



**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. THURSDAY NOVEMBER 9, 2017
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET**

AGENDA

RECEIVED FOR FILING.
11/2 2017 at 1:37 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Prendergast, Asst
TOWN CLERK

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Public Comments
6. Development Compliance Officer:
 - a. Appointment of Bruce Driska as Zoning Enforcement Officer
7. Town Planner Report:
8. New Business Accept and Schedule New Applications:
 - a. Application #17-50: Request for a Special Permit under Section 6.6 of the Zoning Regulations to create a rear lot at 680 Main Street. Patricia Deperry is the Applicant and Anna Dubik is the Owner.
 - b. Application #17-51: Request for a Special Permit under Section 2.2.C.4 of the Zoning Regulations to construct a new golf course club house at the TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner.
 - c. Application #17-52: Request for Site Plan Approval to construct a new golf course club house and associated infrastructure at TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner.
 - d. Application #17-53: Request for Site Plan Approval to construct a 356,500 square foot warehouse at 120 County Line Drive ARCO National Construction is the Applicant and Gardener's Nursery and the Town of Cromwell are the Owners.
 - e. Application #17-54: Request to modify the Site Plan Approval at 11 Progress Drive to construct a building addition and additional parking spaces. Snyder Civil is the Applicant and Yedem Properties LLC is the Owner.
9. New Business:
 - a. Approval of 2018 Meeting Calendar
10. Public Hearing:
 - a. Application #17-42: Request for a Special Permit under Section 5.3.B.2.(2) to install a new Digital Sign Pricing at 164 West Street. National Sign Corp is the Applicant and AN Patel LLC is the Owner.

- b. Application #17-45: Request to amend the Zoning Map to change the Zoning District from Residential-25 (R-25) to Planned Residential Development (PRD) at 150 Country Squire Drive (aka the Nike site). Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner.

11. Commissioner's Comments:

12. Approval of Minutes:

- a. October 17, 2017

13. Adjourn

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: November 2, 2017
Re: Additional Comments for the November 9, 2017 Meeting Agenda

9. New Business Accept and Schedule New Applications:

a. Application #17-50: Request for a Special Permit under Section 6.6 of the Zoning Regulations to create a rear lot at 680 Main Street. Patricia Deperry is the Applicant and Annà Dubik is the Owner. *Staff is requesting that the Commission accept the application and schedule it to be heard at the Tuesday December 5, 2017 special meeting public hearing.*

b. Application #17-51: Request for a Special Permit under Section 2.2.C.4 of the Zoning Regulations to construct a new golf course club house at the TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner. *Staff is requesting that the Commission accept the application and schedule it to be heard at the Tuesday December 5, 2017 special meeting public hearing.*

c. Application #17-52: Request for Site Plan Approval to construct a new golf course club house and associated infrastructure at TPC River Highlands at 1 Golf Course Road. PGA Tour Design and Construction Services Inc. is the Applicant and Tournament Players Club of Connecticut, Inc. is the Owner. *Staff is requesting that the Commission accept the application and schedule it to be considered at the Tuesday December 5, 2017 special meeting.*

d. Application #17-53: Request for Site Plan Approval to construct a 356,500 square foot warehouse at 120 County Line Drive. ARCO National Construction is the Applicant and Gardener's Nursery and the Town of Cromwell are the Owners. *The 28 acre site is located at the westerly end of County Line Drive and is bordered by I-91 to the west, Fair Weather Acres Farm to the north and the Cromwell Transfer Station to the east and Snow Park to the south. Staff is requesting that the Commission accept the application and schedule it to be considered at the Thursday November 9, 2017 meeting. Please note that the Commission approved the Erosion Control and Sedimentation Control Plan at the September 5, 2017 meeting and the Inland Wetlands and Watercourses Agency approved the permit to conduct activities within the upland review area at their November 1, 2017 meeting.*

e. Application #17-54: Request to modify the Site Plan Approval at 11 Progress Drive to construct a building addition and additional parking spaces. Construction is the Applicant and Yedem Properties LLC is the Owner. *Staff is requesting that the Commission accept the application and schedule it to be considered at the Thursday November 9, 2017 meeting. The existing two story, 8,454 square foot*

building is located in the Industrial Zone on the side of Progress Drive. The applicant is proposing to add an 3,800 square foot addition to the building and to add 3 additional parking spaces.

10. Public Hearing:

a. Application #17-42: Request for a Special Permit under Section 5.3.B.2.(2) to install a new Digital Sign Pricing at 164 West Street. National Sign Corp is the Applicant and AN Patel LLC is the Owner. *Please see attached staff memo from Bruce Driska. Attached are photos of the proposed signs. Please note that similar signs have been installed at various other gas stations in town.*

b. Application #17-45: Request to amend the Zoning Map to change the Zoning District from Residential-25 (R-25) to Planned Residential Development (PRD) at 150 Country Squire Drive (aka the Nike site). Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner. *Please note the application materials were previously sent to the Commission members. The staff review memo from Bruce Driska and an addendum to the Cromwell Village/ Country Squire Drive Impact Study are included in this packet.*

Popper, Stuart

From: cynthia volz <cyndiksheftel@att.net>
Sent: Monday, October 23, 2017 8:37 AM
To: Popper, Stuart
Subject: Evergreen Walkway & Gazebo

Stu:

This is the letter that we sent to our residents at Evergreen Community on Oct. 22, 2017, as you seen we are canceling our request to modify the zoning map. please take us/Evergreen Community off your zoning agenda dated November 9, 2017

Thank you for all your trouble

**Thank you
Cyndi S**

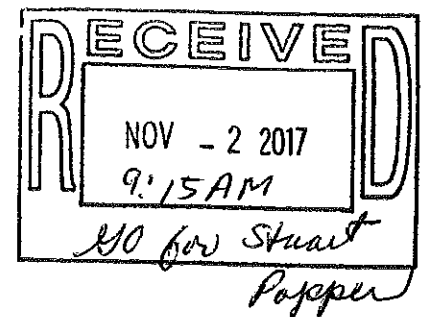
The Executive Board decided several months ago after being approached by a few residents to allow the community decide whether or not they wanted a gazebo and/or a walkway to a community path be constructed by the builder as existed in the original plan. Ultimately any decision that changed what was on the original plan would have to be approved by the Cromwell Town Zoning Board. The Executive Board had a community meeting on September 18, 2017 at Cromwell Town Hall and a vote was taken (including absentee ballots) to decide whether or not to request the Zoning Board remove the gazebo and/or the walking path from the plan as set forth in the original paperwork. The community voted in favor of removing both the gazebo and the walkway from the original plan. The Executive Board filled out paperwork with the Zoning Board and Evergreen's request was placed on their agenda. The vote, agenda and meeting minutes were supplied to the Zoning Board. After careful review of the Evergreen Declaration and the Connecticut General Statutes regarding condominiums it was determined that both documents required a vote to be equal to or greater than 67% of the existing homes within the community which at the time of the vote was 47. Since there were only 21 votes against the walkway and 29 votes against the gazebo (each needed 31 votes to pass), both failed to meet the 67% requirement. Therefore, the original plan stands and there is no longer a need for the Town of Cromwell's Zoning Board to review our request on November 9, 2017 (the request will be withdrawn).

Evergreen Executive Board

Lenny Levin, President
Cyndi Sheftel, Treasurer
Isabel Szurley, Secretary

17-50

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
APPLICATION FOR SPECIAL PERMIT



Type of Activity: _____
(Per Section 6.6 of the Cromwell Zoning Regulations)
Street Address: 680 Main Street Zoning District: A-25
Assessor's Parcel ID #: 00092600 Volume/Page: _____

Applicant's Name: Patricia Deperry
Address: 6 Marsal Lane
Telephone Number (daytime): 860-508-3255
Email Address: PatriciaDeperry@PHHSNE.COM

Property Owner's Name: Anna Dubik
Address: 680 Main Street

Description of Proposed Activity:
Perform a lot split of the existing parcel
making the existing structure a rear lot and
create a new parcel out of the front yard of the
existing parcel

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).

