



## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY OCTOBER 1, 2019**  
**ROOM 224 CROMWELL TOWN HALL 41 WEST STREET**  
**AGENDA**

RECEIVED FOR RECORD  
Sep 24, 2019 02:53P  
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:**
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.
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 #19-42: Site Plan Modification to add new wall sign for Fed Ex Office on the Walmart Store façade at 161 Berlin Road. Arnco Sign Company Inc. is the Applicant and Infinity Cromwell Property LTD Partnership is the Owner.
  - 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.
13. **Commissioner's Comments:**
14. **Approval of Minutes:**
  - a. September 17, 2019
15. **Adjourn:**

		P&Z 2019 Permit Report	Commission Approved are shaded		
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
19-01	Danielle Buggie	2 Willowbrook Road	Hair Salon	Approved by staff 12/31/18	Operational
19-02	Linh Truong	200 West Street	Restaurant	Approved 3/19/19	Construction in progress
19-03	Covenant Homes, Inc.	52 Missionary Road	Loop Road & D-Wing Demolition	Approved 2/19/19	Construction in progress
19-04	Ready Imaging, Inc.	176 West Street	Reface existing pylon sign cabinets with LED faces	Approved 3/5/19	Digital fuel sign installed 3/15
19-05	Salvatore Petrella	560 Main Street	Renew SPA for commercial building	Approved 2/19/19	Approved
19-06	Greater Hartford Community Foundation	100 Golf Club Road	Travelers Golf Tournament	Approved 3/5/19	Event over
19-07	P&Z Commission	Town wide	Zoning regulation amendment to allow retail sale of beer in large supermarkets	Approved 3/19/2019	Approved
19-08	William Mutraji	136 Berlin Road	Gyro Love Restaurant	Approved by staff 2/25/19	Operational
19-09	Joe Stefano	1 Willowbrook Road	Central CT Dermatology	Approved by staff 2/25/19	Operational

Permit#	Name of Applicant	P&Z 2019 Permit Report Site Location	Type of Activity	Decision Date	Status
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 Trollino	45 Shunpike Road	Beer Permit	Scheduled for 5/9/19	Operational



		<b>P&amp;Z 2019 Permit Report</b>	Commission Approved are shaded		
<b>Permit#</b>	<b>Name of Applicant</b>	<b>Site Location</b>	<b>Type of Activity</b>	<b>Decision Date</b>	<b>Status</b>
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	Pending
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	Constuction 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



# Memo

**To: Planning and Zoning Commission**  
**From: Stuart B. Popper, AICP**  
**Director of Planning and Development**  
**Date September 24, 2019**  
**Re: Comments for the October 1, 2019 Meeting Agenda**

---

## 11. New Business:

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

*Walmart is adding a Fed Ex office inside the store and is proposing to add a new wall sign for the Fed Ex office. The copy of the sign was included in last month's packet.*

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.

*The 1.06 acre site is located in the Residential -15 Zone District on the east side of Main Street and south side of Shadow Lane. 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. The applicant is proposing to remodel the former salon into an ice cream shop and install landscaping along Shadow Lane, a new access drive off of Main Street, new parking spaces and a screened dumpster. Attached is a copy of the site plan and the staff comments received to date.*

19-42

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: FedEx Office (at Wal Mart)  
Street Address: 161 Berlin Rd  
Volume/Page: 1462/136 & 587/263 PIN #: 00179600

Applicant Name: Arnco Sign Co Inc  
Address: 1133 South Broad St  
Wallingford CT 06492  
Telephone: 203 494-7429 (day) 203 494-7429 (evening)  
Email Address: ArncoMarc@gmail.com

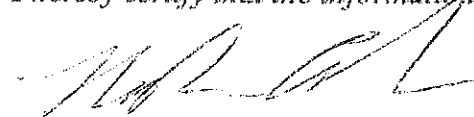
Property Owner Name: Infinity Cromwell Prop Ltd Par  
Address: 33 Boylston St  
Chestnut Hill MA 02467

Attached:

- (x) Application fee \$100
- (x) Twenty-five copies of the Site Development Plan prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations.

