

Town of Cromwell Planning and Zoning Commission

REGULAR MEETING
7:00 P.M. THURSDAY NOVEMBER 7, 2019
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
AGENDA

RECEIVED FOR RECORD
Oct 31, 2019 12:59P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT

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: Approval of 2020 Meeting Calendar**
8. **New Business: Accept and Schedule New Applications:**
 - a. Application #19-53: Request for Site Plan Modification to install a walk up ATM at 26 Shunpike Road. Bank of America is the Applicant and Montgomery Development Group LLC is the Owner.
 - b. Application #19-54: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures at 26 Shunpike Road.
 - c. Application #19-55: Request for Site Plan Modification for the Starbucks Coffee Shop at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner.
9. **Executive Session:**
 - a. Discuss Pending Litigation "JPG Partners, LLC v. Cromwell Planning & Zoning Commission LND HHD CV18-6091023-S" involving Application #17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner.
10. **Old Business**
 - a. Discussion and Possible Action of Proposed Settlement for "JPG Partners, LLC v. Cromwell Planning & Zoning Commission LND HHD CV18-6091023-S" involving Application #17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner.
11. **New Business:**
 - a. Application #19-48: Site Plan Modification to add a new wall sign for a Beauty Salon at 328 Main Street. Cailyn Musinski is the Applicant and Mario J. and Maria S Almeida are the Owners.
12. **Commissioner's Comments:**
13. **Approval of Minutes:**
 - a. October 1, 2019
14. **Adjourn:**

Permit#	Name of Applicant	P&Z 2019 Permit Report		Commission Approved are shaded	Decision Date	Status
		Site Location	Type of Activity			
19-10	Kevin Scarozzo	1 Wall Street	Rail 99 Tavern	Approved by staff 2/27/2019	Business open	
19-11	AVA Group	76 Berlin Road	SPM - Springhill Suites - Marriott	Approved 3/19/2019	Construction in progress	
19-12	Raymond Ranno	229 Shunpike Road	Cromwell Granite & Tile	Approved by staff 3/11/2019	Business open	
19-13	Omar Islamic Center	573 Main Street	Mosque	Scheduled for 6/18/19	Application Denied	
19-14	TNO Cromwell, LLC	136 Berlin Rd. Starbucks	Coffee shop with drive thru window	Approved 4/2/2019	Awaiting construction	
19-15	Heather Polke	1 River Road	Farmer's Market	Approved by staff 3/25/19	Complete	
19-16	Kenneth Jarvis	51 Shunpike Road	Great Clips Hair Salon	Approved by staff 3/28/19	Opened	
19-17	Albion Kallogjeri	199 Shunpike Road	Giulia Pizza Restaurant	Scheduled for 5/7/19	Business Open	
19-18	Town of Cromwell	100 County Line Drive	Relocation of Transfer Station	Approved 4/16/19	Construction complete	
19-19	Shoprite of Cromwell Ann Trolino	45 Shunpike Road	Beer Permit	Scheduled for 5/9/19	Operational	

			P&Z 2019 Permit Report		Commission Approved are shaded		
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status		
19-29	Robert Gallitto	150 Sebethe Drive	Storage of construction materials & equipment	Approved 8/20/2019	Operational		
19-30	St. John's Church	5 St. John's Court	St. John's Parish Picnic	Approved 6/17/2019	Event Complete		
19-31	Town of Cromwell	51 Shunpike Road	"Welcome to Cromwell" Sign modification	Approved 6/18/2019	Project Complete		
19-32	Creative Dimensions	5 Progress Drive	Sign	Approved 6/25/2019	Complete		
19-33	Town of Cromwell	100 County Line Drive	Public Works/Sewer Garage facility	Spec. mtg. 7/30/2019	Construction in Progress		
19-34	Richard Steele	199 Shunpike Road	The Vanity Room Hair Salon	Approved by staff 7/18/19	Complete		
19-35	Town of Cromwell	100 County Line Drive	New Public Works/Sewer Dept. Bldg.	Approved 8/6/2019	Construction in Progress		
19-36	Town of Cromwell	River Port at Frisbee Landing	Big Jam Music Festival	Approved by staff 7/31/19	Event Complete		
19-37	Manon Patel	538 Main Street	Gulf Express	Approved by staff 7/25/19	Complete		
19-38	Hartford Sign & Design	51 Shunpike Road	SPM to insall new sign	Approved 8/6/2019	Awaiting work		