Patricia D. Deperry
(applicant)

10-31-17
(date)

17-51

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT

Type of Activity: Outdoor Recreation Facility (Golf Course)
(Per Section 2.2.C, 4 - Other Uses of the Cromwell Zoning Regulations)
Street Address: 1 Golf Club Road, Cromwell, CT Zoning District: R-25
Assessor's Parcel ID #: 00457800 Volume/Page: 242/84

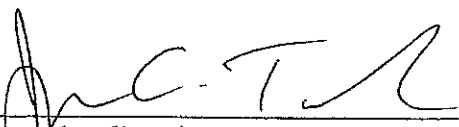
Applicant's Name: Mr. James C. Triola, PGA TOUR Design and Construction Services, Inc.
Address: 13000 Sawgrass Village Circle, Suite 16, Ponte Vedra Beach FL 32082
Telephone Number (daytime): 904-280-4882
Email Address: JamesTriola@pgatourhq.com

Property Owner's Name: Tournament Players Club of Connecticut, Inc.
Address: 1 Golf Club Road, Cromwell, CT

Description of Proposed Activity:

Re-development of the existing TPC River Highlands Golf Course Club House and associated parking and infrastructure. See the accompanying Site Plan Application, Application Letter and attachments for additional details and information.

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)
James C. Triola

10.30.2017
(date)

17-52

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: TPC River Highlands Golf Course Clubhouse Reconstruction
Street Address: 1 Golf Club Road, Cromwell, CT
Volume/Page: 242/84 PIN #: 900457800

Applicant Name: Mr. James C. Triola
Address: PGA TOUR Design and Construction Services, Inc.
13000 Sawgrass Village Circle, Suite 16, Ponte Vedra Beach FL 32082
Telephone: 904-280-4882 (day) 904-704-2535 (evening)
Email Address: JamesTriola@pgatourhq.com

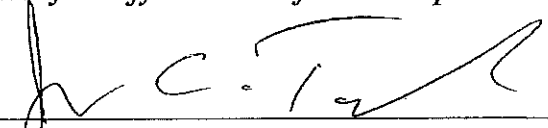
Property Owner Name: Tournament Players Club of Connecticut, Inc.
Address: 1 Golf Club Road, Cromwell, CT

Attached:

- (X) Application fee.
- (X) Fifteen 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? (Yes) (No)
if yes, have you obtained it? (Yes) (No)
- 3. Will this project require a DEP Stormwater Management Permit? (Yes) (No)
if yes, have you applied for it? (Yes) (No)
- 4. Will this Project Require an STC Permit? (Yes) (No)
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.


Applicant Name and Signature
James C. Triola

10.30.2017
Date

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Proposed Warehouse
Street Address: 120 County Line Drive, (100 County Line Drive, 161 Coles Road)
Volume/Page: 86/609, (166/281, 727/15) PIN #: 00189500,00114100,00065700

Applicant Name: ARCO National Construction
Address: 900 North Rock Hill Road
St. Louis, MO 63119
Telephone: 314-963-0715 (day) _____ (evening)
Email Address: jgrant@arco1.com

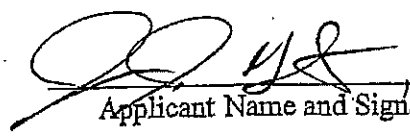
Property Owner Name: Gardners Nurseries, (Town of Cromwell)
Address: Brook Street, Rocky Hill CT 06067
(259 Shunpike Road, Cromwell, CT 06416)
(41 West Street, Cromwell, CT 06416)

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 any part of the site within 500' of an adjoining town? (Yes) (No)
- 2. Will this project require an Inland Wetlands Agency permit? (Yes) (No)
if yes, have you obtained it? (Yes) (No)
- 3. Will this project require a DEP Stormwater Management Permit? (Yes) (No)
if yes, have you applied for it? (Yes) (No)
- 4. Will this Project Require an STC Permit? (Yes) (No)
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.

 PROJECT MANAGER
Applicant Name and Signature

02/20/17
Date



County Line Drive Project
October 30, 2017
MMI: #6105-01-05

ARCO National Construction is proposing to develop the above-referenced ±28-acre parcel into a warehouse for the storage and distribution of landscape materials. The property is located at the westerly end of County Line Drive and is bordered by the Route 9 North exit ramp and Interstate 91 to the west, Fair Weather Acres farm to the north in the town of Rocky Hill, the Cromwell Recycling Center to the east, and the Town of Cromwell Snow Park to the south. The proposed development will include a 356,500-square-foot (sf) warehouse building with a 46,500 sf future expansion, 75 parking spaces, 30 trailer parking spaces with two areas for future trailer parking spaces, an access driveway from County Line Drive, and associated site infrastructure. The warehouse is a permitted use in the Industrial Zone, and the design meets all applicable zoning standards.

The proposed building is laid out with a north-south orientation, generally parallel to Interstate 91. The building dimensions are 1,150 feet long and 310 feet wide. The employee parking area is located on the north end of the building, and trailer parking spaces are along the eastern side of the building. The current layout of the transfer station driveway will be reconfigured to better serve both properties. Furthermore, land will be transferred between the subject property and the Town of Cromwell to provide additional land for development while allowing for the town recycling center to expand in the future.

The new 8-inch water line will come out of the northeastern corner of the building and tie into the existing town water main in County Line Drive. Sanitary sewer service will be provided by a 2-inch force main from the northeastern corner of the building to a sanitary pump chamber and connect to an existing force main located in County Line Drive. All other new utility connections servicing the project such as telephone, electric, cable, and gas will connect to nearby existing utilities and shall be located underground.

The stormwater management system will utilize two detention basins located at the southeastern and southwestern property corners. The overflow discharge from the detention basins will ultimately discharge to the wetland system adjacent to the southern property boundary. Stormwater runoff will be collected and conveyed via new subsurface storm drainage systems to the proposed detention basins, which have been designed to attenuate the proposed peak flows and prevent increases in predevelopment peak flow rates. No proposed work will take place in the wetlands. According to the current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for Middlesex County, the project site is not located in any portion of a FEMA Special Flood Hazard Area. Furthermore, the site is not located within an aquifer protection zone.

A detailed Sediment and Erosion (S&E) Control Plan has been developed to mitigate the short-term impacts of the development during construction. The S&E Control Plan includes descriptive specifications concerning land grading, topsoiling, temporary and permanent vegetative cover, vegetative cover selection and mulching, and erosion checks. Details have been provided for all erosion controls with corresponding labels on the S&E control site plan.



County Line Drive Project
October 30, 2017
MMI: #6105-01-05

The descriptions and computations included within the engineering report are provided in support of an application for a proposed warehouse facility to be located at the westerly end of County Line Drive in the town of Cromwell, Connecticut. The project site is located in the northern portion of Cromwell. The ±28-acre parcel is situated on the western end of the cul-de-sac of County Line Drive in an industrial zone north of Coles Brook. Most of the site is a cleared agricultural field that has been historically used to cultivate pumpkins, peas, beans, and other vegetables, with wooded areas around its perimeter.

The stormwater management system has been designed using Best Management Practices (BMPs) to provide a means to properly manage stormwater from the project site. Existing drainage patterns on the site have been maintained to the extent practical, and the proposed system incorporates design features to attenuate peak runoff rates as well as provide water quality treatment measures. The stormwater management system will utilize two detention basins to attenuate proposed peak runoff rates at or below existing levels for the project. The overflow discharge from the detention basins will ultimately drain to the wetland system adjacent to the southern property boundary. The stormwater management design will also incorporate water quality measures including catch basins with 2-foot-deep sumps, a hydrodynamic separator, sediment forebays, and retention within the proposed detention basins.

