



**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY MARCH 17, 2020
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
AGENDA**

RECEIVED FOR RECORD
Mar 10, 2020 03:00P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT *Jc*

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Development Compliance Officer Report:**
7. **Town Planner Report:**
8. **New Business: Accept and Schedule New Application:**
9. **New Business:**
 - a. Application #20-01: Request for Site Plan Modification – Erosion Control Bond Reduction at 120 County Line Drive. Scannell Properties #315 LLC is the Applicant and the Owner.
10. **Public Hearing:**
 - 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.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
 - a. January 21, 2020
 - b. March 4, 2020
13. **Adjourn:**

		P&Z 2020 Permit Report				
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	
20-01	Scannell Properties	120 County Line Drive	Site Plan Modification	Approved 1/7/2020	Awaiting Construction	
20-02	Greater Hartford Community Foundation	One Golf Club Road	PGA Golf Tournament	Scheduled 3/4/2020	Meeting Pending	
20-03	John HageI	43 Shadow Lane	Create a rear lot	Scheduled 3/17/2020	Meeting Pending	
20-04	John HageI	43 Shadow	Resubdivide into 3 lots	Scheduled 3/17/2020	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	Scheduled 3/17/2020	Meeting Pending	
20-08	Crown Battery - Site Plan Approval	50 Sebetha Drive	New signage	Approved 2/4/2020	Complete	
20-09	Crown Battery - Use Permit	50 Sebetha Drive	Distribution Center for Northeast Batteries	Approved by staff 1/31/2020		

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	
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	
20-13	Baltazas Contractors	53 Willowbrook	Staging area for materials and equipment (Use Permit)	Approved 2/24/2020	
20-14	Baltazas Contractors	181-183 Coles Road	Staging area for materials and equipment (Use Permit)	Approved 2/24/2020	
20-15	BSC Services	50 Berlin Road	Gaylord Healthcare (Use Permit)	Approved by staff 2/26/2020	
20-16	Samantha DiFilippo	28-1 Shunpike Road	Chi Lash Academy	Scheduled for 4/7/2020	
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	

My name is Julie Cranick, I am the owner of Energy Zone Fitness located at 199 Shunpike Rd. We recently put out a flag to market our business. We received a violation note on our front door from your department with an order to take it down. The flag was approved by the owner of my building, Joe Moruzzi to be put on his property. I was unaware this was a violation, my apologies.

Furthermore, this letter serves as a request to reconsider small businesses to use signage or flag to help market/ promote their business for special promos. As you know, in this day and age it is hard for corporate businesses to stay afloat never mind small business like myself. Signage is an affordable way to get our brand out there and offer some great promos that benefit not only our small business, but the health and wellness of those in our community.

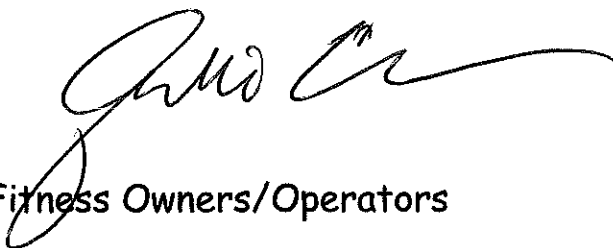
Thank you in advanced for taking the time to consider our request. Looking forward to your favorable response.

Respectfully,

Julie Cranick

Energy Zone Fitness Owners/Operators

(860) 874-5104

A handwritten signature in black ink, appearing to read 'Julie Cranick', with a long, sweeping horizontal line extending to the right.

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: March 10, 2020
Re: Comments for the March 17, 2020 Meeting Agenda

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.

The applicant is proposing to reduce the original Site Plan development bond of \$51,188.00 to \$40,150.00 to cover the bond for the recently approved Site Plan Modification. Staff recommends approval of the bond reduction. Please see attached letter from the applicant's contractor.

10. Public Hearings:

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.