Permit#	Name of Applicant	P&Z 2019 Permit Report Site Location	Type of Activity	Decision Date	Status
19-39	Town of Cromwell	80 River Road	Improvement to Cromwell Landing Park	Approved 8/20/2019	Construction in progress
19-40	Town of Cromwell	80 River Road	Site Plan Modification Cromwell Landing Park	Approved 8/20/2019	Construction in progress
19-41	Donald Mondani	14 South Street	Construct single family home in Flood Zone	Approved 9/17/2019	Construction in progress
19-42	Arnco Sign Company	161 Berlin Road	New wall sign for WalMart Fed Ex Office	Approved 10/1/2019	
19-43	Pat Precourt	2 Willowbrook Road	Spades Design Co., LLC	Approved by staff 9/6/2019	Use permit approved
19-44	Ralph Coppola	14 Alcap Ridge	Office & Warehouse	Approved by staff 9/13/2019	Use permit approved
19-45	Timothy Farrell	562 Main Street	Ice Cream Shop	Approved 10/1/2019	Awaiting opening
19-46	ECS/WIS PTO	Pierson Park	Trick or Trunk	Approved by staff 9/17/2019	Awaiting Event
19-47	DFC of Cromwell	Town wide	Commercial Billboard Dist.	Pending	Pending
19-48	Cailyn Musinski	326F Main Street	Sign on Building	Approved by staff 10/15/19	Use permit approved

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: October 31, 2019
Re: Comments for the November 7, 2019 Meeting Agenda

8. New Business: Accept and Schedule New Applications:

a. Application #19-53: Request for Site Plan Modification to install a walk up ATM at 26 Shunpike Road. Bank of America is the Applicant and Montgomery Development Group LLC is the Owner.

Staff is requesting that the application be accepted this evening and scheduled to be considered at the Tuesday December 3, 2019 meeting. The 1.38 acre site with an existing 8,788 square foot office building is located in the Highway Business Zone District on the east side of Shunpike Road. The applicant is proposing to install a walk up ATM machine in the parking lot. The applicant is proposing to install two 24' tall light fixtures for security.

b. Application #19-54: Request for Special Permit under Section 5.6.C.8.2 to install 24' tall light fixtures at 26 Shunpike Road.

Staff is requesting that the application be accepted this evening and scheduled to be heard at a public hearing on Tuesday December 3, 2019 meeting. The applicant is proposing to install a walk up ATM machine in the parking lot. The applicant is proposing to install two 24' tall light fixtures for security.

c. Application #19-55: Request for Site Plan Modification for the Starbucks Coffee Shop at 136 Berlin Road. TNO Cromwell LLC is the Applicant and the Owner.

Staff is requesting the Commission accept and act upon the application this evening. The applicant is proposing to modify the approved site plan for the 1,900+/- square single story building containing a Starbucks Coffee shop at 136 Berlin Road.

11. New Business:

a. Application #19-48: Site Plan Modification to add a new wall sign for a Beauty Salon at 328 Main Street. Cailyn Musinski is the Applicant and Mario J. and Maria S Almeida are the Owners.

Attached is a copy of the proposed sign. Also attached is a memo from Bruce Driska Development Compliance Officer confirming that the sign is in compliance the Zoning Regulations.

Memo

To: Town Staff
From: Stuart B. Popper, Town Planner
Date: October 18, 2019
Re: Planning & Zoning Meeting Dates for 2020

Please approve the following meeting dates listed below at your next meeting on November 7, 2019.

January 7, 2020 and January 21, 2020

February 4, 2020 and February 18, 2020

March 3, 2020 and March 17, 2020

April 7, 2020 and April 21, 2020

May 5, 2020 and May 19, 2020

June 2, 2020 and June 16, 2020

July 7, 2020

August 4, 2020

September 1, 2020 and September 15, 2020

October 6, 2020 and October 20, 2020

November 5, 2020 and November 17, 2020

December 1, 2020

The November 2020 meeting will be held on Thursday, November 5th instead of Tuesday, November 3rd due to the 3rd being Election Day.

