Companies. I also reviewed the "Stormwater Management Report for the Proposed Retail Development" dated April 17, 2018.

I offer the following comments:

1. The abandonment of the existing sanitary sewer lateral shall be coordinated with and done to the specifications of the Cromwell Sewer Department. The abandonment of the existing water service lateral shall be coordinated with and done to the specifications of the Cromwell Water Division.
2. A stormwater operation and maintenance plan should be submitted for the long term maintenance of the stormwater system.
3. There appears to be a conflict with pipe size and catch basin top at the stormwater pond outlet. (The crown of the pipe would be close to the elevation of the basin top).
4. The proposed stormwater pond abuts a number of residential homes. The perimeter of the pond should be fenced for safety reasons. A fence along the property line may be appropriate.
5. The plans show the preservation of much of the existing sidewalk. In a recent site visit it was noted that one sidewalk panel is cracked and there is damage to the panels at the existing driveway crossing. Additionally it appears that three site utilities will require below grade crossing of the existing sidewalk. It is likely that additional damage to the existing sidewalk is likely to occur during demolition and construction of the new facility. This office recommends replacement of the sidewalk across the property frontage.

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

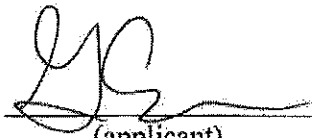
Applicant's Name: GARRETT HOMES, LLC
Address: 6 WILLIAM WAY HARWINTON, CT 06791
Telephone Number (daytime): (860)-307-5479
Email Address: eucalittogary@gmail.com

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).*


(applicant) GARY EUCRITTO 1-12-18
(date)

**Engineering Department
Town of Cromwell
Cromwell, CT**

Memorandum

To: Stuart Popper

CC: Planning & Zoning Commission

From: Jon Harriman, P.E.

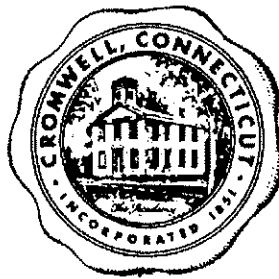
Date: 5/14/2018

Re: #18-20 & 18-21: 539 Main Street

This office has reviewed the response to comments and revised plans for this application.

I offer the following comments:

1. The stormwater operation and maintenance plan is in the drainage report, but needs to be on the site plan to allow the Town and the property owner to readily confirm compliance going forward. Additionally as a condition of approval the site owner must submit an annual report to the Town Engineer detailing the completed maintenance work for the previous year by January 31st of the following year.
2. The proposed stormwater pond abuts a number of residential homes. The perimeter of the pond should be fenced for safety reasons. A fence along the property line may be appropriate.
3. Based on the observed condition of the existing sidewalk and the intensity of the proposed development and usage, this office recommends replacement of the sidewalk across the property frontage.



MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*
Date: May 15, 2018
Re: **PZ Applications: #18-20 Special Permit, #18-21 Revised Site Plan
539 Main Street, Garrett Homes, LLC Applicant, "THE SUBJECT PROPERTY"**

BACKGROUND

The Subject Property is located at 539 Main Street in the Local Business (LB) Zone and is situated on 1.04 acres with a two-family house.

PROPOSAL

The Applicant is seeking Special Permit and Site Plan approval to develop a 9,100 SF Retail building.

COMMENTS

The revised Site Plan dated May 14, 2018 addresses my previous comments.

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 5, 2018 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #18-27: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sales of alcoholic beverages at 35 Berlin Road. Kemal Cecunjanin is the Applicant and River Grace Plaza LLC is the Owner.
2. 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.
3. Application #18-31: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a cafe/tavern at 540 Main Street. The Well LLC is the Applicant and Benitta Properties LLC is the Owner.
4. 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.

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 22nd day of May 2018.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
APPLICATION FOR SPECIAL PERMIT

Type of Activity: Restaurant with accessory sales of alcoholic beverages (Per Section 3.3.4 of the Cromwell Zoning Regulations)

Street Address: 35 Berlin Road Zoning District: HB

Assessor's Parcel ID #: 00319600 Volume/Page: 1313-048

Applicant's Name: Kemal Cecunjanin

Address: 296 Main St. Cromwell, CT 06416

Telephone Number (daytime): 518-637-7154


Email Address: _____

Property Owner's Name: River Grace Plaza LLC

Address: 35 Berlin Rd Cromwell CT 06416

Description of Proposed Activity:
Restaurant Liquor Permit.