Peak flow rates from the project site are controlled using two detention basins. Stormwater flow rates are detained by use of outlet control structures containing a combination of a V-notch or rectangular weirs and a low-flow orifice. The proposed detention basins have been designed to provide a minimum of 1 foot of freeboard during the 100-year storm event. The following peak flow rates of runoff were obtained from the *Hydrographs* hydrology results:

Analysis Point A: (Wetland Areas)

Storm Frequency (years)	Peak Runoff Rate (cfs*)				
	2	10	25	50	100
Existing Conditions	1.07	11.90	23.66	33.97	45.04
Proposed Conditions	1.02	7.48	15.81	28.49	40.27

*cfs = cubic feet per second

Analysis Point B: (I-91 Drainage Swale)

Storm Frequency (years)	Peak Runoff Rate (cfs*)				
	2	10	25	50	100
Existing Conditions	4.87	13.69	19.89	24.89	29.96
Proposed Conditions	0.56	3.22	5.34	7.13	8.99

*cfs = cubic feet per second



October 27, 2017

Mr. Jason Grant
Arco National Construction Company
8150 Corporate Park Drive
Cincinnati, OH 45242

**RE: Traffic Study for Proposed Warehouse/Distribution Development
County Line Drive
Cromwell, Connecticut
MMI #6105-01**

Dear Mr. Grant:

At your request, we have undertaken this study to assess the traffic implications of a proposed warehouse/distribution development on a parcel located at the western end of County Line Drive in Cromwell, Connecticut. The site is currently undeveloped and will have access to County Line Drive, which then intersects Shunpike Road (State Route 3). The site location and study area roadway network are shown in Figure 1.

This study was divided into three tasks. The first task was to establish existing conditions. This included field reconnaissance, investigation of the site environs and the adjacent land uses, and inventory of current street and traffic conditions. Traffic counts were assembled on County Line Drive at Shunpike Road during morning and afternoon peak hours. The next task was to establish future peak-hour traffic volumes without and with the proposed warehouse. Future traffic generated by the warehouse was estimated based on industry standard data. Intersection capacity analyses were then performed comparing conditions without and with the proposed warehouse in order to assess potential traffic impacts.

Roadway and Site Environs

County Line Drive is an approximately one-third mile road running east-west at the northern limits of Cromwell and is bound to the west by Interstate 91 and terminates to the east as it connects with Shunpike Road (Route 3). County Line Drive varies from 30 feet wide to the west to 22 feet as it approaches Shunpike Road. County Line Drive has a posted speed limit of 25 miles per hour (mph) and has a stop sign posted for the eastbound direction of travel at the intersection of Shunpike Road.

Shunpike Road (Route 3) is classified as a minor arterial that runs north-south to the east of the project. At the intersection with County Line Drive, Shunpike Road is bituminous pavement with one travel lane and a 3-foot shoulder in each direction. The posted speed limit is 45 mph. The speed data for Route 3 nearest County Line Drive collected by the Connecticut Department of Transportation in December 2013 indicated the 85th percentile speeds were 46.1 mph northbound and 48.7 mph southbound.

Area Traffic Volumes

Review was made of available traffic data from the Connecticut Department of Transportation (CTDOT). The state maintains a traffic monitoring station on Shunpike Road (Route 3) near County Line Road. The data indicates that there has been an average annual increase of about 0.6 percent increasing from 10,000 vehicles per day in 2009 to 11,300 vehicles per day in 2015.

To supplement the data obtained from CTDOT, manual turning movement counts were performed at the County Line Road intersection with Shunpike Road on Tuesday, November 1, 2016, from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. The peak-hour traffic volumes were extracted from the manual count data and can be seen in Figures 2 and 3 for the weekday morning (7:30 a.m. to 8:30 a.m.) and afternoon (4:30 p.m. to 5:30 p.m.) peak hours, respectively.

Site Traffic

The site traffic for the proposed warehouse was estimated based on review of statistical data published by the Institute of Transportation Engineers (ITE),¹ utilizing employment information provided from the applicant. The proposed warehouse development is estimated to generate 30 total vehicle trips (22 vehicles entering and 8 vehicles exiting) during the morning peak hour and 35 total vehicle trips (12 vehicles entering and 23 vehicles exiting) during the evening peak hour. The site traffic estimates have been reviewed and accepted on a preliminary basis by the CTDOT Bureau of Policy and Planning.

Based on area traffic patterns, the estimated directional distribution for the site traffic is approximately 65 percent of the site traffic to/from the north and 35 percent to/from the south. Figures 4 and 5 show the assignment of the anticipated site traffic volumes based on the distribution during the weekday morning and afternoon peak hours, respectively.

Future Traffic

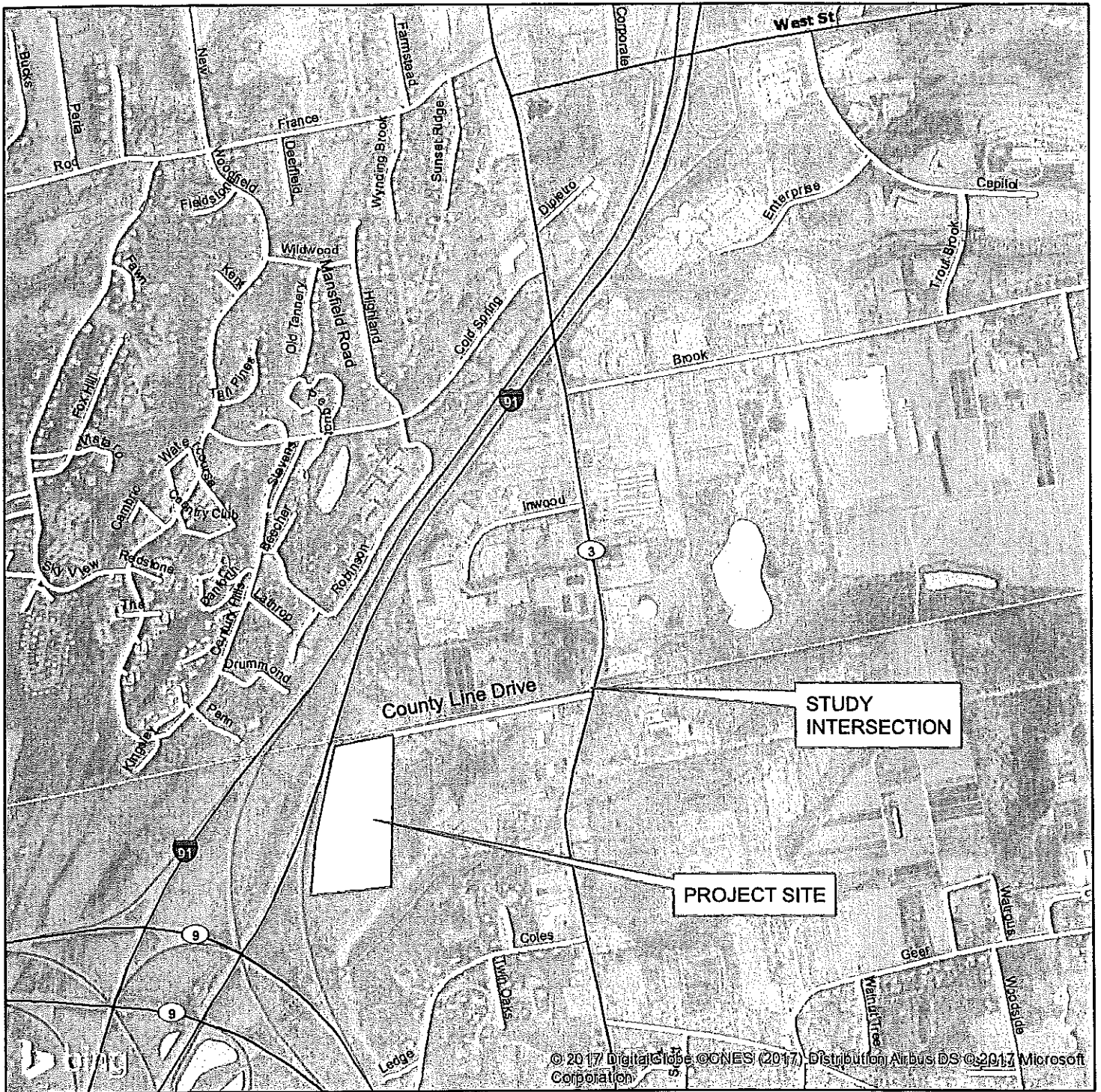
A future opening year of 2018 was used for traffic analyses. The existing 2016 traffic volumes were projected to 2018 using a 0.9 percent annual growth rate. This growth rate was used at the direction of CTDOT. The resulting background (no-build) traffic for the morning and afternoon peak hours is shown in Figures 6 and 7, respectively.