19.53

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

Type of Activity: Proposed Walk-up ATM with Lighting Improvements
(Per Section 5.6.C(8) of the Cromwell Zoning Regulations)
Street Address: 26 Shunpike Road Zoning District: HB/SFHA
Assessor's Parcel ID #: 00424400 Volume/Page: 1620/258


Applicant's Name: Bank Of America (Howard Martin CBRE)
Address: 101 East River Drive CT2-550-03-03 East Hartford, CT 06108
Telephone Number (daytime): 860-244-4069
Email Address: Howard.Martin@cbre.com

Property Owner's Name: Montgomery Development Group, LLC
Address: Knox Circle Westfield, MA 01085

Description of Proposed Activity:

Proposed instillation of a walk-up bank ATM with associated lighting upgrades for bank lighting security. The applicant is proposing to install a light pole at 24'.

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)

10/24/19
(date)

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION**

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Bank of America Walk-up ATM
Street Address: 26 Shunpike Road
Volume/Page: 1620/258 **PIN #:** 00424400

Applicant Name: Bank of America (Howard Martin CBRE)
Address: 101 East River Drive CT2-550-03-03 East Hartford, CT 06108

Telephone: 860-244-4069 (day) _____ (evening)
Email Address: Howard.Martin@cbre.com

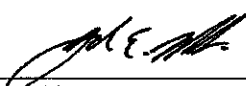
Property Owner Name: Montgomery Development Group, LLC
Address: Knox Circle Westfield, MA 01085

Attached:

- Application fee.
- 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.

Howard Martin  10/24/19
Applicant Name and Signature Date

19-55

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL MODIFICATION

Name of Project: Starbucks Coffee Shop with Drive-Through Window

Street Address: 136 Berlin Road, Cromwell, CT 06416

Volume/Page: 1563/216 PIN #: 00094000

Applicant Name: TNO Cromwell, LLC

Address: Ocean Harbor Drive, Oceanside, NY 11527

Telephone: (212) 335-0203 (day) (evening)

Email Address: josephgega@gmail.com

Property Owner Name: same

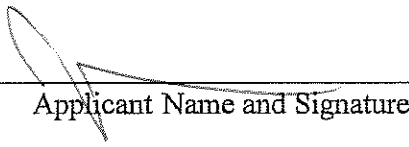
Address:

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 <u>any part</u> of the site within 500' of an adjoining town? | (Yes) | x(No) |
| 2. Will this project require an <u>Inland Wetlands Agency permit</u> ? | x(Yes) | (No) |
| if yes, have you obtained it? Application #18-17, granted 08/01/18 | x(Yes) | (No) |
| 3. Will this project require a DEP <u>Stormwater Management Permit</u> ? | (Yes) | x(No) |
| if yes, have you applied for it? n/a | (Yes) | (No) |
| 4. Will this Project Require an <u>STC Permit</u> ? OSTA | x(Yes) | (No) |
| if yes, have you submitted a copy of the plans to the <u>STC</u> ? OSTA | x(Yes) | (No) |
| 5. Does the parking comply with the <u>handicapped parking requirements as set forth in current version of the State Building Code</u> ? | x(Yes) | (No) |

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


Applicant Name and Signature

10/30/17
Date

19-48

\$160.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: Bombshell Beauty Bar / Bombshell Beauty

Street Address: 326f Main Street

Volume/Page: _____ PIN #: _____

Applicant Name: Caitlyn Musinski

Address: 101 Willow Street

Wethersfield, CT 06109

Telephone: 860-335-6523 (day) ← same (evening)

Email Address: cmusinski@comcast.net

Property Owner Name: Mario Almeida

Address: 1 Lancaster Rd.

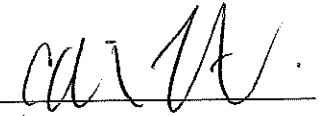
Cromwell, CT 06416

Attached:

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

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

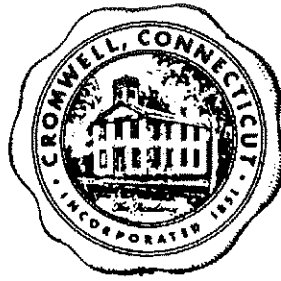
Caitlyn Musinski 
Applicant Name and Signature

9/23/19
Date

A black and white photograph of a building's exterior. The building has a gabled roof with a dark interior. The main facade is made of horizontal siding. A white sign with the word 'bombshell' in a cursive font and 'BEAUTY' in a sans-serif font is mounted above the entrance. The entrance features a white door with a glass window, flanked by two narrow vertical windows. To the left and right of the door are larger rectangular windows. The lower portion of the building is finished with a stone veneer. A concrete sidewalk leads to the door. A hanging light fixture is visible on the right side of the building. In the background, a tall brick building is partially visible.

bombshell
BEAUTY

2.5' x 7' maximum size



MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer BD
Date: October 8, 2019
Re: **Plan Review, PZC Application #19-48, New Sign Request,
326f /328 Main Street**

BACKGROUND

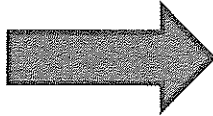
326f Main Street is currently a vacant space.