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. The applicant is proposing to create Lot #2 a 4.38-acre rear lot and two front lots. Front Lot #1 is 28,426 square foot or .6 acres and front lot #3 is 25,749 square feet or .65 acres. All three lots will contain single family homes. Please see attached staff comments.

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.

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. The applicant is proposing to create a three lot resubdivision. The resubdivision will contain lot #2 a 4.38-acre rear lot and two front lots. Front Lot #1 is 28,426 square foot or .6 acres and front lot #3 is 25,749 square feet or .65 acres. All three lots will contain single family homes. Please see attached staff comments.

March 4, 2020

Bruce Driska
Town of Cromwell
41 West St.
Cromwell, CT 06416

Re: Erosion Control Bond – 120 County Line Dr.

Bruce:

As you know, we are preparing to start sitework and construction for a tenant improvement at 120 County Line Dr. at the building owned by Scannell Properties. Acting as an agent for Scannell Properties, I am requesting that a portion of the previously posted Erosion Control Bond be released to them.

For the initial building construction, a bond was posted for the value of \$51,188.00 (see the attached cost estimate from Milone and MacBroom for reference).

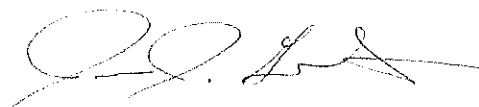
For the new improvements, the value of the erosion control is \$40,150.00 (see attached cost estimate from Langan for reference).

We are requesting, on Scannell's behalf, that \$11,038.00 be released to them which is the difference between the initially posted bond value and the new value of the erosion control bond. The remaining \$40,150.00 in the Town's possession will act as the bond for the current tenant improvement project.

Please let me know if you have any questions or comments regarding this request.

Sincerely,

ARCO National New England, Inc.



Jason Grant

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday March 17, 2020 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following items:

1. Application #20-03: 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.
2. 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.

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 3rd day of March 2020.

20-03

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

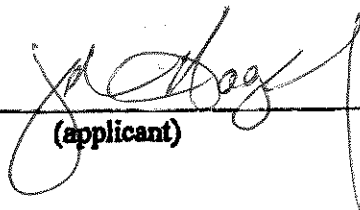
Type of Activity: Creation of Rear Lot
(Per Section 6.6 of the Cromwell Zoning Regulations)
Street Address: 43 Shadow Lane Zoning District: R-25
Assessor's Parcel ID #: 00272900 Volume/Page: 194/38

Applicant's Name: John Hagel
Address: 62 Evergreen Road, Cromwell, CT 06416
Telephone Number (daytime): (860) 982-7485
Email Address: johnhagel@yahoo.com

Property Owner's Name: Michael Lanteri
Address: 34 Shunpike Road, Suite #40, Cromwell, CT 06416

Description of Proposed Activity:
The creation of one (1) rear lot as part of a three (3) lot subdivision.

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)

1/30/20
(date)

**Special Permit Application
For a Rear Lot at 43 Shadow Lane
John Hagel, applicant**

Statement Regarding Proposed Use

The applicant is proposing to resubdivide the property at 43 Shadow Lane, Cromwell, Connecticut, into three lots and plans to construct single family homes on each. One of the proposed lots (Lot 2) will be a rear lot. It meets all of the General Requirements outlined in Section 6.6.C. as follows:

1. No lot shall be divided into more than two (2) rear lots.
It is the only rear lot proposed in this subdivision.

2. Each rear lot shall have double the minimum front yard setback required for that zone, measured from the lot line which intersects the accessway and is perpendicular to the accessway.
The required setback is 40'. The rear lot has a 80' front yard setback line as shown on the plans.

3. Each rear lot shall have at least double the minimum lot size required for that zone.
The minimum lot area in the R-25 zone is 25,000 square feet. Lot 2 will have 186,960 square feet, exclusive of the access right-of-way.

4. Each rear lot shall contain a "buildable square" of not less than the minimum lot size for that zone.
Lot 2 has a 25,000 square foot "buildable square" as shown on the plans.