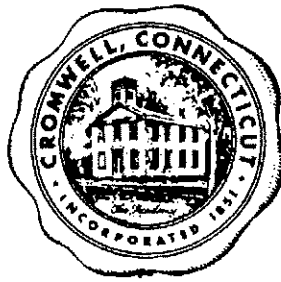
- 1. Is any part of the site within 500' of an adjoining town? (Yes) (No) x
- 2. Will this project require an Inland Wetlands Agency permit? (Yes) (No) x  
if yes, have you obtained it? (Yes) (No)
- 3. Will this project require a DEP Stormwater Management Permit? (Yes) (No) x  
if yes, have you applied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

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

  
Applicant Name and Signature  
NAME: Marc

8/26/19  
Date





## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development  
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*  
Date: September 17, 2019  
Re: **Plan Review, PZC Application #19-42, Site Plan Modification at Walmart  
161 Berlin Road**

---

### **BACKGROUND**

A Fed Ex Office has proposed a wall sign for the façade of the Walmart on Berlin Road.

### **PROPOSAL**

The Applicant is seeking approval for a new, 18.33 SF wall sign.

### **COMMENTS**

The application meets the requirements of Cromwell's Zoning Regulations 5.3 for Signs.

19-45

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: Ice Cream Shop  
Street Address: 562 Main Street  
Volume/Page: \_\_\_\_\_ PIN #: \_\_\_\_\_

Applicant Name: Timothy Farrell  
Address: 13 Grace Lane  
Cromwell CT 06416

Telephone: 860 635 8000 (day) 860 490 0193 (evening)

Email Address: edgewoodparty@sbcglobal.net

Property Owner Name: Brent Robbin / Kim Robbins  
Address: 99 Field Road  
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. <i>Is any part of the site within 500' of an adjoining town?</i>  | (Yes)                                  | <input checked="" type="radio"/> (No) |
| 2. <i>Will this project require an Inland Wetlands Agency permit?<br/>if yes, have you obtained it?</i>  | (Yes)                                  | <input checked="" type="radio"/> (No) |
| 3. <i>Will this project require a DEP Stormwater Management Permit?<br/>if yes, have you applied for it?</i>                                       | (Yes)                                  | <input checked="" type="radio"/> (No) |
| 4. <i>Will this Project Require an STC Permit?<br/>if yes, have you submitted a copy of the plans to the STC?</i>                                  | (Yes)                                  | <input checked="" type="radio"/> (No) |
| 5. <i>Does the parking comply with the <u>handicapped parking</u><br/>requirements as set forth in current version of the State Building Code?</i> | <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.*

Lucy Pull  
Applicant Name and Signature

9/16/19  
Date

## Popper, Stuart

---

**From:** Todd Gagnon <tgagnon@cromwellfd.com>  
**Sent:** Tuesday, September 24, 2019 8:14 AM  
**To:** Michael Terenzio; Popper, Stuart  
**Subject:** P&Z#19-45

Gentlemen,

The Cromwell Fire Marshal's Office has reviewed Application #19-45. For 562 Main St. and find there are no issues at this time. Please let me know if you have any questions or concerns.

Thank You,

*Todd Gagnon,*

Fire Marshal, ABO, EI  
Town of Cromwell Fire Department  
1 West Street  
Cromwell, Ct 06416

# Memo

To: Town Staff  
From: Stuart B. Popper, Town Planner  
Date: September 23, 2019  
Re: Application #19-45

---

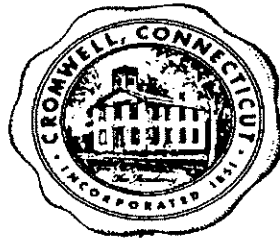
Please review and comment on the following application. Email responses are welcome.

Application #19-45: Request for Site Plan Approval for an Ice Cream Shop at 562 Main Street. Timothy Farrell is the Applicant and Brent Robbins/Kim Robbins are the Owners.

We would like to have your comments back by Friday, September 27, 2019 as they are scheduled for the October 1, 2019 P&Z meeting.

-PROVIDE VAN AC SIGNAGE PER S.B.P.

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



## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development  
From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer *BD*  
Date: September 24, 2019  
Re: **P&Z Site Plan Application #19-45, 562 Main Street Ice Cream Shop, "The Property"**

---

### BACKGROUND

The "Property" is 1.06 acres is in the Residential-15 (R-15) zone with a retail building (1,154 s.f.), a single-family house (1,704 s.f.) and a detached garage (972 s.f.). The most recent use of "The Property" was a hair salon and a past use as an ice cream shop and also a restaurant. "The Property" received approval from the Zoning Board of Appeals on September 9, 2019 to continue a non-conforming use as an ice cream shop.