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)

4-25-18
(date)



**Town of Cromwell
Planning and Zoning Commission**

***APPLICATION FOR SPECIAL PERMIT
SPECIAL FLOOD HAZARD AREA OVERLAY DISTRICT***

Description of Activity: Move material in the Flood Zone

Street Address: 204 Main Street Zoning District: DC

Parcel ID #: 00321700 Volume/Page: 829/185

Applicant's Name: Town of Cromwell

Address: 41 West Street, Cromwell, CT 06416

Telephone Number (daytime): 860-632-3422

Email Address: spopper@cromwellct.com

Property Owner's Name: Town of Cromwell

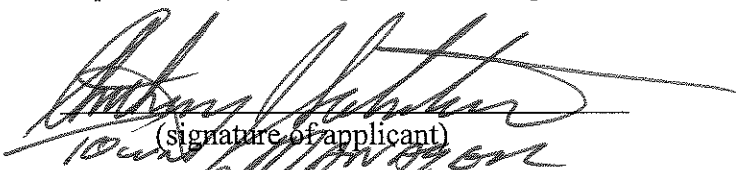
Address: 41 West Street, Cromwell, CT 06416

Description of Proposed Activity:

Move material in the Flood Zone

(Per Section 4.2.R of the Cromwell Zoning Regulations

"I have read and I am familiar with the Cromwell Zoning Regulations Article 4.2 ("Special Flood Hazard Area Overlay District"), Article 8.7 ("Special Permit Application Procedures"), Article 8.10.G ("Notification of Abutting Property Owners") and Article 8.10.H ("Public Hearing Sign Posting Requirements"). An "Impact Statement" per Section 9.4.A is attached."


(signature of applicant)

5/21/18
(date)

Anthony J. Salvatore
(printed name of signer)

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:

Arthur B. Popper
(applicant)

5/8/18
(date)

40

**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 Cordone, 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 Modification 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 it 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.

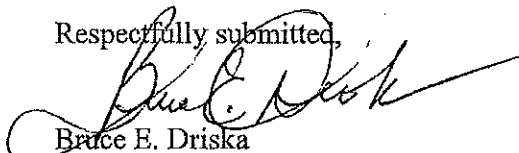
Paul Cordone made a motion to continue the public hearing to April 24, 2018; Seconded by Brian Dufresne. *All in favor; motion passed*

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 MAY 1, 2018
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Chris Cambareri, Jeremy Floryan, Paul Cordone, Ken Slade, Ken Rozich, David Fitzgerald (alternate)

Absent: Brian Dufresne, Nicholas Demetriades, 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 Chairman Kelly at 7:05 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

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

4. Approval of Agenda

Michael Cannata made a motion to amend the agenda under New Business Accept and Schedule Applications with Application #18-28 to be accepted tonight and heard at the May 15, 2018 meeting; Seconded by Ken Slade. *All in favor; motion passed.*

Michael Cannata made a motion to amend the agenda under New Business Accept and Schedule Applications with Application #18-29 to be accepted and heard at the June 5, 2018 meeting; Seconded by Paul Cordone. *All in favor; motion passed.*

Michael Cannata made a motion to accept the amended agenda; Seconded by Ken Slade. *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. There were no questions or comments from the Commission.

7. Town Planner Report:

Mr. Popper stated that ShopRite and the TPC had both received their respective OSTA permits and were beginning construction. 120 County Line Drive was still in the application process for their OSTA permit.

8. New Business: Accept and Schedule New Applications:

- a. 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.

Michael Cannata made a motion to accept the application and to schedule it to be heard on June 5, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- b. Application #18-28: Request for Site Plan Modification at 41 West Street. The Town of Cromwell is the Applicant and the Owner.

Michael Cannata made a motion to accept the application and schedule it to be heard on May 15, 2018 Seconded by Paul Cordone. *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.

Michael Cannata made a motion to accept the application and to schedule it to be heard on June 5, 2018; Seconded by Ken Slade. *All in favor; motion passed.*

Michael Cannata asked about the scheduling of the work on the guardrails. Town Engineer Jon Harriman said that the DOT permits had been obtained and they were looking to schedule a subcontractor to do the work, possibly in June.

9. New Business:

- a. Application #18-16: Request for Site Plan Modification to install temporary office trailer at 1000 Corporate Row. GKN is the Applicant and BUHL Land East III LLC is the Owner.

