

**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY NOVEMBER 15, 2016
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:

a. Application #16-42: Request for a Special Permit to install LED Price Signage at 140 Berlin Road. Bishops Automotive Inc. is the Applicant and RSWD Group LLC is the Owner.

b. Application #05-95: Request for a Release of the \$19,848 Bond for the Site Work at 80 Shunpike Road. Quantum Office of Cromwell LLC is the Applicant and the Owner.

9. New Business:

a. Approval of 2017 Planning and Zoning Commission Meeting Calendar

11. Approval of Minutes:

a. October 18, 2016

12. Commissioner's Comments:

13. Adjourn

RECEIVED FOR FILING
11-08 2016 at *1:09* M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Jean Adelquist
TOWN CLERK

P & Z Permits 2016						
Permit #	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	
16-01	Town of Cromwell	9 Capt. James Mann Memorial Drive	Watrous Park Splash Pad	Approved with conditions 1/5/16	Complete	
16-02	Frank Acheampong	538 Main Street	Clothing Bin for Non Profit	Withdrawn	Withdrawn	
16-03	Meghan Burt	199 Shunpike Road	Next Level Fitness Personal Training	Approved by ZEO 1/25/16	Open for business	
16-04	Merritt Construction LLC	136 Berlin Road	Center for Vein Restoration	Approved by ZEO 1/25/16	Complete	
16-05	Premier Partners Assoc.	192 Shunpike Road	Subdivision	Approved 4/19/16		
16-06	Applicant did not need to go to P&Z therefore # not used					
16-07	Town of Cromwell	9 Capt. James Mann Memorial Drive	Raymond Place area-improvements to Town Rds.		Complete	
16-08	Use #16-13 instead					
16-09	Greater Hartford Community Foundation	100 Golf Club Road	Travelers Championship	Approved with conditions 4/19/16	Event over	
16-10	Pinewood Landscaping, LLC	302 Main Street	Site Plan Modification	Approved 4/19/16	Sign Base complete	
16-11	Christian Plummer Plummer All Season Landscaping	224 Shunpike Road	Landscaping/Retail Sales	Approved 4/19/16	Open for Business	
16-12	Michael Salonia Cromwell Fire Department	105 Coles Road	Flower sale for Mother's Day and Christmas Trees	Approved 4/19/16	Event over	

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
16-13	Town of Cromwell	Raymond Place Neighborhood	Roadway and Drainage Improvements	Approved 4/19/16	Out to Bid
16-14	Town of Cromwell	41 West Street	Modify Site Plan for Parking Lot Expansion	Approved 4/19/16	Complete
16-15	Luca DiMichele	6 Kirby Road	Barbershop & Emporium	Approved by ZEO 4/7/16	Complete
16-16	National Sign	4 Sebethe Road	Chili Signage	Approved 5/03/16	No Activity
16-17	Dana Woods	11 Applewood Road	Add fill to yard	Approved 5/9/16 by ZEO	Work in progress
16-18	Keystone Novelties	111-113 Berlin Road	Temporary tent for fireworks	Approved by ZEO 6/21/16	Event over
16-19	John Vignone	84 North Road	Garage & shed over 1000 square feet	Approved 6/21/16	Complete
16-20	Elias DiMichele	6 Kirby Road	Parking lot modification	Approved 7/19/16	Open for business
16-21	Tatiana DeJesus	45 Shunpike Road	Sale of Fireworks	Approved by ZEO 5/24/16	Event over
16-22	Paul Zigmont	138 Coles Road	Construct oversized garage	Approved 7/19/16	No Activity
16-23	Paraco Gas	538 Main Street	BBQ - Exchange	Approved 6/21/16	Complete
16-24	Town of Cromwell	Prospect Hill Road	Valor Green Improvements	Approved 6/7/16	Work in progress
16-25	Town of Cromwell	85 Coles Road	Walking Trail	Approved 6/7/16	No Activity
16-26	Paraco Gas/S. Taylor	72 West Street	Propane Exchange Program	Withdrawn 6/7/16	Withdrawn