5. No portion of the lot between the street and the lot line which intersects the accessway shall be counted toward the minimum lot size.
The area of proposed Lot 2 meets the minimum size requirement without taking into consideration the accessway.

6. Each rear lot in a Residential District shall have an accessway which has a continuous width of at least 20 feet, which is owned in fee simple by the owner of the rear lot, and which has frontage on a street.
The proposed rear lot will have a 20' access right-of-way, to be owned in fee simple, that fronts on Shadow Lane.

7. Each rear lot in an Industrial District shall have an accessway which has a continuous width of at least 30 feet, which is owned in fee simple by the owner of the rear lot, and which has frontage on a street.

N/A

8. Each rear lot shall comply with all other lot and building requirements for the zone on which it is located.

The proposed rear lot meets all of the bulk requirements for the R-25 zoning district.

9. No two (2) rear lots shall have frontage on the same street any closer to each other than the minimum lot width for that zone, except that two contiguous rear lots may be approved sharing a common driveway, and the application for such rear lots shall include an Agreement specifying that the owners of said driveway will share responsibility for its maintenance.

N/A

10. The Planning and Zoning Commission may require that slope rights on an adjacent frontage lot be provided to accommodate driveway construction, and that a proposed rear lot share a common driveway with an adjacent frontage lot where appropriate.

No comment required.

11. The owner of the proposed rear lot shall obtain a Special Permit before submitting an application for subdivision approval of a proposed rear lot.

N/A. This application is being submitted in accordance with Section 6.6.E(4).

Per Section 6.6.D, 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 as to minimize impacts to the Upland Review Area and to avoid altogether any impacts on the wetlands located to the rear of the property.

Statement Regarding Special Permit Criteria of Section 8.7E

1. Compatibility with the Plan of Conservation and Development.
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.

2. Suitable Location for Use.
The proposed site at 43 Shadow Lane is adequately sized to support this use and there is access to the site from Shadow Lane.

3. **Appropriate Improvements.**

- (1) N/A as no design elements are being proposed at this time.**
- (2) 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.**
- (3) No exposed artificial lights, colored lights of any nature, flashing lights, loudspeakers or other noisemaking devices are associated with this type of use.**
- (4) This section is not applicable, as the applicant is proposing a new development.**

4. **Suitable Transportation Conditions**

- (1) This residential use will not impact traffic circulation.**
- (2) No parking areas, other than driveways, are proposed and no screening is necessary.**
- (3) Shadow Lane can adequately accommodate this new development.**

5. **Adequate Public Utilities and Services**

- (1) 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.**
- (2) The site, being off of Shadow Lane, will be easily accessible by fire apparatus and police protection.**

6. **Environmental Protection and Conservation**

The subdivision has been designed as to minimize impacts on the Upland Review Area and to avoid impacting the wetlands onsite altogether.

7. **Long-Term Viability**

The developer has a proven tract record of providing quality residential developments in the Town of Cromwell.

20-04

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
RE-
APPLICATION FOR SUBDIVISION APPROVAL**

**Name of Subdivision
(if applicable):**

Street Address: 43 Shadow Lane, Cromwell, CT 06416

Volume/Page: 194/38

Zoning District: R-25 PIN # 00272900

Applicant's Name: John Hagel

Address: 62 Evergreen Road, Cromwell, CT 06416

Telephone: (860) 982-7485

Email Address: johnhagel@yahoo.com

Owner's Name: Michael Lanteri

Address: 34 Shunpike Road, Suite #40
Cromwell, CT 06416

Attached:

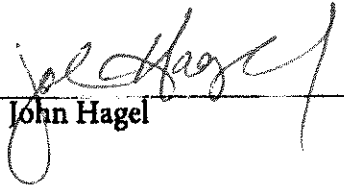
- (x) 1. Application fee in the amount of \$ _____;
- () 2. Copy of Inland Wetlands and Watercourses Agency Permit, if applicable; Pending
- () 3. Evidence of Water Pollution Control Authority approval, if applicable; Waiver Granted
- (x) 4. Twenty-five copies of plans prepared in accordance with Article 403 and 404 of the Cromwell Subdivision Regulations.