The estimated site-generated traffic volumes associated with the proposed warehouse development were added to the 2018 background traffic volumes to derive the future combined traffic volumes. Figures 8 and 9 depict the 2018 combined traffic volumes for the weekday morning and afternoon peak hours at the study intersections, respectively.

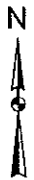
Analyses

The study intersections were evaluated by means of capacity analysis techniques. Levels of Service (LOS) were then determined, which are qualitative measures of the efficiency of operations in

¹ *Trip Generation, 9th Edition*, Institute of Transportation Engineers, 2012



0 550 1,100 2,200 Feet



SITE LOCATION

Proposed Warehouse/Distribution Development

Cromwell, Connecticut

19-54

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL MODIFICATION

Name of Project: CENTRAL MECHANICAL SERVICES - ADDITION
Street Address: 11 PROGRESS DR.
Volume/Page: 926/1 PIN #: 00520800

Applicant Name: SNYDER CIVIL ENGINEERING LLC
Address: 150 MARLBOROUGH STREET
PORTLAND CT 06480

Telephone: 860 342 1370 (day) _____ (evening)

Email Address: DSNYDER@SNYDERCIVIL.COM

Property Owner Name: YEDMAN PROPERTIES LLC
Address: 151 BLUE RIDGE RD
KENSINGTON CT 06037

Attached:

- Application fee. \$260.00
- Twenty-five copies of the Site Development Plan prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations. 15 11" X 17", 5 FULL SIZE 24" X 36"

- | | | |
|---|--|---------------------------------------|
| 1. Is <u>any part</u> of the site within 500' of an adjoining town? | (Yes) | <input checked="" type="radio"/> (No) |
| 2. Will this project require an <u>Inland Wetlands Agency permit</u> ? | (Yes) | <input checked="" type="radio"/> (No) |
| if yes, have you obtained it? | (Yes) | <input checked="" type="radio"/> (No) |
| 3. Will this project require a DEP <u>Stormwater Management Permit</u> ? | (Yes) | <input checked="" type="radio"/> (No) |
| if yes, have you applied for it? | (Yes) | <input checked="" type="radio"/> (No) |
| 4. Will this Project Require an <u>STC Permit</u> ? | (Yes) | <input checked="" type="radio"/> (No) |
| if yes, have you submitted a copy of the plans to the STC? | (Yes) | <input checked="" type="radio"/> (No) |
| 5. Does the parking comply with the <u>handicapped parking</u> requirements as set forth in current version of the State Building Code? | <input checked="" type="radio"/> (Yes) | <input type="radio"/> (No) |

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

DONALD R. SNYDER JR. P.E.
Applicant Name and Signature

11/2/17
Date

Memo

To: Planning & Zoning Commission
From: Stuart B. Popper, Town Planner
Date: November 2, 2017
Re: Planning & Zoning Meeting Dates for 2018

Please approve the following meeting dates listed below at your meeting on November 9, 2017.

January 2, 2018 and January 16, 2018

February 6, 2018 and February 20, 2018

March 6, 2018 and March 20, 2018

April 3, 2018 and April 17, 2018

May 1, 2018 and May 15, 2018

June 5, 2018 and June 19, 2018

July 17, 2018

August 21, 2018

September 4, 2018 and September 20, 2018

October 2, 2018 and October 16, 2018

November 8, 2018 and November 20, 2018

December 18, 2018

September's 2nd meeting will be held on Thursday, September 20th because Yom Kippur is on the 18th and November's first meeting will be on Thursday, November 8th because November 6th is Election Day.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
APPLICATION FOR SPECIAL PERMIT

Type of Activity: Signs
(Per Section 5, 3. of the Cromwell Zoning Regulations)

Street Address: 1164 West St Zoning District: BP-LB_R

Assessor's Parcel ID #: 311714A Volume/Page: 1505/34_R

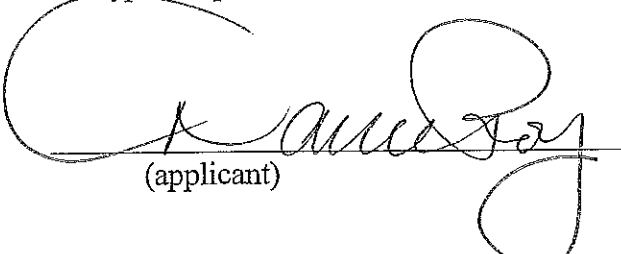
Applicant's Name: Darvic Ray / National Sign Corp
Address: 780 Four Rod Rd, Berlin CT 06037
Telephone Number (daytime): (203) 949-1154
Email Address: jdroy@comcast.net

Property Owner's Name: Sunoco LLC, 90 KE Andrews St Co.
Address: 1900 Dalrock Rd, Rowlett, TX 75088

Description of Proposed Activity:

Retrofit / reface existing 126" x 122" (106.75 sq)
section of existing sign with digital LED
pricing display.

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).

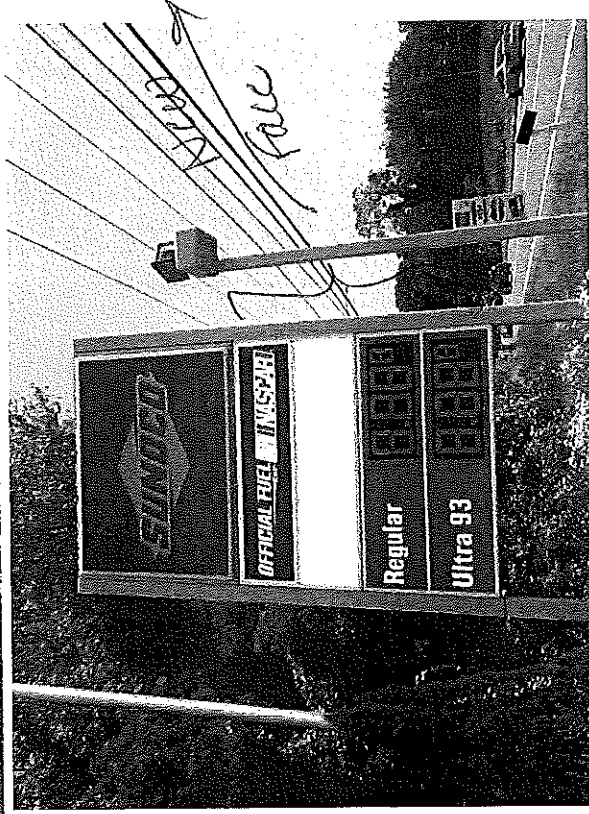

(applicant)

9/8/17
(date)