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
16-27	Maria Ceccacci	76 Berlin Road	Advanced Auto Parts	Approved 7/19/16	No Activity
16-28	P & Z Commission	Zoning Regs.	Amend Sections 7.1A3 (1) (2) and 10.4E.2	Approved 7/19/16	
16-29	Three Sons Realty Pride Corner Farms, Inc.	600 Main Street	Millane Nurseries	Approved 7/19/16	
16-30	Three Sons Realty Pride Corner Farms, Inc.	600 Main Street	Millane Nurseries	Approved 7/19/16	
16-31	Mukesh A. Patel	164 West Street	Proposed Bldg. Conversion - Retail Store	Approved with conditions 9/20/16	No Activity
16-32	Walmart Real Estate Trust	161 Berlin Road	Add seasonal storage trailers in parking lot	Approved with conditions 10/18/16	
16-33	Victor Torza	180 Sebehe Drive	Outside Halloween Party	Approved 10/4/2016	No Activity
16-34	Allan Spotts	321R Main Street	Cromwell Rep. Town Committee Headquarters	Approved by ZEO 9/9/16	Open for business
16-35	Fibredust Realty LLC	30 New Lane	Site Plan Modification for outdoor storage	Denied 10/4/16	
16-36	Rodnella Realty LLC	241 and 251 Main Street	Amend zoning map	Approved 10/18/16	
16-37	Blue Rhino of New England	207 West Street	Outside storage and sale of propane tanks	Approved 10/18/16	
16-38	Julie Cranick	199 Shunpike Road	Energy Zone Fitness	Approved by ZEO 10/7/16	

To: Planning and Zoning Commission
From: Stuart B. Popper Director of Planning and Development
Date: November 8, 2016
Re: Report for September and October 2016

1. Cromwell Works Event

Cromwell Works Event was held at 7:30 am to 8:30 am on Thursday September 15, 2016 in the Town Hall Gym. We had a very good turn out with over 40 people and with tables manned by over 12 local businesses.

2. Business Visitations

We had a great business visitation on Wednesday September 28, 2016 to Phoenix Farm at 76 Nooks Hill Road. There was no visit in October. Our next business visitations are scheduled for Thursday November 16, 2016.

3. RFP/RFQ for 60 and 61 River Road

I prepared the RFP/RFQ for 60 and 61 River Road and had published it on Sunday October 2, 2016 in the Hartford Courant. We received one response prior to the deadline on Friday October 21, 2016. I reviewed the one response and requested several clarifications from the Developer.

4. Middlesex County Chamber of Commerce Business to Business Expo

The EDC had a booth at the Middlesex County Chamber of Commerce Business to Business Expo on Tuesday October 11, 2016 from 9:00 am to 7:00 pm. The event was well attended and everyone was very impressed with the EDC's new Trade Show display units.

5. Zoning Regulations Amendments

We have had inquiries about a number of possible zoning regulations amendments and town staff is now working on them. These include:

- Request from the PZC to amend the regulations regarding outside storage in the Local and Highway Business Zone Districts and the Industrial Zone District.
- Request from a local business to permit retail sales in the Industrial Zone.
- Request to permit the Manufacture of Alcoholic Beverages and the retail and wholesale sales of Alcoholic Beverages in the Industrial Zone District.

6. CMA's Halloween on Main Street

We had a very successful Halloween on Main Street event on Saturday October 29, 2016. The estimated crowd was at 8,000 people.

7. Annual Survey of Principal Employers in Town

I contacted the ten largest employers in town to inquire as to their current number of employees for my annual Employment Survey of Town of Cromwell Largest Employers.