***Incomplete applications may be rejected at the next scheduled meeting
of the Planning and Zoning Commission***

✓ 18-20-04

Please answer the following questions:

- 1. Is any part of the site within 500' of an adjoining town? ~~(Yes)~~ (No)
- 2. Does any part of the site contain wetlands? (Yes) ~~(No)~~
- 3. If you propose to disturb more than five acres, have you filed a Stormwater Management Plan with DEP? ~~(Yes)~~ ~~(No)~~ (N/A)
- 4. If the subdivision will involve more than 100,000 sf of floor area or 199 parking spaces, have you applied for an STC Permit with DOT? ~~(Yes)~~ ~~(No)~~ (N/A)
- 5. Is any portion of the site subject to any Conservation Restriction per Sec. 47-42d of the Connecticut General Statutes? ~~(Yes)~~ (No)

Applicant John Hagel 

1/28/20
Date

Owner Michael Lanteri 

1/28/20
Date

O'Connell, Greta

From: Nesci, Salvatore
Sent: Tuesday, March 10, 2020 11:56 AM
To: Popper, Stuart
Cc: O'Connell, Greta; Fletcher, Alberina
Subject: P&Z Application: #20-03 Special Permit and #20-04 ReSubdivision
Attachments: 20200310120116596.pdf

To: Stuart B. Popper, Town Planner
Fr: Salvatore Nesci, R.S., Public Health Coordinator
Date: March 10, 2020

Re: P&Z Application: #20-03 Special Permit and #20-04 ReSubdivision

I am in receipt today of your memo request regarding the above mentioned application before the Planning and Zoning Commission, (attached).

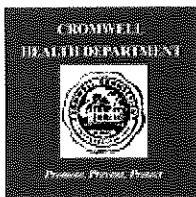
On January 7, 2020 the health department conducted soil testing, (perc testing and deep test pits), on 43 Shadow Lane for a potential 3 lot subdivision. The results of the tests demonstrated that all 3 proposed lots meet the requirements and public health code for the support of on site subsurface sewage disposal systems.

Please let me know if I can provide any additional information.

-Thanks


Salvatore Nesci, R.S.

Public Health Coordinator
Acting Director of Health
Emergency Management Director
Town of Cromwell
Department of Health
41 West Street, Cromwell, CT. 06416
Office: 860.632.3426 Fax: 630.632.3477
Email: snesci@cromwellct.com
www.cromwellct.com



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

Memorandum

To: Stuart Popper
CC: Planning & Zoning Commission
From: Jon Harriman, P.E. 
Date: 2/14/2020
Re: #20-03: 43 Shadow Lane

This office has reviewed the revised plans for this application dated January 28, 2020.

I offer the following comment:

1. Please provide confirmation that the proposed driveways will have proper site lines.

As conditions of approval I suggest:

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.

In compliance with Cromwell's CTDEEP MS4 permit requirements, attached to this memo is the Town's notification to contractors regarding CTDEEP storm water permitting requirements that may be relevant to this project.

Town of Cromwell

Stormwater Permit Information for Developers and Contractors

If your project disturbs more than one acre of land, regardless of phasing, you are responsible for the requirements of the Connecticut Department of Energy & Environmental Protection (DEEP) *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities* (“Construction Stormwater General Permit”).

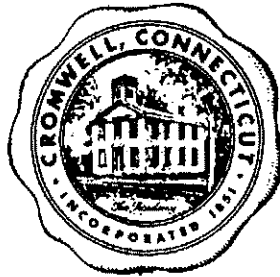
If your project is greater than 5 acres, you are required to submit a registration for the Construction Stormwater General Permit at least 60 days prior to the planned commencement of the construction activity. A copy of your Stormwater Pollution Control Plan shall be provided to the Town upon request.