Existing

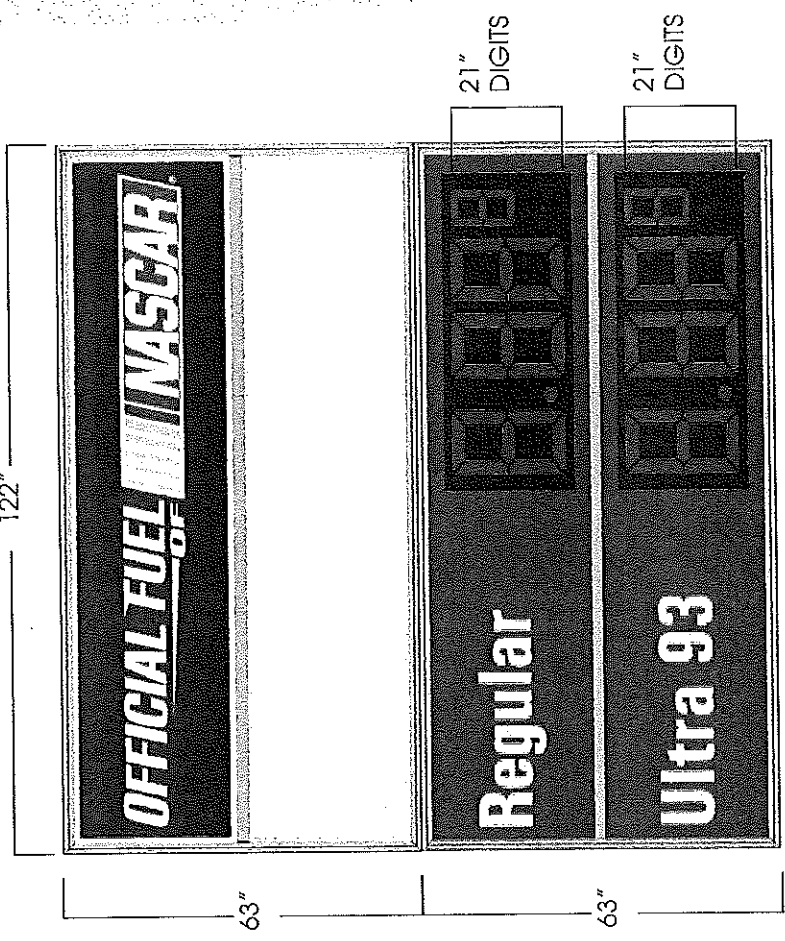


Before



After

Retrofit | Reface existing
 126" x 122" (106.75ft) section of
 existing sign



DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.

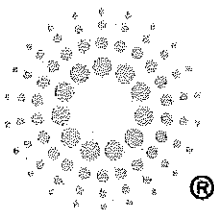
Customer: Sunoco
Project No: 368420-1
Date: 8/4/17
Location & Site No: 164 Wests St. Cromwell, CT
Scale: 3/8"=1'-0"
Drawn By: RB
Site: SUN00015461

Description:
 Face Replacements, Retro Fit

Customer Signature: _____
Landlord Signature: _____

Revised: 8/15/17
Revised: _____

DATE: _____
DATE: _____



Everbrite

Date: September 1, 2017

Re: Sunoco Sign Illumination – 164 West St. Cromwell, CT.

Project Number 368420

To Whom It May Concern:

Upon request for information pertaining to the foot candle ratings on the proposed Sunoco sign located at 164 West St. Cromwell, CT., the following information has been compiled:

LED Digits – At full intensity during the brightest (full sun) part of the day, the maximum output will be 372 foot-candles. As it gets dark, the LED's will dim down to 37 foot-candles. This is done automatically with built-in sensors.

Product Grade Panels – This is 144 foot-candles.

Official Fuel of NASCAR (OFN) Sign – This is 65 foot-candles.

Blank Imprint Panel – This is 179 foot-candles.

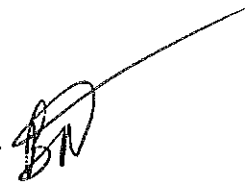
In summary, the above sign will output 372 foot-candles during the day and a maximum of 425 foot-candles during nighttime hours.

Sincerely,

Mark Erickson
Product Development Manager
608-429-1692
merickson@everbrite.com

Memo

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer
Date: November 2, 2017
Re: **Application 17-42, 164 West Street, Sunoco Sign Proposal**



The proposal of Application 17-42 to add digital fuel pricing signage requires Special permit approval pursuant to Cromwell Zoning Regulation 5.3.B.2.(2).

17-45



**Town of Cromwell
Planning and Zoning Commission**

APPLICATION TO AMEND THE ZONING MAP

Property Address: 150 Country Squire Drive PIN 00336000

Current Zone: Residential-25 Proposed Zone: Planned Residential Development

Applicant: Cromwell Village Associates, LLC

Mailing Address: c/o Joseph P. Williams, Esq., Shipman & Goodwin LLP
One Constitution Plaza, Hartford, CT 06103-1919

Email: jwilliams@goodwin.com

Telephone: (860) 251-5127

Owner: Country Squire Site LLC

Mailing Address: 10 Sachem Drive
Cromwell, CT 06416

Reason for Proposed Change:
Zone change will facilitate the beneficial re-use of abandoned property with the development of a luxury multi-family community on the property.

Is the property within 500' of an adjoining town?	(yes) _____	(no) <u>X</u>
Does the property contain streams or wetlands?	(yes) _____	(no) <u>X</u>
Is the property within the Historic District?	(yes) _____	(no) <u>X</u>

The following shall be submitted with this Application:

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

See attached authorization letter.

(signature of owner) (date)

See attached authorization letter.

(applicant) (date)


October 30, 2017

Planned Residential Development

Cromwell Village Impact Statement Addendum Country Squire Drive, Cromwell, Connecticut In support of a Zone Change Application

Cromwell Village Associates, LLC



 MILONE & MACBROOM

In association with

Hallisey, Pearson & Cassidy

Contents

- Introduction 2
- Site Plan..... 2
- Municipal Fiscal Impact (9.4.B.2) 3
- Public Safety & Traffic (9.4.B.3 (1)) 3
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- Public Works (9.4.B.4 (4))..... 3
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Introduction

The following information supplements the original Cromwell Impact Study submitted to the Cromwell Planning and Zoning Commission with a zone change application in September 2017. This addendum is intended to provide complete information, rather than change any information previously submitted.

Site Plan

Impervious surface coverage and minimum buffer from adjacent lot information was added to the zoning information table included on the site plan, as shown below:

BUILDING SUMMARY				
BUILDING NUMBER	TYPE	UNITS	1 BEDROOM	2 BEDROOM
1	3/2 SPLIT	20	0	20
2	3/2 SPLIT	20	10	10
3	3 STORY	24	12	12
4	3 STORY	24	12	12
5	3/4 SPLIT	28	0	28
6	3/4 SPLIT	28	14	14
7	3 STORY	16	12	4
TOTAL		160	60	100
*BUILDING #7 ALSO CONTAINS LEASING AREA, LEASE-UP MODELS AND CLUBHOUSE				

EXISTING ZONE: R-25

PROPOSED ZONE: PRD

PROPOSED USE: 160 LUXURY HOUSING APARTMENTS

IMPERVIOUS SURFACE PROPOSED: 121,731 SQ. FT.

LOT ZONING INFORMATION BULK CHART: PLANNED RESIDENTIAL DISTRICT (PRD) PER SECTION 4.7		
ZONE: PRD	REQUIRED	PROVIDED
USE		MULTI-FAMILY DEVELOPMENT
MINIMUM LOT AREA	5 ACRES	+/- 8.75 ACRES
MINIMUM LOT FRONTAGE	50'-0"	50'-0"
MAXIMUM BUILDING DENSITY	20 UNITS PER BUILDABLE AREA (8.75 ACRES x 20 UNITS/ACRES= 163 UNITS)	160 UNITS
MINIMUM FRONT YARD	25'-0"	30' (125' +/- AT MAIN ENTRY BUILDING)
MINIMUM REAR YARD	25'-0"	25'-0"
MINIMUM SIDE YARD	15'-0"	25'-0"
MINIMUM AGGREGATE SIDE YARD	30'-0"	70'-0"
MINIMUM BUFFER FROM ADJACENT PROPERTY	20'-0"	25'-0"
MAXIMUM BUILDING COVERAGE	50%	80,335/381,284= 21%
MAXIMUM BUILDING HEIGHT	4 STORIES	4 STORIES
MINIMUM LANDSCAPED AREA PER UNIT	1000 S.F./UNIT	175,131/160= 1,095 S.F./UNIT
MINIMUM PARKING SPACES	1.5 S.F./UNIT 160 UNITS x 1.5 SPACES/UNIT=240 SPACES	260 SPACES

Municipal Fiscal Impact (9.4.B.2)

Prepared by Rebecca Augur, AICP

Per Section 9.4.B.2(4) of the Cromwell Zoning Regulations, the amount of ancillary services and business to be generated by the proposal is estimated as follows.