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: November 8, 2016
Re: Comments for the November 15, 2016 Meeting Agenda

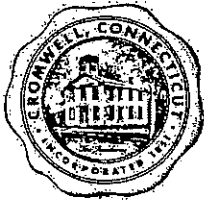
8. New Business: Accept and Schedule New Applications:

a. Application #16-42: Request for a Special Permit to install LED Price Signage at 140 Berlin Road. Bishops Automotive Inc. is the Applicant and RSWD Group LLC is the Owner. *Staff requests that the Commission accept and schedule the application for a public hearing on Tuesday December 6, 2016.*

b. Application #05-95: Request for a Release of the \$19,848 Bond for the Site Work at 80 Shunpike Road. Quantum Office of Cromwell LLC is the Applicant and the Owner. *Staff requests that the Commission consider the request at the Tuesday November 15, 2016 meeting.*

9. New Business:

a. Approve 2017 Planning and Zoning Meeting Calendar. *Staff requests that the Commission approved the calendar at the Tuesday November 15, 2016 meeting.*



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION FOR SPECIAL PERMIT

Type of Activity: LED price signage

(Per Section _____ of the Cromwell Zoning Regulations)

Street Address: 140 Berlin Rd Zoning District: _____

Parcel ID #: _____ Volume/Page: _____

Applicant: Bishop's Automotive, Inc.

Address: 140 Berlin Rd. Cromwell CT 06416

Telephone Number (daytime): 860 632-6841

Email Address: bishopscitgo@gmail.com

Property Owner: RSWD Group, LLC

Address: 140 Berlin Rd. Cromwell CT 06416

Description of Proposed Activity:

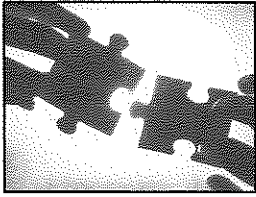
Replace main price sign numerals with LED
Replace pump top numerals with LED

"I have read and I am familiar with the Cromwell Zoning Regulations 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."

Richard W Bishop
(Signature of Owner or Designated Agent)

10/28/16
(date)

Richard W Bishop
(printed name of signer)



OPPORTUNITY REAL ESTATE EQUITIES, LLC

PO Box 3 | Cromwell, CT 06416
Phone: 1-888-959-9921 | Fax: 860.288.5888
<http://www.oree.biz>

November 4, 2016

Stuart Popper, AICP
Town Planner, Town of Cromwell
41 West Street
Cromwell, CT 06416

RE: Planning and Zoning Commission Bond – 80 Shunpike Road

Dear Mr. Popper;

Quantum Office of Cromwell, LLC is hereby requesting the release of the Town of Cromwell Planning and Zoning Commission Bond for the property located at 80 Shunpike Road.

All work as required by the Town of Cromwell has been satisfactorily completed.

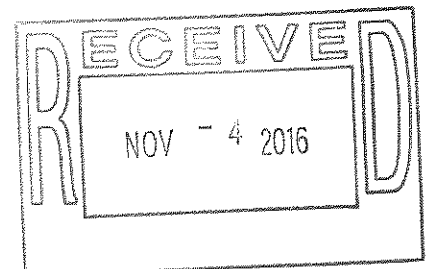
Please do not hesitate to contact me with any questions or concerns. Your prompt attention to this matter is greatly appreciated.

Sincerely,

William H. Coons, III.

#19,848.02

CC: William H. Coons Jr., COO, OREE, LLC
Brian Wilcox, CFO, OREE, LLC



Curtin, Fred

To: Popper, Stuart
Subject: 80 Shunpike Road

Stuart:

I have inspected 80 Shunpike Road for the final paving course.

They have fix the bad areas on the binder course and they have paved the final wearing course.

I've attached the report of receipt dated January 3, 2008 and my report dated 12/21/2007

The \$19,000. + bond can be release.

Town of Cromwell

REPORT of RECEIPTS to TOWN TREASURER

DEPARTMENT	DEPARTMENT REPORT NO.	DATE OF REPORT	PERIOD
Zoning		1/3/08	FROM TO
ACCOUNT	SOURCE OF RECEIPT	CASH	AMOUNT
	Site Bond for 80 Sheep Pike Road FROM CAS Construction Coles 500 Four Rod Road Berlin, Conn 06037 check # 4967		\$9,500. ⁰⁰ RR 602

TOTAL → 19,500.