If your project is between one and five acres, you must adhere to the erosion and sediment control land use regulations of the Town of Cromwell which can be found in the Zoning Regulations and Inland Wetland and Watercourses Regulations, as well as the Connecticut Guidelines for Soil Erosion and Sediment Control and the Connecticut Stormwater Quality Manual. No registration or plan review and certification is required for such construction activity provided a Town of Cromwell land-use commission (i.e. Planning, Zoning, or Inland Wetland) reviews and issues a written approval of the proposed erosion and sediment control measures, pursuant to the requirements of section 22a-329 of the Connecticut General Statutes.

At the completion of a construction project registered pursuant to the “Registration Requirements” of the Construction Stormwater General Permit, a Notice of Termination must be filed with the commissioner. A project shall be considered complete after all post-construction measures are installed, cleaned and functioning and the site has been stabilized for at least three months following the cessation of construction activities. A site is considered stabilized when there is no active erosion or sedimentation present and no disturbed areas remain exposed for all phases.

More information can be obtained by calling the DEEP at 860-424-3000 or visiting their Construction Stormwater General Permit webpage at:

http://www.ct.gov/deep/cwp/view.asp?a=2721&q=558612&DEEPNav_GID=1654



MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*
Date: February 25, 2020
Re: **Plan Review, PZC Application #20-03, Special Permit, and #20-04
Re- Subdivision by John Hagel at 43 Shadow Lane**

BACKGROUND

The IWWA recently approved an application to conduct regulated activities within an Upland Review Area at 43 Shadow Lane.

PROPOSAL

The Applicant is seeking approval to create a three (3) lot re-subdivision.

COMMENTS

The application meets the requirements of Cromwell's Zoning Regulations.

Popper, Stuart

From: Michael Terenzio <mterenzio@cromwellfd.com>
Sent: Thursday, February 20, 2020 11:41 AM
To: Popper, Stuart
Cc: Todd Gagnon; Jason Brade
Subject: P&Z application #20-03 and #20-04 43 Shadow La.

Good Morning Mr. Popper,

The fire department has completed a review of the plans submitted for the above applications. There were no identified impediments to Fire Department operations during this review. Please be aware that this was not a Code Compliance review which is a separate one conducted by the Fire Marshal.

Thank you.

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

Cromwell Fire Department

82 Court St
Cromwell, CT 06416
Phone: 860-635-6155 x1320
Cell: 860-471-1450
Fax: 860-632-1599
Email: mterenzio@cromwellfd.com / www.cromwellfd.com



Popper, Stuart

From: Chief Lamontagne
Sent: Friday, February 21, 2020 9:33 AM
To: Popper, Stuart
Subject: 20-03

I have received and review the plans for 20-03, 20-04, Resubdivision at 43 Shadow Lane. I have no comments on this request.

Denise Lamontagne

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

Memo

To: Town Staff
From: Stuart B. Popper, Town Planner
Date: February 11, 2020
Re: P&Z Applications: #20-03 Special Permit and #20-04 ReSubdivision

Please review and comment on the following applications. Email responses are welcome.

Application #20-03: Request for a Special Permit for the Creation of a Rear Lot at 43 Shadow Lane and Application #20-04 Request to create a 3 lot Resubdivison at 43 Shadow Lane. John Hagel is the Applicant and Michael Lanteri is the Owner.

No Comments - S.B.P. 2.18.2020

c: Town Engineer, Chief of Police, Cromwell Fire District (Fire Chief, Fire Marshal),
Development Compliance Officer, WPCA, Building Inspector, File

**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:

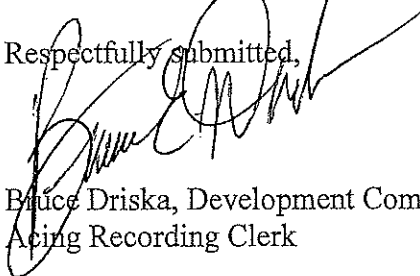
- a. November 7, 2019
- b. November 19, 2019
- c. January 7, 2020

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
SPECIAL MEETING
6:00 PM WEDNESDAY MARCH 4, 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, Paul Cordone, and Ken Rozich.