Based on ESRI Household Budget Expenditures data forecasts for 2017, the current median household income in the Cromwell zip code (06416) is \$84,740, and the average annual household expenditure on food, apparel and services is about 17% of income. Assuming average household incomes of \$59,400 and \$73,260 for the proposed one- and two-bedroom units (based on 30% of income spent on housing and proposed rents), and the same 17% expenditure rate on food, apparel and services, the project will generate an estimated additional \$151,250 of expenditures at local businesses.

This ancillary economic activity will likely not yield additional business development however, it may help to lower commercial vacancies in the area and to support existing businesses.

Public Safety & Traffic (9.4.B.3 (1))

Prepared by Kwesi Brown, P.E., PTOE

The proposed site plan includes an extensive sidewalk system which makes for a safe, pedestrian-friendly environment. Also, the location of the proposed development at the end of a cul-de-sac inherently provides a natural traffic calming effect as high speed pass-through traffic cannot occur. Furthermore, it should be noted that the Connecticut Department of Transportation (CTDOT) is to begin a roadway and signal improvement project at the intersection of Willowbrook Road with Route 372 (State Project number 33-129) which will also enhance overall pedestrian mobility and safety in the area.

Public Works (9.4.B.4 (3))

Prepared by Kwesi Brown, P.E., PTOE

The onsite parking layout; including parking space dimensions and circulatory aisle widths are in line with the Town of Cromwell and industry design standards. It is expected that the parking layout will effectively accommodate vehicular traffic circulation and also provide safety for both motorists and pedestrians.

Public Works (9.4.B.4 (4))

Prepared by James Cassidy, P.E.

Following are James Cassidy's resume, as well as a letter from the Cromwell Water Pollution Control Authority indicating ample capacity to accommodate the potential development.

James P. Cassidy, P.E.

Principal, Hallisey, Pearson & Cassidy Engineering Associates, Inc.
630 Main Street, Cromwell, CT 06416
jcassidy@hpcengr.com / (860) 529-6812

Summary of Qualifications

Mr. Cassidy has over twenty years' experience, working on hundreds of municipal, commercial, industrial, and residential projects, providing site layout and zoning compliance design, grading, stormwater management, water main and sanitary sewer design, utility layout, and traffic and parking design, municipal and state traffic and environmental permitting and approvals, and construction oversight.

Mr. Cassidy was awarded an Associate's Degree in Civil Engineering from Hartford State Technical College. He is a registered Professional Engineer in the State of Connecticut (No. 20665) and a member of the American Society of Civil Engineers.

Representative Projects

- ***Town Center West / Montage Apartments***
Cromwell Avenue & West Street, Rocky Hill, Connecticut
 - Over 126,000 sq. ft. of development, consisting of retail and business space, a standalone restaurant and one- and two-bedroom residential apartments, and parking areas for 650 vehicles
 - Site design work included the stormwater management system, sanitary sewer system and water distribution system

- ***Hospital of Central Connecticut Cancer Center and Medical Office Building***
North Mountain Road, Plainville & New Britain, Connecticut
 - Two story, 66,500 sq. ft. building connected to a three story, 74,000 sq.ft. building by a common atrium, three parking lots accommodating 587 vehicles, and utility design work
 - Extensive upgrades to the off-site sanitary sewer pump station and water main pressure pump systems were necessary, as well as tandem municipal permitting and approvals

- ***Finisher's Court***
Main Street & Mill Street, Berlin, Connecticut
 - Three building residential complex with twenty apartment units, and associated parking and utility work

- ***Rivers Edge***
Meadow Road & Glastonbury Avenue, Rocky Hill, Connecticut
 - Mixed use development to consist of a 7,500 sq. ft. retail/restaurant use, 78 luxury residential units, and an 8,000 sq. ft. multi use building, for a total of 5 buildings on the Connecticut River, with associated parking areas and utilities
 - Permitted as of October 2017 and awaiting construction

- ***Tractor Supply Company Retail Stores***
Various locations throughout Connecticut
 - 19,000 sq. ft. retail building and parking areas, and associated utility systems
 - Design of onsite sewage disposal system as necessary



Cromwell Water Pollution Control Authority
41 West Street, Cromwell, CT 06416

October 23, 2017

James P. Cassidy, P.E.
Hallisey, Pearson & Cassidy
Engineering Associates, Inc.
630 Main Street
Cromwell CT 06416

RE: Development of Parcel 00336000, 150 Country Squire Drive

Dear Mr. Cassidy,

This letter is in response to your request to the availability and capacity of the downstream sanitary sewers for a proposed development of 160 residential 1 & 2 bedroom apartments. This is not the approval required from the CWPCA and the Town Engineer for the sewer design and construction to the proposed development.

Sanitary sewers are available to this site by way of an existing sanitary manhole located on Country Squire Drive approximately 170' south of the property line. The proposed development will be serviced by an existing manhole with an eight (8") inch PVC sewer pipe. Currently this pipe provides service to approximately 120- 2 bedroom condo units located on Country Squire with an estimated flow of 28,000 GPD.

Based on your daily flow projection at 39,000 GPD there will be a potential combined flow of 67,000 GPD through an eight (8") inch pipe. With the estimated flow of 67,000 GPD the issue of ample capacity is negligible for an existing 8" sewer pipe with slopes greater than 2% and that this is likely the extent of development onto Country Squire Drive within that meter basin area.

Country Squire Drive and WillowBrook Road sanitary sewers intersect on Berlin Road into a common manhole with an 18" RCP sewer pipe that crosses Berlin Road and discharges into an 18" H Flume with an ultrasonic sensor that currently measures flows of 150K to 250K GPD and discharges into the Mattabassett Districts trunk sewer. Cromwell's average daily sewage discharge to Mattabassett is less than 2 MGD with Cromwell having a reserve treatment capacity up to 3 MGD.

Sincerely,

Richard Peck
Sewer administrator

c. Jon Harriman, P.E., Town Engineer
CWPCA


Natural Resources (9.4.B.6)

Prepared by William Root, MES

The site has no current value for agricultural production given the existing development that remains from its former use.

No significant impacts to air quality are anticipated from the proposed residential development. The development will incorporate green site and building technologies to the extent feasible.

Memo

To: Stuart B. Popper, AICP, Director of Planning & Development
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer 
Date: November 1, 2017
Re: **Application #17-45 Amend Zoning Map**

PROPOSAL

Amendment to the Zoning Map requested by Cromwell Village Associates, LLC to change Zone District 25 to Planned Residential Development (PRD) at property owned by Country Squire Site LLC located at 150 Country Squire Drive aka the Nike Site.

The application for a Zoning Map Amendment and Master Plan has been reviewed and meets the requirements of the Cromwell Regulations as noted below:

Zoning Requirement	Section
1. Guiding the future growth and development of Cromwell in accordance with the Plan of Conservation and Development	1.2.A.1.
2. Zoning Map Amendment Application with Master Plan (not Site Plan)	8.9.A
3. Impact Statement	9.4.B
4. PRD Use Compatibility	4.7.

Pursuant to Cromwell Zoning Regulation Section 4.7.E.1., Special Permit and Site Plan approval shall be additional requirements associated with any proposed Planned Residential District (PRD) Development.