PROPOSAL

The Applicant is seeking approval for a new wall sign associated with a new business.

COMMENTS

The application meets the requirements of Cromwell's Zoning Regulations as noted below:

Permitted by Zoning	Proposed by Applicant
<p>§5.3.H. Sign Standards, Wall Sign Building Mounted</p> <p>MAXIMUM AREA • Signs on a given wall surface shall not exceed three (3) square feet of sign area for every linear foot of the same wall of that section of the building.</p> 	<ul style="list-style-type: none">• 17-Sq. Ft. Wall Sign• 326F building wall frontage= 19-Ft.• 3 Sq. Ft. x 19-Ft = 57 Sq. Ft.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY OCTOBER 1, 2019
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET
MINUTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Chris Cambareri, Nick Demetriades, Brian Dufresne, Jeremy Floryan Ken Rozich, and John Keithan.

Absent: Mo Islam and Kenneth Slade

Also Present: Director of Planning and Zoning Stuart Popper, Development Compliance Officer Bruce Driska, and Commission Clerk Sherry McGuire

1. Call to Order:

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

2. Roll Call:

The presence of the above members was noted.

3. Seating of Alternates:

Michael Cannata made a motion to seat Jeremy Floryan and Brian Dufresne as alternates; Seconded by Chris Cambareri. *All in favor; motion passed.*

Brian Dufresne entered the meeting at 7:07 PM.

4. Approval of Agenda:

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

Mr. Popper asked if Application # 19-48: Site Plan Modification to add a new Sign on Building, 326F Main Street. Cailyn Musinki is the Applicant and the Owner.

Mr. Popper asked the Commission to consider 10. New Business: b. Application # 19-42 and c. Application # 19-45 before 9. Executive Session. Michael Cannata made a motion to amend the agenda; Seconded by Jeremy Floryan. *All in favor; motion passed.*

5. Public Comments:

Rich Waters, 84 South Street, stated that he was impressed with the cleanup at 49 River Road. He said he was concerned about the conditions at 101 South Street, the number of animals, the quantity of stuff in the yard, around the structures and the overall bad appearance of the property. Bruce Driska noted that the current conditions at the property do not warrant blight status so there are limited opportunities for enforcement at this time.

6. Development Compliance Officer Report:

Mr. Driska handed out the Development Compliance Officer Report and asked if there were any questions.

The Commission members and Mr. Driska discussed the Report.

7. Town Planner Report:

Mr. Popper said that the construction continues at the site of the new Marriott Hotel at 76 Berlin Road and at the expansion of Covenant Village.

8. New Business: Accept and Schedule New Applications:

a. Application #19-47: Request to Amend the Zoning Regulations to add to Section 3.6 a Commercial Billboard Zone District. DFC of Cromwell LLC is the Applicant.

Michael Cannata made a motion to Accept and Schedule New Application #19-47: Request to Amend the Zoning Regulations to add to Section 3.6 a Commercial Billboard Zone District. DFC of Cromwell LLC is the Applicant on November 19th, 2019 for a public hearing; Seconded by Jeremy Floryan. *All-in favor; motion passed.*

b. Application # 19-48: Site Plan Modification to add a new Sign on Building, 326F Main Street. Cailyn Musinki is the Applicant and the Owner.

Michael Cannata made a motion to Accept and Schedule New Application # 19-48: Site Plan Modification to add a new Sign on Building, 326F Main Street.

Cailyn Musinki is the Applicant on October 15, 2019; Seconded by Nicholas Demetriades. *All in favor; motion passed.*

9. New Business:

a. Application #19-42: Site Plan Modification to add new wall sign for Fed Ex Office on the Walmart Store facade at 161 Berlin Road. Arnco Sign Company Inc. is the Applicant and Infinity Cromwell Property-LTD Partnership is the Owner.