Mr. Popper introduced the application, saying that the applicant was proposing to locate a temporary trailer in the rear yard, about ten feet from the property line, and they had already received Inland Wetlands approval as well as an eighteen month variance from the Zoning Board of Appeals. He showed the Commission a map with the location and parking area.

Nick Shah, Project Engineer, said that the trailer was necessary because they could not have outside consultants inside the main building due to security clearance reasons. The trailer would be brand new, approximately 24 by 60 feet in size, and hold up to twelve people.

Michael Cannata said that he did not have any concerns regarding the project as GKN has been a good corporate citizen to the Town of Cromwell.

Michael Cannata made a motion to approve Application #18-16: Request for Site Plan Modification to install temporary office trailer at 1000 Corporate Row; Seconded by Ken Slade. *All in favor; motion passed.*

- b. Application #18-17: Request for Site Plan Modification to install temporary facilities at 674 Main Street (gravel parking lot at the First Tee) PGA Tour Inc. is the Applicant and Eversource Energy is the Owner.

Nate Russell, project engineer with GZA, presented the application. He was proposing temporary facilities to accommodate the administration, pro shop, kitchen, and bathrooms, as well as relocating the existing tent. He reviewed the site location, which was the gravel parking lot at the First Tee. It would be serviced by electric and water, but not sewer, as the trailers had self-contained plumbing. He showed photos of the interior and exteriors of the trailers. He said that the bathroom trailer, with ADA compliant ramp, would remain on site for one year, but the tent and kitchen trailer removed by winter.

He reviewed the proposed schedule, with utility work beginning mid May, the trailers and tent set up the week of May 21, occupation by the week of June 4, and the removal of the trailers and site restoration by June 2019.

Chris Cambareri said he was confident in the applicant's ability to do the work being proposed. Mr. Popper said that there were no comments from the staff review. The trailers would be reviewed by the Health Department, Building Department, and Fire Marshal, as applicable.

Michael Cannata made a motion to approve Application #18-17: Request for Site Plan Modification to install temporary facilities at 674 Main Street (gravel parking lot at the First Tee); Seconded by Chris Cambareri. *All in favor; motion passed.*

10. Old Business:

- a. 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.

Mr. Popper stated that this item is to be combined with the two public hearings.

11. Public Hearings:

- a. 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.
- 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. (public hearing continued) Carrier Group, Inc. is the Applicant and the Owner.

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

Mr. Popper said that there been some correspondence regarding the issue of the restrictive covenant proposed by the Applicant. He read a letter he had received from Michael Camilleri, 14 Centerwood Drive, Cromwell, in which Mr. Camilleri suggested a number of changes, namely that the property be restricted from common interest ownership, that the abutting neighbors be named as beneficiaries of the covenant, that Section 3 be deleted in its entirety, and that the covenant inure to the benefit of the neighboring property owners.

Mr. Popper then read a response from Town Attorney Kari Olson dated April 30, 2018, in which she said that state law prohibits denying property owners rights based upon condo ownership, that she does not recommend giving personal emoluments to individual residents, and said that, in the future, any proposed requests to eliminate the restrictive covenant by the Town or Town Council would have to go through the proper processes and comply with the zoning regulations. Mr. Popper said that Attorney Olson's comments had been forwarded to Attorney Molloy and they would continue to work on revising the language.

Town Engineer Jon Harriman read his memo dated May 1, 2018, regarding his proposed conditions of approval: that prior to turning the stormwater management ponds over to the homeowner's association, an as-built survey be submitted to the Town, certifying that design capacities had been met, that prior to turning over the site drainage system to the HOA, all catch basins, manhole treatment devices and ponds be cleaned in accordance with the O&M plan, that proposed signage be placed along Field Road to advise motorists of truck traffic entering the roadway, and that a copy of the final soil management plan be provided to the Engineering department, as well as follow reports and inspections.

Mr. Driska read his May 1, 2018 memo, stating that he is requesting the applicant to provide staff with weekly Erosion and Sedimentation Control Inspection Reports, as a condition of approval.

Attorney Joan Molloy, of Loughlin Fitzgerald in Wallingford, Connecticut, introduced the application and summarized the status of the hearings. She said that they had received the peer review of the soil management report and had provided the requested information. She noted that the peer review concurred with their plan to remove 2 inches of soil and to place it in a conservation area to minimize possible exposure.

She said that they had no objections to the conditions of approval set forth by Mr. Harriman and Mr. Driska and were continuing to work with Attorney Olson regarding the restrictive covenant language. She asked that any voting members of the Commission who had been absent at previous meetings note that they were up to date as to the proceedings.