I hereby certify that this is a true and complete report of all collections made by this office since the date of the last report.


Signature FD Cole Date 1/3/08

ACCOUNT	AMOUNT
001-2021	
TOTAL →	

For Treasurer's Office Use:
 DATE RECEIVED: _____
 RECEIVED BY: _____
 RECORDED BY: _____

Memo

To: Jeremy Shingleton, First Selectman

From: Fred Curtin, Zoning Wetland Officer 

Date: 12/21/2007

Re: Activity Report

263 Main Street; Cromwell Auto: The owner has moved into the new addition without complying with the approved site plan, and has no C of O from the Building Department.

Berlin Road: Blasting has restarted for this Development. I'm receiving Notices of Blasting and Blasting Reports.

257 Main Street; Raulukaitis: I've been informed by the Town Attorney to reissue the Cease and Desist order since this area was rezoned from Flood to Downtown Business.

80 Shunpike Road; CAS Construction: The Developer is looking for a Certificate of Zoning Compliance. The area has been seeded, hay and sod has been placed in the front. They are missing the parking lot light poles and final paving course. I informed the Developer that this will be bonded for. The Developer claimed that I can only bond for landscaping, thus I will not issue the Certificate of Zoning Compliance until all site work is in compliance. I have also rejected the free standing sign request. The sign request exceeds the maximum of 32 square feet.

165 Old West Street; Wholesale Nursery: I have sent the owner a notice requesting his State permit for a Wholesale Nursery, and informed the owner that the past use of this property was not permitted.

Signs: There has been some questions on signs in Town. I will go over this with the Commission.

Memo

To: Planning & Zoning Commission
From: Stuart B. Popper
Date: November 7, 2016
Re: Planning & Zoning Meeting Dates for 2017

Hi Everyone-

Listed below are your Planning & Zoning meeting dates for 2017. Please look them over as you will have to vote on them at your meeting on November 15, 2016. Meetings will start at 7:00 p.m.

January 3, 2017 and January 17, 2017

February 7, 2017 and February 21, 2017

March 7, 2017 and March 21, 2017

April 4, 2017 and April 18, 2017

May 2, 2017 and May 16, 2017

June 6, 2017 and June 20, 2017

July 18, 2017

August 15, 2017

September 5, 2017 and September 19, 2017

October 3, 2017 and October 17, 2017

November 9, 2017 and November 21, 2017

December 19, 2017

November's first meeting will be held on Thursday, November 9, 2017 because of Election Day on the 7th.



Town of Cromwell Planning and Zoning Commission

REGULAR MEETING
7:00 P.M. TUESDAY OCTOBER 18, 2016
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET

Minutes and Record of Votes

Present: Chairman Alice Kelly, Michael Cannata, Jeremy Floryan, Rich Waters, Chris Cambareri, Brian Dufresne, Alternate David Fitzgerald

Absent: Ken Rozich, Ken Slade, Paul Cordone

Also Present: Director of Planning and Development Stuart Popper, Zoning Enforcement Officer Fred Curtin

1. Call to Order

The meeting was called to order by Chairman Kelly at 7:04pm.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to seat David Fitzgerald as an alternate. *All were in favor; the motion passed.*

4. Approval of Agenda

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to approve the agenda. *All were in favor; the motion passed.*

5. Public Comments - none

6. Development Compliance Officer Report:

Mr. Curtin reviewed his report dated October 11, 2016. Mr. Waters asked about 51 River Road and Mr. Curtin said he left a notice today about the camper in the front yard. He also said that Wes Bell was on 49 River Road. Chairman Kelly asked if the Town Attorney can send a letter to constant violators. Mr. Waters said that Mr. Bell is supposed to take care of both of these

properties as well as 8 South Street.

Mr. Cambareri said he would be talking with Mr. Curtin about the sign committee and said he had some amendments he will be presenting at the next meeting. Chairman Kelly said we should look at repeat offenders and impose fines.