Eric Merliss of the Arnco Sign Company made a brief presentation for Application #19-42. He explained that Walmart is adding a Fed Ex office inside the store and is proposing to add a new wall sign for the Fed Ex office. They are seeking approval for a new 18.33 square foot wall sign. The sign will be an illuminated sign using LED lighting.

The Commission members, Mr. Merliss and the staff discussed the nature of the LED sign and the level of brightness or lumens. The Commission members expressed concern as maintaining the brightness of the sign or the level of lumens. Michael Cannata made a motion to approve Application #19-42: Site Plan Modification to add new wall sign for Fed Ex Office on the Walmart Store facade at 161 Berlin Road with the condition that the applicant work with staff to maintain appropriate levels of lumens for the sign; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Nicholas Demetraides abstained from this motion.

b. Application #19-45: Request for Site Plan Approval for a new Ice Cream Shop at 562 Main Street. Timothy Farrell is the Applicant and Brent H. and Kimberly A. Robbins are the Owners.

Tim Farrell, 13 Grace Lane presented his application. Mr. Farrell said the 1.06 acre site is located in the Residential -15 Zone District on the east side of Main Street and the south side of Shadow Lane. He explained that the site contains an existing 1,704 square foot single family house and three car garage and the 1,164 square foot former Beauty Salon. Mr. Farrell said we are proposing to remodel the former salon into an ice cream shop and install landscaping along Shadow Lane, a new access drive of Main Street, new parking spaces, and a screened dumpster.

The Commission members, staff and Mr. Farrell discussed the history of the site, the neighborhood and the existing buildings and the proposed parking lot layout. Mr. Popper pointed out the outstanding staff comments which requested revisions to the submitted site plan. He said the revisions include: a request for

a plan showing the proposed handicapped access ramp to the building, a new location for the handicapped parking space and the location of the dumpster. Michael Cannata made a motion to approve with conditions Application #19-45: Request for Site Plan Approval for a new Ice Cream Shop at 562 Main Street with the conditions including a revised site plan showing the proposed handicapped access ramp to the building, a new location for the handicapped parking space and the location of the dumpster. Seconded by Paul Cordone. *All in favor; motion passed.*

10. Executive Session:

Michael Cannata made a motion to go into Executive Session to Discuss Pending Litigation "JPG Partners, LLC. v. Cromwell Planning and Zoning Commission LND HHD CV 18-6091023-S" involving Application # 17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner, with the board members, Bruce Driska, and Stuart Popper; Seconded by Nicholas Demetriades. *All in favor; motion passed.*

Michael Cannata made a motion to close the Executive Session with no action of the Application #17-22; Seconded by John Keithan. *All in favor.*

11. Old Business:

Discussion and Possible Action of Proposed Settlement for "JPG Partners, LLC v. Cromwell Planning and Zoning Commission LND HHD CV18-6091023-S" involving Application # 17-22: Center Point Apartments 186 Court Street. JPG Partners, LLC is the Applicant and Estate of Helen Ewald is the Owner was discussed in the Executive Session.

12. Commissioner's Comments:

Chris Cambareri and John Keithan updated the Commission on their efforts to update and improve the sign regulations. The Commission members discussed some of the regulation changes put forth in the proposed update. Mr. Popper said it would be helpful to incorporate the proposed amendments into the actual regulations and present that at a future date to the Commission in a draft format.

13. Approval of Minutes:

a. September 17, 2019-

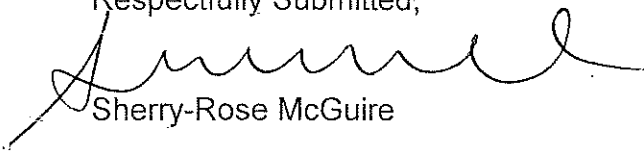
Michael Cannata made a motion to approve the amended minutes; Seconded by John Keithan. *All in favor; motion passed.*

Note that Michael Cannata excused himself because of family relations from the Public Hearing: Application #19-41, on page 3, item number 12.

14. Adjourned:

Michael Cannata made a motion to adjourn the meeting; Seconded by Jeremy Floryan. *All in favor; motion passed.* Meeting adjourned at 8:20 PM.

Respectfully Submitted,



Sherry-Rose McGuire