### PROPOSAL

The Applicant proposes to use the retail building as an ice cream shop with site modifications to eliminate an existing Shadow Lane curb cut and provide a live screen of white pines to mitigate the view of on-site parking and headlight glare from neighbors. The Applicant proposes to continue the use of the single family house and accessory garage for residential purposes.

### COMMENTS

The Applicant submitted a plan evaluated for the following zoning standards:

STANDARD	Zoning Section	COMMENT
Landscaping	5.1	Complies with standard
Off-Street Parking & Loading	5.2	Complies with standard
Signs	5.3	Size not shown on plan
Storm Water Runoff Control	5.4	The plan proposes a decrease in impervious surface from 29.26% to 26.86%
Erosion & Sedimentation Control	5.5	Complies with standard
Outdoor Lighting	5.6	Complies with standard
Zoning Setbacks/Bulk/Area/Height	3.2.B.	Complies with standard
Dumpsters	N/A	Shown with complete enclosures But interferes with "employee" parking and should be relocated

RECEIVED FOR RECORD  
Sep 25, 2019 08:40A  
JOAN AHLQUIST  
TOWN CLERK  
CROMWELL, CT



**TOWN OF CROMWELL  
PLANNING AND ZONING  
REGULAR MEETING  
7:00 P.M. TUESDAY SEPTEMBER 17, 2019  
ROOM 224 CROMWELL TOWN HALL 41 WEST STREET  
MINUTES**

**Present:** Chairman Alice Kelly, Vice Chairman Michael Cannata, Paul Cordone, Chris Cambareri, Nick Demetriades, Jeremy Floryan, and John Keithan,

**Absent:** Mo Islam, Brian Dufrense, Ken Rozich, and Kenneth Slade

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

**1. Call to Order:** The meeting was called to order by Chairman Alice Kelly at 7:01 PM.

**2. Roll Call:** The presence of the above members was noted.

**3. Seating of Alternates:**

Vice Chairman Michael Cannata made a motion to seat John Keithan; Seconded by Jeremy Floryan. *All were in favor; motioned passed.*

**4. Approval of Agenda:**

Stuart Popper asked that Application # 19-45: Application for Site Plan Approval for an Ice Cream Shop on 562 Main Street. Timothy Farrell is the Applicant and Brent and Kim Robbins is the Owner, be added to agenda as a new application under New Business to be accepted and scheduled.

Michael Cannata made a motion to approve the amended agenda; Seconded by Paul Cordone. *All were in favor; motioned passed.*

**5. Public Comments:**

None.

**6. Development Compliance Officer Report:**

Mr. Driska discussed his report with the commission members and noted some issues with existing dumpsters.

**7. Town Planner Report:**

Mr. Popper discussed the Tank Farm on River Road and the continuing efforts to clean up the site. He explained that they will be working on either side of River Road across from the remaining building and eventually in the road itself over the next few months. Mr. Popper noted that as was done under the previous cleanup efforts access will be provided for hunters during the upcoming hunting season.

He said that work continues on the Covenant Village project, the new homes at Arbor Meadow, and the new Marriott Hotel.

**8. New Business: Accept and Schedule New Applications:**

- a. Application # 19-45: Application for Site Plan Approval for an Ice Cream Shop on 562 Main Street. Timothy Farrell is the Applicant and Brent and Kim Robbins is the Owner.

Vice Chairman Michael Cannata made a motion to Accept and Schedule Application # 19-45: Application for Site Plan Approval for an Ice Cream Shop on 562 Main Street. Timothy Farrell is the Applicant and Brent and Kim Robbins is the Owner. The application will be heard October 1, 2019; Seconded by Jeremy Floryan. *All in favor; Motion passed.*

**9. Executive Session to Discuss Pending Litigation Regarding:**

- 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.

No action was made. Will be continued at next meeting.

**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.

No action was made. Will be continued at next meeting.

## 11. New Business:

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

Mr. Popper said the Applicant has requested that the application to be tabled and considered at the October 1, 2019 meeting.

- b. Application #14-31: Request for Extension of Time for Resubdivision at 62 Evergreen Road. Shady Lane Farm LLC is the Applicant and the Owner.

Mr. Popper said there are still a few lots left to develop and the Applicant has requested the extension to allow for their development. Vice Chairman Michael Cannata made a motion to approve Application #14-31: Request for Extension of Time for Resubdivision at 62 Evergreen Road. Shady Lane Farm LLC is the Applicant and the Owner; Seconded by Chris Cambareri. *All in favor; motion passed.*

## 12. Public Hearing

- a. Application #19-41: Request for Special Permit under Section 4.2 of the Zoning Regulations to permit the construction of a single-family home in the Flood Zone at 14 South Street. Donald Mondani is the Applicant and Rosemarie Mondani is the Owner.