RECEIVED FOR FILING
10/23 2017 at 9:03 AM.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY OCTOBER 17, 2017
CROMWELL TOWN HALL GYMNASIUM, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Gloria Prendergast
TOWN CLERK

Present: Chairman Alice Kelly, Michael Cannata, Chris Cambareri, Jeremy Floryan, Paul Cordone, Richard Waters, David Fitzgerald (alternate) and Nicholas Demetriades (alternate)

Absent: Kenneth Slade, Ken Rozich, Brian Dufresne

Also Present: Director of Planning and Development Stuart Popper

1. Call To Order

The meeting was called to order by Chairman Kelly at 7:05 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

A motion to seat Alternates David Fitzgerald and Nicholas Demetriades was made by Michael Cannata; Seconded by Paul Cordone. *All in favor; motion passed.*

4. Approval of Agenda

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

5. Public Comments

There were no public comments at this time.

6. Development Compliance Officer Report

Mr. Curtin was not present and there was no report.

7. Town Planner Report

There was no report.

8. Public Hearing:

- a. Application #17-22: Request for Site Plan Approval for Center Point Apartments (an Affordable Housing Application) at 186 Shunpike Road. JPG Partners, Inc. is the Applicant and the Estate of Helen M. Ewald c/o Sybil C. Martin, Executrix, is the Owner.

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

Chairman Kelly began by reviewing the time limits and other rules for public comment and requested that the public not audibly react to comments by any of the speakers.

Mr. Popper reviewed his comments memo to the Commission and told the public that he would read any written comments that they wished to submit. He reviewed the numerous memos included in the Commission's packet, namely from himself, the town engineer, and town attorney. He said that he had received the revised bond estimate from Mr. Juliano, which was being reviewed by Mr. Harriman, and had received the updated peer review traffic study from Freeman Companies. He told the public that all of the plans and materials were available for inspection in the Town Planning office.

Chairman Kelly informed the audience that tonight was the last night for public comment as the public hearing will be closed in November. Attorney Landolina agreed to extend the public hearing until the November 21, 2017 meeting.

Richard Waters asked why the town attorney was not present and Chairman Kelly replied that she did not know the reason, only that Attorney Olsen would attend the November 21, 2017 meeting. Mr. Popper stated that Attorney Olsen had provided written responses to the Commission's questions so he had asked her to attend the next meeting to assist the Commission in their deliberations, rather than tonight's meeting. Richard Waters restated his concerns over the town attorney's absence.

Attorney Carl Landolina of Fahey and Landolina in South Windsor, Connecticut, began his presentation by introducing the applicant, the project engineer and the traffic engineer. He said that he submitted an affidavit regarding the posting of the required sign.

Chris Juliano, Juliano and Associates, LLC, began his presentation by reviewing his October 9, 2017 correspondence in which he noted the updates to the plans. He had revised the storm drainage calculations to use the NOAA Atlas 14 precipitation frequencies, despite their use not being required by the Town of Cromwell. In doing so, he also had to revise the heights of the underground galley drainage system and the low flow orifice. He reviewed the changes to the proposed fencing, which would be shortened on the easterly side and added along the boundary line at 190 Shunpike Road. He proposed a six foot vinyl privacy fence. He said that six feet is the maximum size allowed by the regulations but he would agree to a higher fence if required by the Commission. Any six foot fence could still be climbed and he did not think that the inclusion of barbed or razor wire was appropriate for this development. He had submitted the revised bond estimate to the town engineer. He believed that 98% of the runoff would be caught and not impact the neighbor's well, but he was proposing to provide an extension of the water main and an

easement, should the neighbor wish to utilize public water. He said that he had revised the dumpster and pad detail. Mr. Juliano stated that the transformers on the plans were there to show the likely locations and that Eversource does not conduct a final design until the project receives all required approvals. He also said that he had updated the title sheet and submitted a snow removal plan with modified curbs and designated storage areas.

Mr. Juliano next reviewed the Construction Sequence Narrative dated October 2, 2017. He proposed a five phase sequence in which utilities, driveways and parking lots were constructed to a binder course, then Building 1 was constructed, then the Community Building and parking areas were constructed, then Apartment Building 2, and then finally the construction of Apartment Buildings 3 and 4. The sequence proposed installing construction barriers, such as Jersey barriers, across the construction entrance to separate the residents of the completed buildings from the continuing construction, in response to the Commission's concerns over the safety of the proposed residents. He said that the revised sequence addresses the affordability plan as well.

Jeremy Floryan asked Mr. Juliano why he felt that he was bound by the zoning regulations for the fencing and Mr. Juliano said that he was trying to comply where he could, but it was up to the Commission to establish the height of the fence. Jeremy Floryan then asked why not reduce the building heights to three stories and Mr. Juliano deferred that question to the applicant and/or his attorney.

Stephen R. Ulman of Alfred Benesch & Company of Glastonbury, reviewed his memo dated September 19, 2017, and the peer review response from Freeman Companies dated October 3, 2017. He referenced the finding from Freeman Companies that his report was found to adequately address the comments they had presented and reasonably evaluated the project's potential impacts. He stated that he could possibly fit in a one hundred foot turning lane fully within the right of way on Court Street.

Mr. Ulman stated that he did not have a template for conducting a pedestrian traffic study. He had taken a count during the morning and afternoon peak hours at Shunpike Road/Coles Road, 181 Shunpike Road and Shunpike Road/Court Street. He said that the paved shoulder along Route 3 and the traffic signals and pedestrian pushbuttons were sufficient in giving pedestrians time to cross the intersections. He did not believe that additional measures were necessary. He said that the sightlines in excess of 550 feet were adequate, that none of the crash data available involved pedestrians and because there was no mass transit available in the area, it was unlikely that there would be more pedestrians as a result of this development.

Michael Cannata objected to Mr. Ulman's findings by saying that he had analyzed the current conditions, not what was projected, when there could be an additional 200 to 300 potential pedestrians. He said that the surrounding areas offered numerous services which the apartments residents would likely walk to, such as

restaurants and bars. Those pedestrians would have to cross two to three lanes of traffic, including the turning/bypass lane along Route 3. He did not feel that Mr. Ulman's study addressed his concerns over the health and safety of those prospective pedestrians. Mr. Ulman disagreed on the projected number of pedestrians, saying that this project would not generate such large numbers and repeated his conclusions that the present traffic controls are sufficient. Michael Cannata stated that the plans did not include additional crosswalks or signaling.

Chairman Kelly said that the photographs included in the report do not accurately represent the traffic conditions along those roads and offered her own photographs for review. Mr. Ulman stated that the photographs were to show the road geometry only. He said that the development would generate far less traffic than the Commission was suggesting. His study uses peak times for measurements, as not all cars travel during those periods. Jeremy Floryan stated that there would be more pedestrians then, based on Mr. Ulman's conclusions of so few vehicle trips. Mr. Ulman stated that his study utilized current figures provided for low rise suburban developments, but there was no distinction between developments along bus routes and those not. Attorney Landolina asked Mr. Ulman if his study was done in accordance with all professional standards, to which he said yes.

Attorney Landolina reviewed the contents of his October 10, 2017, correspondence addressed to the Commission. He stated that he had submitted data showing that property values would not be affected, and that concern over property values wasn't a criterion that could be considered, nor were the aesthetics of the development, the impact on the schools, or "welfare". He stated that it was estimated that the development would bring an additional sixteen students to the school system and that the revised plans included an area for them to wait for the bus.

Attorney Landolina said that the traffic study concluded that the roadways could handle the additional load at an acceptable level of service, that the proposed buffers were adequate and not a reason for denial, that the higher density is not a sufficient reason for denial, and that only housing that is either deed or rent restricted is counted as affordable housing under Connecticut law. He stated that no species of special concern were found on the property, that the developer would comply with all codes and recommendations made by the Fire Chief regarding sprinklers, elevator sizes sufficient to accommodate a stretcher, and pressurized stairwells. He said that the Fire Chief's letter did not address the height of the building as being a concern. The distances around the building were sufficient to accommodate a ladder truck and the "wings" of the buildings had been redesigned. He said that he did not receive any negative correspondence from the Police Chief, that there would be 29 affordable units spread out among the apartments, that it was up to the Commission as to whether to allow for preferential treatment for Cromwell residents, and that the Town could enforce the affordability restrictions.