The hearing was opened up to public comment. Mike Camilleri, 14 Centerwood Drive, Cromwell, said that he doesn't think that Attorney Olson's comments should be interpreted as disagreeing with his proposed revisions. He said that the applicant was in agreement with the restrictions, so it was unlikely that the suggested provisions would ever be challenged. He asked that it be noted that the HOA would be responsible for caring for the common areas.

The hearing was opened up to Commissioner comments. Paul Cordone said he was concerned regarding the data gaps noted in the peer review. He wanted more complete paperwork and records regarding the handling and removal of the tainted soil. He wanted the two traffic study reports to be combined into one for clarity. He said that he had faith in the applicant and thought they produced a good product.

Mr. Popper said that the Town Engineer's memo required a final soil management plan.

Tom Daly, P.E., with Milone and MacBroom, said that a revised final traffic study would be provided. Scott Bristol, LEP, with Milone and MacBroom, said that the final soil management plan would be provided, with documentation of samples taken.

Michael Cannata spoke regarding Section 3 of the restrictive covenant. He said that the Town could let the protections expire, and gave the example that if they purchased the land, they could choose to put a town garage there. He said that the current applications have neighbor support because of the proposed restrictions.

Attorney Molloy said that the language should be flexible enough to allow for planning in the future. She had the Planning and Zoning Commission as the authority because they knew the application history, but Attorney Olson had changed it to the Town Council. Attorney Molloy said that the only access to the lot was via a 25 foot ingress/egress easement. She said that the future owner of the lot needed to have the same property rights as any other homeowner of a single family lot. She said that the property contains wetlands and will have a non-disturbance zone, further limiting it. She was agreeable to approval conditioned upon approval of the restrictive covenant language by Attorney Olson.

Michael Cannata said that the town is an adjacent property owner and could do something with it in the future. He wanted a guarantee it would remain open space. Attorney Molloy said that it is a single family lot, not open space. She spoke regarding a similar development situation in Wallingford, which was allowed after public hearings, to state that development could not be done on a whim. The testimony heard tonight could be used at later hearings. Michael Cannata said that he wanted it made clear that the intention is for the lot to be used as a single family residence, and not for commercial or industrial purposes, or for a town garage. Attorney Molloy said she did not object to removing the expiration clause. Ken Rozich said that approval could be conditioned on the Town Attorney adding in language that it remain a single family residential lot.

Mr. Popper noted uses allowed in single family residential lots, such as farming, the construction of a barn or accessory apartment, deck, or storage building, and the operation of a home based business.

Chairman Kelly said that a public hearing would need to be held regarding the location of a town garage, citing a recent vote regarding a sewer garage project. Ken Rozich and Michael Cannata both spoke in support of removing Section 3, saying that the applicant was agreeable to it.

Michael Camilleri, 14 Centerwood Drive, said that he wanted the language of the covenant to be clarified to say "single family residence". Attorney Molloy agreed to work with the Town Attorney to change the language and said that Attorney Olson should be given the meeting minutes so that the Commission's intent is clear.

Attorney Molloy summarized how the applicant met the Special Permit criteria set forth in Sections 8.7d and 8.7e of the Zoning Regulations for Application #18-05. She said they had approval from Inland Wetlands and the various town departments, complied with the zoning regulations and the application was in harmony with the town's Plan of Conservation and Development. She said that the application protected natural resources, conserved open space, was in a suitable location, the proposed impacts were the same as for traditional subdivision development, it was an attractive and suitable design, with minimal fiscal impact, had a sufficient stormwater management plan, did not change traffic service levels, had acceptable sightlines and road access, used public utilities, and that it adequately protected public health and safety. The plan protected 21 acres or about 42% of the land as open space and the HOA would maintain the infrastructure and open space.

She next summarized Application #18-13 in which screened topsoil would be brought in to the site. No crushing, washing or blasting would occur. Some screening would be done on site, about 25%. The operation would occur between 7 a.m. and 4:30 p.m., excluding Sundays and holidays. There would be no fixed equipment on site, and noise, dust and stagnant water kept to a minimum. The truck route would be as set forth by the Chief of Police. There would be no filling near existing residences.

Attorney Molly said that all concerns had been addressed for both applications and requested approval.

Chairman Kelly, Ken Rozich, Ken Slade, and David Fitzgerald all stated that they had listened to the tapes for the meetings for which they were absent.