Chairman Alice Kelly read the Legal Notice.

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

James Cassidy, Engineer from Hallisey, Pearson & Cassidy Engineering Associates, Inc. described to the commission members the requirements of Section 4.2.R for developments in a Special Flood Hazard Area.

He said that the 100-year flood elevation for this property is a 24.0. Mr. Cassidy noted that the proposed finished floor of the building is at 25.0, therefore the structure will be constructed entirely above the 100-year flood elevation and will not be at risk of flood damage. He said that there will be a crawl space under the building with a finished slab elevation of 20.00 and the crawl space walls will be constructed out of concrete and will contain flood vents and therefore the structure will not be subject to hydrodynamic and hydrostatic, or the effects of buoyancy. Mr. Cassidy said the only material that will need to be flood resistant will be the materials for the construction of the crawl space. He



noted that all of the other materials for the construction of the house will be above the 100-year flood elevation. Mr. Cassidy said the utility equipment, the air handling unit and furnace will be installed in the house on the first floor, the A/C condenser will be set on a platform outside the house, and the electrical service will overhead to a mast on the side of the house. He noted that all of these utilities will be above the 100-year flood elevation.

Mr. Cassidy explained that the elevation of the finished floor will be at elevation of 1 foot above the 100-year flood (elev. 24.0). He said that as result the furnace, air conditioners, heat pumps, hot water heaters, ventilation ductwork, washer and dryer hookups, electrical junction boxes, and circuit breaker boxes will be above the 100-year flood elevation and will not be at risk of flood damage. Mr. Cassidy said that the water service to the building will be constructed out of water tight pipe to prevent infiltration of flood water. He said that the sanitary sewer service to the building will be constructed out of water tight pipe PVC piping to prevent infiltration of flood water. Mr. Cassidy said that the proposed building will be serviced by public sewers, therefore an on-site waste disposal system is not required. He explained that the proposed building will be serviced with natural gas from a new lateral brought into the building from the existing gas main in South Road. He said that there are not any underground or aboveground oil or propane tanks proposed as part of this project.

Mr. Cassidy said that there are not any watercourses that are being altered as part of this project. He noted that the property is in a Special Flood Hazard Area (SFHA); therefore the entire site is being designed to meet the requirements of the SFHA.

Mr. Cassidy explained that the site will be regraded to mitigate for the filling requirement for the construction of the proposed building on this site. He noted that the breakdown of the Compensatory Storage Mitigation is as follows:

Gross volume of fill below the 100-year flood elevation 24.0+ 27 cu. yds.

Gross volume of cuts below the 100-year flood elevation 24.0+ 82 cu. yds

Net volume of flood storage capacity below 100-year flood elevation 24.0 + 53 cu. yds.  
(Increased in flood storage)

Because there will be a slight increase in the flood storage capacity after the completion of this project, there will not be any increase in flood elevations due to this project.

Chairman Kelly asked if the Commission members or staff had any questions for Mr. Cassidy. There were no comments or questions from the commission members. Mr. Popper noted that Jon Harriman Town Engineer had reviewed the application and all his comments and questions had been addressed.

Chairman Kelly asked if there were any members of the public that wished to address the Commission. No public comments were made.

Paul Cordone made a motion to close the public hearing; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Nick Demetriades made a motion to approve Application #19-41: Request for Special Permit under Section 4.2 of the Zoning Regulations to permit the construction of a single-family home in the Flood Zone at 14 South Street. Donald Mondani is the Applicant and Rosemarie Mondani is the Owner; Seconded by Chris Cambareri. *All in favor; motion passed.*

**13. Commissioner's Comments:**

Chris Cambareri reported that and John Keithan are in the process of reviewing the sign regulations and making recommendations for improvements process. He said they will report to the Commission at the October 1, 2019 meeting on the status of the efforts.

**14. Approval of minutes:**

- a. September 3, 2019- Nick Demetriades made a motion to approve the minutes; Seconded by Jeremy Floryan. *All in favor; motion passed.*

**15. Adjourn:** Nick Demetriades made a motion to adjourn the meeting; Seconded by Jeremy Floryan. Meeting adjourned at 7:40 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sherry-Rose McGuire', with a stylized, cursive script.

Sherry-Rose McGuire  
Commission Clerk