Absent: Nicholas Demetriades, Brian Dufresne, John Keithan, Mo Islam, and Kenneth Slade.

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

1. Call to Order:

The meeting was called to order by Chairman Kelly at 6:05 PM.

2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

None.

4. Approval of Agenda:

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

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Mar 10 2020 02:24P
JoAnn Doyle
TOWN CLERK
CROMWELL, CT



5. Public Comments:

There were no comments from the public.

6. Development Compliance Officer Report:

Development Compliance Officer Bruce Driska provided a brief summary of his report. Mr. Driska said the items on the report should be familiar to everyone in the room, but if they should have any questions to please see him. There were no questions.

7. Town Planner Report:

Mr. Popper said as part of his report he would like to discuss a recent request for feedback from the Commission. He said that Tesla is interested in installing recharge stations at the Dunkin Donuts located at 24 Shunpike Road. Mr. Popper distributed copies of pictures of a similar facility at a Dunkin Donuts in Meriden. He explained that based on our current regulations electrical chargers can only be installed at a gas station. Mr. Popper said he explained to the Tesla staff person that if they would like to go anywhere other than a gas station, they will have to come in to amend the zoning regulations. He suggested to Tesla that the commission would likely want to see Tesla submit an application to amend the

regulations rather than the staff preparing and submitting the application. Mr. Popper asked the commission members what they think of this proposal. The commission members all thought that Tesla submitting the application was the appropriate process.

8. New Business: Accept and Schedule New Applications:

a. Application # 20-10 Request to Amend the Zoning Map at 6 Piney Ridge (change the Zone District from Residence 15 to Commercial Billboard District). DFC of Cromwell, LLC is the Applicant and the Owner.

Michael Cannata made a motion to accept and schedule the Application #20-10 for Tuesday, April 21st; Seconded by Chris Cambareri. *All in favor; motion passed.*

b. 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 Cambareri Vincent ETAL Michael J. Polke, are the Owners.

Michael Cannata made a motion to accept and schedule the Application #20-16 for a public hearing on Tuesday, April 7th; Seconded by Jeremy Floryan. *All in favor; motion passed.*

c. Application #20-17: Request for a Site Plan Modification to install building signs at the new Springhill Suites by Marriott at 76 Berlin Road. Arnco Sign Company is the Applicant and AVA Realty Cromwell LLP is the Owner.

Michael Cannata made a motion to accept and schedule Application #20-17 to be heard this evening; Seconded by Ken Rozich. *All in favor; motion passed.*

9. New Business:

a. Application #20-17: Request for a Site Plan Modification to install building signs at the new Springhill Suites by Marriott at 76 Berlin Road. Arnco Sign Company is the Applicant and AVA Realty Cromwell LLP is the Owner.

Mr. Driska explained that when the site plan for the new Marriott hotel was approved it included a monument sign but not any building signs. He explained that the application this evening is for the addition of two building signs. Mr. Driska said the new signs comply with the Zoning Regulations.

Mr. Eric Merliss from Arnco Sign Company said that they are proposing to install two signs on the building. He described the design and the appearance of the sign and passed out pictures showing what the new signage will look like.

Michael Cannata made a motion to approve Application #20-17 as presented; Seconded by Chris Cambareri. *All in favor; motion passed.*

10. Public Hearing:

Ken Rozich read the legal notice into the record.

Michael Cannata made the motion to open the Public Hearing for Application # 20-02; Seconded by Chris Cambareri. *All in favor; motion passed.*

a. Application #20-02: Request for a Use Permit for Travelers Championship Golf Tournament at 100 Golf Club Road. Greater Hartford Community Foundation Inc. is the Applicant; Tournament Players Club of Connecticut Inc. is the Owner.