Michael Cannata made a motion to close the Public Hearing; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to approve 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, with the following conditions: that it be recognized that the Commission agrees with Attorney Molloy's comments regarding the criteria set forth by Section 8.7 of the Zoning Regulations, that approval be subject to the conditions contained in the Town Engineer's memo dated May 1, 2018, that Section 3 of the restrictive covenant be deleted and Section 1 be revised to read "The Single Parcel shall not be further subdivided and shall remain a single parcel of land and shall be used as a sole single family residential parcel", that the town attorney and town staff review the restrictive covenant and it be agreed upon as to the intentions of the Commission as noted in the meeting minutes, and that the condition set forth in the Zoning & Wetlands Enforcement Officer's memo dated May 1, 2018 be adhered to; Seconded by Ken Slade. *All in favor; motion passed.*

Michael Cannata made a motion approve Application #18-13, Request for Special Permit under Section 6.1 of the Zoning Regulations for filling at 76 Field Road, 59R Nooks Hill Road and 10 South Ridge Road, subject to the conditions contained in the Town Engineer's memo dated May 1, 2018 and the condition set forth in the Zoning & Wetlands Enforcement Officer's memo dated May 1, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-06, Request for Site Plan Approval for the Planned Residence Development Zone District at 76 Field Road, subject to the conditions contained in the Town Engineer's memo dated May 1, 2018 and the condition set forth in the Zoning & Wetlands Enforcement Officer's memo dated May 1, 2018; Seconded by Ken Slade. *All in favor; motion passed.*

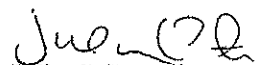
12. Approval of Minutes:

- a. March 27, 2018: Michael Cannata made a motion to approve the minutes as presented; Seconded by Paul Cordone. *All in favor; motion passed.* (Ken Slade abstained).
- b. April 3, 2018: No action taken
- c. April 24, 2018: No action taken

13. Commissioner's Comments: NONE

14. Adjourn: A motion to adjourn was made by Michael Cannata; Seconded by Jeremy Floryan. Meeting adjourned at 8:38 p.m.

Respectfully submitted,



Julie C. Petrella
Recording Clerk

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY MAY 15, 2018
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, Ken Slade, David Fitzgerald (alternate), John Keithan (alternate)

Absent: Paul Cordone, Brian Dufresne, Nicholas Demetriades, Ken Rozich

Also Present: Director of Planning and Development Stuart Popper, Town Engineer Jon Harriman, Development Compliance Officer Bruce Driska

1. Call To Order

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

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

Michael Cannata made a motion to seat David Fitzgerald and John Keithan; Seconded by Jeremy Floryan. *All in favor; motion passed.*

4. Approval of Agenda

Mr. Popper added two new items under 8. New Business Accept and Schedule New Applications:

- a. Application #18-31: Request for a Special Permit under Section 7.5.B.4. of the Zoning Regulations to permit a café/tavern at 540 Main Street. The Well LLC is the Applicant and Benitta Properties LLC is the Owner.
- b. 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 requested that both items be accepted at tonight's meeting and scheduled for a public hearing on June 5, 2018.

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

5. Public Comments

There were no public comments at this time.

6. Development Compliance Officer

Mr. Driska referenced his report that was included with the agenda packet. He said that he was in the process of modifying the report to include specific dates and that would be ready for the next meeting. There were no questions or comments from the Commission.

7. Town Planner Report:

Mr. Popper referenced his Economic Development Coordinator Report dated May 2, 2018. He said that the Town would have a trade show booth at the ICSC New England Retail Connection on June 5, 2018, at the Connecticut Convention Center, where they would showcase the town and available commercial properties. He said that there were three business visits in April: Pinewood Landscaping, Hunter Law, and Asia Grocers. Mr. Popper said that the Go To Cromwell website is now linked to the Town of Cromwell website and it would include further links to local businesses. He mentioned that the Nike Site development was moving forward and expected an announcement regarding a hotel development to be made shortly. The owner of the plaza has signed a lease with Marshalls and was continuing to look for tenants.

8. New Business: Accept and Schedule New Applications:

- a. Application #18-31: Request for a Special Permit under Section 7.5.B.4. of the Zoning Regulations to permit a café/tavern at 540 Main Street. The Well LLC is the Applicant and Benitta Properties LLC is the Owner.
- b. 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.