7. Town Planner Report:

Mr. Popper said they have a RFP out for 60/61 River Road and he will advise the Commission once the proposals are in. He said that on page 93 of the zoning regulations there is a typo and it should say "per acre of buildable area". He said the Town Attorney said no public meeting is needed just to present to the Commission. He said all proposals they have received use the work acre. Chairman Kelly said she would just like to see that in writing from the Town Attorney.

Mr. Popper passed out the CERC town profile that has been updated.

8. New Business: Accept and Schedule New Applications:

- a. Application #16-39: Request for a Site Plan Modification to permit the installation of signs at 14 Hillside Road. Sign Pro Inc. is the Applicant and Buhl Land East is the Owners

A **motion** was made by Michael and **seconded** by Brian Dufresne to accept and hear application 16-39 tonight. *All were in favor; the motion passed.*

- b. Application #16-40: Request for a Site Plan Modification to permit the installation of signs at 1000 Corporate Row. Sign Pro Inc. is the Applicant and Buhl Land East is the Owner.

A **motion** was made by Michael and **seconded** by Brian Dufresne to accept and hear application 16-40 tonight. *All were in favor; the motion passed.*

Robert Kuszpa of Sign Pro said he represents GKN Aerospace. And they are looking to add ID and way finding signs. Mr. Cannata asked Mr. Curtin and Mr. Popper if the signs met the regulations. Mr. Curtin said the signs are OK and there would be two directional signs on 14 Hillside but I don't see anything on how many signs there could be. Chairman Kelly asked if the signs were clear and Mr. Curtin said yes.

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 16-39. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve application 16-40. *All were in favor; the motion passed.*

9. Old Business:

- a. Application #16-37: Request for a Site Plan Modification to allow for Outside Storage

and Sale of Propane Tanks at 207 West Street. Blue Rhino of New England is the Applicant and the TA Cromwell LLC and TA New Milford LLS are the Owners.

Scott Lapham a Field Specialist with Stop and Shop said they want to add a storage area for propane tanks at the Stop and Shop gas station. Mr. Cannata asked why they needed one box at each location since the store and gas station are 150 feet away from each other. Mr. Lapham said it is convenience for the customer. He said the gas station is grab and go but the store requires you go in, pay and wait for a key holder to open the storage area outside. He said the unit would be on the side of the building closest to the grocery store. Chairman Kelly said there is not enough room there. Mr. Cannata asked if there would be concrete monument sand Mr. Lapham said yes. Mr. Popper said this was approved by the Fire Marshall. Mr. Waters asked if the tanks would be under lock and key and Mr. Lapham said yes. Chairman Kelly said she is not in favor of this since it is right near the gasoline. She said I know everyone said it was OK but I don't like it.

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to approve application 16-37. *Michael Cannata, Jeremy Floryan, Rich Waters, Chris Cambareri, Brian Dufresne, David Fitzgerald approved; Chairman Alice Kelly opposed, the motion passed.*

10. Public Hearings

a. Application #16-32: Request to Modify the Special Permit at 161 Berlin Road by adding seasonal storage of trailers in the parking lot. Wal-Mart Real Estate Business Trust is the Applicant and Infinity Cromwell Properties Limited Partnership is the Owner.

Mr. Popper reads the legal notice dated October 6, 2016.

Chairman Kelly asked if the owner should be the applicant and Mr. Popper said no, this is the typical process and the owner signed the application.

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to open the public hearing for application 16-32. *All were in favor; the motion passed.*

Joe Daignault, CPH Design said that an outdoor seasonal area was approved last year and the only change this year is the location will be near the garden center which conflicts less with customers. Mr. Popper asked him to explain the whole set up.

Mr. Daignault said there will be 10 trailers from November 1, 2016 – February 15, 2017 and they are standard size. Mr. Cambareri asked if they would be loading them during the night.