Attorney David Debassio presented an overview of the history, growth and success of the Traveler's Tournament here in Cromwell. He thanked the Town of Cromwell for its assistance in this great community endeavor.

Kevin Harrington, the Senior Director of Operations for the Hartford Community Foundation Inc. summarized the application and schedule for the tournament. He explained that they are requesting permission to hold the annual event at the TPC River Highlands. Mr. Harrington said that the tournament dates would be June 22-28, 2020. He said they are requesting that construction start the week of April 13, one week earlier than 2019 providing closer to two weeks of additional set up time.

Mr. Harrington said that parking will remain the same as last year; we are requesting to use Woodside Intermediate School again. They request to continue the tradition of evening entertainment following play on Friday and Saturday evening. Mr. Harrington said it is becoming increasingly more difficult to meet the 10 PM curfew with all service and support requirements in and around the Fan Zone after the concert is over. He said for that reason we may hold the concerts at the First Tee practice facility and are asking permission to do that as part of this application. Mr. Harrington said that we are asking that on page 2 in the additional conditions section, the last sentence of item 1 will include updated dates and read as follows: The hours will be amended to extend from 5:00 am to 10:00 pm from June 15, 2020 through July 1, 2020.

Chairman Kelly opened the Public Hearing to the public.

Neal Botelho, resident at 26 Field Road said he was very concerned about the loud noise vulgar language and unprofessionalism of the construction crew near his house during the setup for the tournament last year. He explained that he worked at home and it would be very helpful to know ahead of time when the construction will take place for the setup. Mr. Botelho noted that if he knows the dates he could make other arrangements to be working anywhere but home those days. He discussed problems with people exiting the parking area on Field Road the driving over his neighbor's lawns. Mr. Botelho suggested that a fence be installed to adjacent to the parking lot entry and exit points to protect the abutting property owners' lawns from cars that may try to turn around.

Chairman Kelly asked if there was anyone else that wished to address the Commission.

Deneen Wilbraham of 51 Field Road said she has the same issues regarding the loudness and unprofessionalism of the setup crew. She also has some issues with the parking in

lawns and traffic in front of her house. She asked if anything is being done about the dust issue from the parking. Ms. Wilbraham said she had addressed it last year with Mr. Harrington, but would like to know if there is something being done to control it. Mr. Harrington answered saying there is a water truck that helps with the dust control. Mr. Cannata asked Mr. Harrington to add 51 Field Road to the route that the water truck goes on to help with the dust problem at her house.

Lynn Boyan, of 5 Ridge Road said her biggest concern was the noise late at night last year. She also said for residents on Ridge Road it is a challenge to access tournament to Ridge Road. Mr. Cannata advised she reach out to the Chief of Police to voice her concerns regarding traffic control ahead of time for the tournament. Ms. Boyan asked what the cut-off time for the noise ordinance is. Mr. Driska said it was 10 pm. There were no further questions or concerns.

Kevin Harrington apologized for the lack of professionalism by the construction team adjacent to the properties on Field Road. He will let the residents know ahead of time when there will be loud noise coming from the setup so they can make other arrangements. Mr. Harrington said we will continue to work with all the neighbors to resolve their issues.

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

Michael Cannata made a motion to approve Application #20-02 with the proposed changes and conditions as contained in the list of the usual conditions; Seconded by Chris Cambareri. *All in favor; motion passed.*

11. Commissioner Comments:

There were none.

12. Approval of Minutes:

a. January 21, 2020

There was no action taken.

b. February 4, 2020

Michael Cannata made a motion to approve the minutes; Seconded by Paul Cordone.

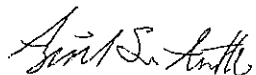
All in favor; motion passed.

13. Adjourn:

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

Meeting adjourned at 6:59 PM.

Respectfully submitted,



April Armetta
Recording Clerk