Michael Cannata made a motion to accept both applications and to schedule them to both be heard on June 5, 2018; Seconded by Chris Cambareri. *All in favor; motion passed.*

9. New Business:

- a. Application #18-10: Request for a Site Plan Modification at 529 Main Street (Citgo Station) to add a donations bin. AMG Retail I LLC is the Applicant and CH Realty VII/CG CT Atlantic LLC is the Owner.

Jason Sekscenski, Manager of AMG Retail, presented the application. He said they wanted to install a clothing donation bin at the front corner of the Citgo Station. He reviewed the dimensions, the placement, and the weekly pickup schedule.

Michael Cannata said that donation bins are generally not allowed in Cromwell unless they are screened so as not to be visible from the street. Chairman Kelly said that there were many other options available for donation, such as Goodwill and the Veterans. She said that these types of bins do not enhance the property and can become very messy and that she was not in favor. Chris Cambareri said that they have had problems with these bins in the past and he was opposed. He said that there had been discussion about allowing a bin at the transfer station.

Michael Cannata made a motion to deny Application #18-10: Request for a Site Plan Modification at 529 Main Street (Citgo Station) to add a donations bin, Seconded by Chris Cambareri. *All were in favor; motion passed.*

b. Application #18-15: Request for a Site Plan Modification at WIS School to add a Scoreboard to the ballfield. Cromwell Little League is the Applicant and the Cromwell Board of Education is the Owner.

Dave Went, 8 Pond View Drive, presented the application. He asked to install scoreboards on the WIS fields. He said they had already purchased the scoreboards. He said that they would only be on during games with minimal projection. They would be located in the outfield, with the back wall facing the neighbors on Woodside Road.

Mr. Driska said that scoreboards are not considered to be commercial signs and therefore the sign regulations do not apply. Mr. Popper said they are not covered by the regulations because they are neither structures nor signs, and instead are an addendum or an accessory use to an athletic field.

Michael Cannata made a motion to approve Application #18-15: Request for a Site Plan Modification at WIS School to add a Scoreboard to the ballfield; Seconded by Chris Cambareri. *All were in favor; motion passed.*

c. 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 item was combined with the public hearing for Application #18-20.

d. Section 8-24 Mandatory Referral for Improvements to the Town Hall at 41 West Street.

e. Application #18-28: Request for Site Plan Modification at 41 West Street. The Town of Cromwell is the Applicant and the Owner.

Jon Harriman, Town Engineer, spoke regarding the Section 8-24 referral and Application #18-28, as both concern improvements to the town library. He explained that the courtyard would be utilized for the library expansion. He said that they had received a \$1M grant from the State Library Commission. They were in the design process now and possibly going to bid in late June and hiring a contractor for August or September. The expansion

would include a multipurpose dividable room and two new bathrooms. He reviewed the changes to the site, saying there were no changes to parking. There would be a new double arch walkway entrance and mezzanine. The new room would be 3,500 square feet and hold about 100 people. He reviewed the architectural drawings and elevations.

Michael Cannata made a motion to make a positive 8-24 mandatory referral for improvements to the Town Hall; Seconded by Ken Slade. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-28: Request for Site Plan Modification at 41 West Street; Seconded by Ken Slade. *All in favor; motion passed.*

10. Public Hearings:

Chairman Kelly read the Legal Notices.

a. Application #18-14: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit the sale of Alcoholic beverages at 35 A Berlin Road. Joe's Filling Station, LLC is the Applicant and River Grace Plaza LLC is the Owner.

Joe Moon, 29 South Gate Drive, South Glastonbury, presented the application. He said he was seeking a permit to sell alcohol at the former Franco's Lounge. He planned to open a taproom restaurant and reviewed his proposed hours and staffing. He said he was renting 35A Berlin Road and had options on two units, as well as an option to buy the plaza.

Mr. Popper confirmed that the lease constitutes the owner's permission to make this application. He also said that Mr. Moon was proposing a restaurant with accessory alcohol sales and that there was no applicable distance requirement. Another permit was pending for the restaurant portion of Franco's and would be heard in June.

There was a brief discussion regarding parking. There was no public comment. Chris Cambareri asked about the distance to the church on Country Squire Drive and Mr. Driska confirmed that it was 737 feet away. Chris Cambareri also asked if the restaurant permit allows the applicant to fill growlers. The applicant said yes. He said that he can only fill from the tap system into a growler he provided and only up to two 24 ounce containers a day per person can be sold. Mr. Moon briefly explained the "canning" process for filling the growlers. He said he planned to have 24 craft beers on tap.