Attorney Landolina said that the developer's history was irrelevant and that he would agree to bond all improvements as required. The requested pedestrian

accommodations could only be installed on Court Street as a town road and not on Shunpike Road. Mr. Ulman stated that this project was not required to go to the Office of the State Traffic Administration but would be reviewed by the district regarding the encroachment permit. Attorney Landolina repeated that they would install a fence of a height requested by the Commission. He said that the community building would be for the apartment residents, that sidewalks had been included on the plans, a bond estimate spreadsheet had been submitted and that building samples had been submitted for the Commission's review. Language terminating the affordability restrictions had been deleted, the construction sequence revised, and a snow removal plan submitted.

Attorney Landolina said that compliance with Section 6.8 of the Zoning Regulations was not required and that the buildings would remain at four stories to keep the project economically viable. He deferred to the town attorney to advise what "other matters" could be considered, said that one three bedroom apartment was now affordable, that the construction entrance had been moved to Shunpike Road, that foreclosure would not terminate the affordability restriction, and that this project was not a major traffic generator. He said that the time limits necessitated an end to further peer review studies, that the parking outlay was per the existing Zoning Regulations for a PRD zone, that the issue of the neighbor's well had been addressed, that no additional recreational areas were proposed beyond the two lawn areas, that all contractors would comply with OSHA safety standards, that the LLC structure was irrelevant, that the tax impact was not a criterion to be considered, and that he believed that the applicant had been fully transparent in his presentations at these hearings.

The public hearing was opened up to public comment.

Tommy Hyatt, 98 Court Street, stated that the applicant had said earlier that there was too much traffic on Shunpike Road to use it as the construction entrance, but now had revised his plans to do just that. He did not think that the traffic study was sufficient in its duration, nor did he believe it to be accurate. He felt that the history of the developer put the public safety at risk and that the attendance at these meetings demonstrates an overwhelming negative response and that this project is of substantial public interest.

Peter Hanson, 100 Court Street, stated that the Commission had more discretionary power than the applicant's attorney was suggesting. He stated that he did not believe that comparisons to the PRD zone are relevant or accurate as the PRD zone regulations are subject to a Special Permit. He said that if the application was accepted, that contingencies regarding pedestrian safety, overflow parking, and sidewalks should be put into place. He was concerned over the possibility of the developer abandoning the project prior to completion. He also questioned the use of the affordable housing laws when the developer was already concerned about making sure that this project was economically viable. He felt that the developer was just trying to avoid having to comply with the requirements of a special permit.

Dilys McIntyre, 104 Court Street, agreed with the previous two speakers. She said that she had spoken with State Senator Paul Doyle regarding the project. She expressed safety concerns over the proximity to the wetlands and ravine and said that she wanted a ten foot fence along her property line.

Beth Johnson, 65 Court Street, asked if there would other places where this project could be located. She was concerned over the public safety, especially that of children, because of the traffic on Court Street.

Diane Uccello, 21 Reiman Drive, asked what benefit this project brings to Cromwell. She expressed concerns over the developer's reputation and history and said that he had previously negatively impacted the lives of Cromwell residents. She felt that the town does its share and cited the number of students at or below the poverty level. She wanted the developer to acknowledge the people whose lives he was impacting.

Ronald Bomengen, 5 Riverside Drive, said that he did not believe the latest drainage calculations to be accurate. He was concerned over the apartment complex being used as a cut through if traffic backed up along Court Street and Shunpike Road. He also pointed out that the driveway wasn't aligned with the driveway across from it and thought that the state may comment on that.

Dmytro Grebenyk, 202 Coles Road, questioned the traffic report findings and wanted clarification on wait times and the allotment for parking. He questioned the conclusion that there would not be more pedestrian traffic when the proposed development was across from restaurants and bars and other establishments. He wanted to ensure that the drainage system was built properly.

Amanda Chiappetta, 59 Geer Street, asked how this would affect the property values of the surrounding homes.

Deborah Bradley, 93 Court Street, said that she had a lot of difficulty pulling out of her driveway because of the traffic on Court Street. She said that class sizes are getting bigger, not shrinking, and is concerned over the validity of the studies being presented by the applicant.

Rob McIntyre, 102 Court Street, said that he was the Assistant Chief of EMS in Cromwell and a firefighter, and was speaking from that experience, but not as a representative of the Cromwell Fire Department. He said that the Chief's job is to make recommendations regarding safety, not to support or oppose a particular development. He did not believe that there was total aerial coverage for firefighting and was concerned that if additional equipment was needed, it would fall on the town to provide it.

Dilys McIntyre, 104 Court Street, said that she wanted the fencing installed prior to construction. She also said that the parcel is zoned local business and that it should be developed that way as it is the only one in the northern tier.

Stuart Epstein, 9 Fern Street, said he was concerned over the safety of traffic along Court Street, with other bad elements that might follow this development, and with the possible noise, light and fire safety. He felt that the developer should be held accountable for his past projects.

Mr. Popper read into the record a letter from Donna Brilliant and Pierre Brilliant, 91 Court Street, regarding their concerns over wastewater, traffic, fire safety and the safety of the tenants. They wanted the town to petition the state for a moratorium on these types of applications so they could have time to identify appropriate locations and developers.

Marisol Bonacquisto, 7 Patricia Lane, said that the developer's history is relevant and that he has a demonstrated record of not paying contractors and vendors, of not maintaining his properties, of shoddy workmanship, and ensuing lawsuits. She felt that the traffic study and parking allotment were both insufficient, that his data on the school impact was outdated. She wanted him banned from doing work in town and asked why the town manager, mayor and attorney were not present. She wanted development that helped the town, such as a senior center, recreation center, schools, and businesses.

After all public comments had been heard, the Commissioners continued to discuss the application.

Richard Waters wanted to know where the Affordable Housing statistics came from. Chairman Kelly wanted to review the materials. She wanted to know why the proposed aesthetics of this project are so vastly different from his previous application for luxury apartments. She felt that this "two tier" approach could be the "other matters" referenced in the regulation. She also referenced an interview with Evonne Klein, Commissioner of Connecticut's Department of Housing, that the intent of the regulation is to combat exclusionary zoning and not to force the acceptance of projects that were previously denied. She said that the PRD regulations were to allow flexible housing that fits in with the surrounding neighborhoods.

Michael Cannata asked for confirmation that a turning lane would be added to Court Street and that a fence would be constructed during Phase 1. He said that he was concerned with the use of a Jersey barrier and that plan should be reviewed with the Fire and Police Departments because of its affect on the public health and safety. He wanted confirmation of a children's bus stop and additional recreational areas, such as a playground. He was concerned about the use of the complex as a cut through. He also stated that he had quickly identified several companies that specialize in pedestrian analyses.

Attorney Landolina said that the Department of Housing provides the percentages of affordable housing per town, based on a number of factors. He said that he wasn't involved in the previous application and therefore could not discuss the aesthetics. He thought that they could accommodate the turning lane wholly within the right of way and that a ten foot fence could be installed prior to construction. He said that he would look into the safety concerns raised by the placement of the Jersey barriers, the pedestrian traffic study and how to address the possibility of the cut through via stop signs and speed bumps. He said that there was a bus shelter provided and he would review the possibility of additional recreational areas with his client.

Richard Waters stated that a ten foot fence next to a four story building would not add much in terms of privacy.

Attorney Landolina agreed to an extension of the public hearing to November 21, 2017, which he submitted in writing to Mr. Popper. He said that he could not grant any additional extensions beyond that and once the hearing was closed, the Commission had sixty five days to render a decision.

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


9. Commissioner's Comments: None

10. Approval of Minutes:

a. October 3, 2017: A motion to accept the minutes as presented was made by Michael Cannata; Seconded by Jeremy Floryan. *All in favor; motion passed (Paul Cordone abstained).*

11. Adjourn: A motion to adjourn was made by Michael Cannata; seconded by Paul Cordone. *All in favor; motion passed.* Meeting adjourned at 10:00 p.m.

Respectfully Submitted,


Julie C. Petrella
Recording Clerk