Kathy, Co-Manager at Walmart said no, only during the day for customer layaways. She said layaway closes at 9:00pm and doesn't open until 7:00 or 8:00am. She said the trailers were on the West side last year. Mr. Cambareri asked if there was anything on the South side. Mr. Popper said there was after the reconstruction. Mr. Popper also mentioned that last year they said they said they would remove the trailers earlier if they were able. He said our regulations don't discuss

outside storage, we make it possible through a special permit.

Mr. Cannata said last year I was adamant that this was a onetime deal and didn't expect you back here this year. He said this is not a temporary use it is every year. He said I didn't even want to hear this application, if you need storage than build it. Chairman Kelly asked how many Walmart's do this and Kathy said 100% as far as I know. She said last year she was in Chicopee, MA and there were 20 trailers. Mr. Cannata said that connex boxes are not pretty and Kathy said she is not involved in building decisions. Mr. Waters said if we approve them have them put them in the same spot as last year.

Chairman Kelly asked for members of the public who wanted to speak.

Maurice Villano, 17 Kirby Road said that he is a 32 year resident of this street and he has been supportive overall of Walmart. He said the original design never called for truck traffic or loading on the East side. He said there isn't enough room on the East side. He said you also can't just say seasonal you need specific dates. He said they shouldn't park them on the grass and how they will they get in. He said the fire gates on Kirby are not for traffic. He said I am concerned they will be bought in at night as well. He said if approved I would like a 2 year revisit of the permit.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to close the public portion of the public hearing. *All were in favor; the motion passed.*

Mr. Dufresne said he agreed with Mr. Cannata but I understand what is necessary to run a business. He said there is enough room to build a temporary site. He said I want to be business friendly but these trailers are an eyesore. He said I am not sure Corporate will get the message until we deny. Mr. Cambareri said I have a problem with outside storage and I am against this. Mr. Waters said the message is not getting through and if we approve it should only be on the West side. Mr. Floryan said he is not for it since the space on the East side is not big enough. He asked how many years they have been requesting this. Mr. Popper said last year and previously they had them without permits.

Mr. Cannata asked the minimum number of trailers they needed. Kathy said I would say 5.

Mr. Fitzgerald said I don't mind to a point but this seems like poor planning and we need to make it as minimal impact as possible for the neighbors.

Mr. Cannata said speaking for himself he would allow 4 in the same location as last year with a strong message to Corporate that this is the last year we will do this. He said the dates he would approve were November 1, 2106 to January 15, 2017.

Mr. Popper said that he will draft a letter to Corporate. He also said the application includes a permit for the garden center as well. Kathy said that they are looking at dates of April 1, 2017 – the latest of August 1, 2017. She start they start condensing on July 4th.

Chairman Kelly said she is against trailers 100%. She said Walmart can put up a storage shed that would enhance the area. She said they are cheap. Mr. Dufresne said this store is unique since it is in a residential area so we are being sensitive to that. Mr. Cannata said they also avoid paying property taxes by doing it this way. He said again, I am only speaking for myself that I will not approve this next year.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to close the public hearing. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to approve application 16-32 with 4 trailers from November 1, 2016 – January 15, 2017 in the same location as last year (West side) by conferring with Fred Curtin and Stuart Popper and the applicant must notify Corporate that this is a pass and will be a problem next year. *Michael Cannata, Jeremy Floryan, Rich Waters, Brian Dufresne, David Fitzgerald approved; Chairman Alice Kelly and Chris Cambareri opposed. The motion passed.*

Mr. Daignault handed Mr. Popper the certificates of mailing for application 16-32.

b. Application #16-36: Request to Amend the Zoning Map for 241 and 251 Main Street from Riparian Protection District to Local Business Zone. Rodnella Realty LLC is the Applicant and Owner.

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to open the public hearing for application 16-36. *All were in favor; the motion passed.*

Attorney Rich Carella said there are 2 properties on the lower end of Main Street and referred to a map in the package and also handed a map from the GIS viewer. He said the old Citgo station is still there and we would like to change the zone to Local Business like it was prior to the last regulation change made in 2011. Mr. Popper said there is a question on our part as to what this was prior to the zone change.