Michael Cannata made a motion to close the public hearing; Seconded by John Keithan. *All in favor; motion passed.*

Mr. Popper asked about the applicant's plans for signage. Mr. Moon said he planned on taking over the "Franco's" portion of the pylon sign and replacing the panel with a double-sided backlit sign with this logo. He said the plaza owner wanted to move the neon "Franco's" sign to somewhere on the side of the property. He also planned to have a building sign.

Mr. Popper told the applicant that the sign regulations are based on frontage. Mr. Popper and Mr. Driska both gave examples of calculating the sign allotment using the frontage ratio. Mr. Popper suggested that the Commission, if they approve the application, require that the signage be approved at the staff level.

Michael Cannata made a motion to approve Application #18-14; Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit the sale of Alcoholic beverages at 35 A Berlin Road on the condition that before any signs are erected that they be presented to town staff for staff approval; Seconded by Ken Slade. *All in favor; motion passed.*

b. Application #18-18: Request to amend Section 4.5.B. of the Zoning Regulations to increase the Maximum Building Height in the Institutional Zone District. Covenant Home Inc. Covenant Village of Cromwell is the Applicant and the Owner.

c. Application #18-19: Request for a Special Permit to amend the Master Plan for Covenant Village of Cromwell at 52 Missionary Road. Covenant Home Inc. Covenant Village of Cromwell is the Applicant and the Owner.

Michael Cannata made a motion to open the public hearings for Applications #18-18 and #18-19; Seconded by John Keithan. *All in favor; motion passed.*

Attorney Michael Dowley presented the applications. He said that they were asking that the conceptual plan for expanding the Institutional Zone District be approved, and if it was, they would be returning with a Site Plan Application. He said that a number of buildings were non-conforming as to height, and Application #18-18 would bring those buildings in compliance and allow for further development of the property.

Attorney Dowley gave a brief timeline of Covenant Village's previous development and introduced the development team. He said that one of the main concerns of the police and fire departments is the lack of circulation within the development, but the new master plan resolved that. He next reviewed the impact statement, saying that this development would greatly improve services to the seniors in Covenant Village with little impact on the town's spending. An investment of more than \$24M was planned.

Ted Hart, P.E., with Milone & MacBroom, gave an overview of the site layout. He said that Phase I would encompass the creation of the new entrance off of West Street and the new town center area overlooking the pond, as well as additional independent living units, and parking area. A portion of the skilled nursing area would be removed to allow for the through accessway. Phase II would consist of the new community center and pool and additional parking areas throughout the site. Mr. Hart said that the current parking is only about 60% utilized. They were requesting a 9% waiver of the parking requirements, to provide 618 spaces instead of the required 677. He said that one space per unit is adequate and busing was available for larger events. He said that employees work one of three off peak shifts per day and residents generally travel at off-peak times as well. He said that there would be no change to peak hour traffic rates.

Mr. Hart said that all public utilities were available in Missionary Road and that there was adequate capacity for sewer. The maximum height of the existing buildings is 41 feet and the proposed change was to 55 feet. He said that the grading changes around the buildings could allow for parking underneath. The proposed buildings would not be very different from the four story assisted living buildings there now.

Attorney Dowley said that the campus consisted of 38 acres and three lots that had been acquired. They were asking that the building lots on West Street be added to the Institutional Development Zone, as well as the text amendment to change the height requirement.

Jake Friend, of THW Design, in Atlanta, Georgia, said that they were trying to maintain a "Main Street" feel to the community, where residents could enjoy the courtyard, lake, and community center. They were trying to design buildings in the New England style, with balconies, dormers, and cupolas to complement the existing neighboring buildings.

Michael Cannata asked about the underground parking. Mr. Hart said that was only in concept and no numbers had been worked out. Michael Cannata said that he had never encountered difficulties parking in the community. Chairman Kelly asked about parking along the roadway and was told it was likely done out of convenience.

Jeremy Floryan asked about the reduction of staff parking when it was likely that more staff would be hired. Mr. Hart said that more staff parking areas would be created.

Attorney Dowley said that their master plan was to have more landscaping than asphalt and that the 9% reduction requested was minimal. Mr. Popper said that parking and traffic concerns should be addressed during the Site Plan application.

The hearing was opened to public comment.

Marcia Evans, representing George Evans of 28 Bellaire Manor, asked about the civil engineering impacts, such as drainage and water flow. Mr. Popper said that those would be addressed during the Site Plan and Special Permit applications. Engineering studies would have to be prepared, and be subject to staff review, and the development could not have negative impacts on the surrounding properties. She asked about the building heights and Mr. Popper explained that they had been built prior to the zoning regulations being implemented and were therefore grandfathered in.

Susanne Evans, representing George Evans of 28 Bellaire Manor, asked if the site plan was a public hearing and was told yes. She said she was concerned about light pollution, noise and water. She said that there had been problems with water in the past, leading to litigation, and didn't want that to happen again. She wanted the developer to consider the soil composition. Mr. Popper confirmed that the Special Permit application was a public hearing with a sign posted and abutters notified by mail.

Jim Valentin, 97 West Street, asked if a traffic light would be installed at the new entrance. Mr. Popper said that was a site plan question that could be answered after a traffic study was conducted. Mr. Hart said that it was unlikely that they would need a light. He believed they would have adequate sightline once the houses on West Street were removed.

Mr. Popper asked about the landscaping. Mr. Hart said that nice landscaping, signage and walls were planned for the main entrance, but an exact design was not confirmed. He said that the removal of the houses on West Street was part of Phase I.

Chairman Kelly asked how fast the applicant would move onto the Special Permit / Site Plan application phase. Attorney Dowley said that they expected to be back in the summer.

Mr. Popper told the public that the Special Permit application would be a public hearing, with signage and notice and that the plans and studies would be available for inspection prior to the meeting, as well as contact information for the development team.

Mr. Popper read into the record the Capital Council of Government's finding that the requested change in height would not cause any conflict. The Lower Connecticut River Valley Council of Government found no inter-municipal impacts and said that the Planning and Zoning Commission should use discretion in allowing 55 foot building heights elsewhere in town. Mr. Popper also read the Fire Chief's memo stating that the 55 foot building height did not adversely affect their firefighting operations.

Michael Cannata made a motion to close Applications #18-18 and #18-19; Seconded by Chris Cambareri. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-18: Request to amend Section 4.5.B. of the Zoning Regulations to increase the Maximum Building Height in the Institutional Zone District; Seconded by Chris Cambareri. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-19: Request for a Special Permit to amend the Master Plan for Covenant Village of Cromwell at 52 Missionary Road; Seconded by John Keithan. *All in favor; motion passed.*

d. 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.

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

Stan Novak, P.E. with BL Company, 355 Research Parkway, Meriden, presented the application. He submitted the return receipt cards from the mailing and said he had submitted an acknowledgement letter from the property owner. He said that a 9,100 square foot retail building with 37 parking spaces was planned. The site was 1.1 acres in the LB zone. He reviewed the site layout and surrounding zoning. He said that the site

slopes down gradient and that the percolation tests had revealed extremely sandy soil that excessively drains. The applicant wanted to import fill to raise the lot up equal to Main Street. A swale was proposed and all runoff would be managed with an underground system, double catch basin and isolator row. Nothing was proposed to be connected to the street drainage or DOT stormwater systems. He said that a dumpster enclosure, modular wall, and bike rack were also proposed. All bulk standards were met and all utilities available on Main Street. He reviewed the proposed erosion and sedimentation controls and landscaping plans.

Mr. Novak said that the net amount of fill was 1,350 cubic yards. He next reviewed the building elevations, building orientation and proposed signage.

Michael Perkins, 41 Calhoun Avenue, Trumbull, said that the proposed siding was a cement composite material that looked like clapboard. Michael Cannata said that it was a higher end product.

Mr. Popper suggested that the front side facing Main Street have more features, such as windows. Michael Cannata said that he wanted to see the appearance improved and Chris Cambareri agreed. Michael Cannata said he was ok with the footprint of the building on the site. Chris Cambareri said he wanted to see a layout over an aerial and a rendering that including the abutters. Mr. Perkins said that the orientation and footprint were likely not going to change. Michael Cannata requested a topography map as he was concerned about the amount of fill being requested.

Michael Cannata made a motion to continue Application #18-20 and Application #18-21 to June 5, 2018; Seconded by John Keithan. *All in favor; motion passed.*

11. Approval of Minutes:

- a. April 3, 2018: No action taken
- b. May 1, 2018: No action taken

12. Commissioner's Comments: NONE

13. Adjourn: A motion to adjourn was made by Michael Cannata. Meeting adjourned at 9:42 p.m.

Respectfully submitted,



Julie C. Petrella
Recording Clerk