Attorney Carella said that this is also in the 100 year flood zone and has flooded in the past. He said they have to meet the special requirements of this zone no matter what zone the property is in. He said his applicant would like to make further developments to this property to make it more welcoming as you enter Cromwell. He said it would be nice and welcoming and have gas and coffee among other things. He said we can't do much there no since it is in the Riparian Protection District (RPD) zone. He said he can maintain the small station since it is grandfathered in but the applicant has other visions.

Rodney Bitgood owner of 263, 241 and 251 Main Street said he has a plan to change the station to a more welcoming gateway to downtown. He said anything I can do is better than what is there.

Mr. Popper said the RPD zone doesn't allow anything and he is not sure why it was ever zoned this way. He said he couldn't find any notes in any minutes about this specific property.

Chairman Kelly discussed the old maps and asked why they aren't asking for it to be changed to the Downtown Business District. Mr. Cambareri asked if that would make the use non-conforming and Mr. Popper said yes, I believe that was the reason and he said that Mr. Bitgood's current business is in the Local Business Zone. Chairman Kelly asked what the differences were. Mr. Popper said the Downtown District doesn't allow auto uses so they wouldn't allow expansion without a variance. He said in my mind Local Business zone seems to fit. He said the regulations surrounding the 100 year flood zone will stick no matter what zone this is. He said the Local Business zone is more expansive. Mr. Cambareri said we can't keep making people non-conforming.

Chairman Kelly asked for members of the public who wanted to speak regarding application 16-36.

Jay Polke, 15 Harrison Drive said this is a win, win for the Town of Cromwell. He said that area is an eyesore now. He said this is a tax generator and Mr. Bitgood is a good guy.

A recess was called at 8:23pm. The meeting was called back to order at 8:26pm by Chairman Kelly.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to close the public portion of the public hearing for application 16-36. *All were in favor; the motion passed.*

Mr. Waters asked if this needed to go the Wetlands Commission. Mr. Popper said no, this is just a zone change. He said when they are ready to develop the site that it would have to go to the Wetlands Commission if they construct in the wetlands area. He said we are not approving any permits and construction at this point. He said they will have to meet all flood regulations. Mr. Waters said this was changed for a reason and we shouldn't change it.

Mr. Cannata asked if they could renovate the existing building in the current zone and Mr. Popper said that is a building permit question and I'm not sure since it's been empty for some time. He said it is a grandfathered use and it could reopen as the same use. Attorney Carella said it could be used as it is now as a gas station and we could have the pumps and tanks reinstalled in their former footprint.

Mr. Cannata said he is in favor of this since it can all be resurrected than why not change it to give him the ability to clean it up and reopen. Mr. Cambareri, Mr. Floryan, Mr. Fitzgerald and Chairman Kelly all agreed.

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to close the public hearing for application 16-36. *All were in favor; the motion passed.*

A **motion** was made by Michael Cannata and **seconded** by Brian Dufresne to approve application 16-36. *Alice Kelly, Michael Cannata, Jeremy Floryan, Chris Cambareri, Brian Dufresne, David Fitzgerald approved; Rich Waters opposed. The motion passed.*

11. Approval of Minutes:

a. September 20, 2016

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan approve the minutes of September 20, 2016 with the amendment of adding the absent Commissioners to include Brian Dufresne and Ken Rozich. *All were in favor; the motion passed.*

b. October 4, 2016

A **motion** was made by Michael Cannata and **seconded** by Rich Waters to approve the minutes of October 4, 2016 with the amendment of changing the address in item 6 to 51 River Road from 49 River. *All were in favor; Chairman Kelly abstained; the motion passed.*

12. Commissioner's Comments: none

13. Adjourn

A **motion** was made by Michael Cannata and **seconded** by Jeremy Floryan to adjourn at 8:37pm. *All were in favor; the motion passed.*

Respectfully Submitted,



Linda Imme
Recording Clerk