



## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY OCTOBER 20, 2020**  
**ROOM 224 CROMWELL TOWN HALL 41 WEST STREET**  
**AGENDA**

1. **Call to Order**
2. **Roll Call**
3. **Seating of Alternates**
4. **Approval of Agenda**
5. **Public Comments**
6. **Development Compliance Officer Report:**
7. **Town Planner Report:**
8. **New Business: Accept and Schedule New Applications:**
9. **New Business:**
10. **Public Hearings:**
  - a. Application #20-47: Request for a Special Permit under Section 3.6.C of the Zoning Regulations to allow for the installation of digital billboards at 241 and 251 Main Street. Rodney Bitgood is the Applicant and Rodnella Realty is the Owner.
  - b. Application #20-48: Request to for a Special Permit under Section 3.6.C of the Zoning Regulations to allow for the installation of digital billboards at 6 Piney Ridge Road. DFC of Cromwell LLC is the Applicant and the Owner. The 8.57acre site is located on the south side of South Street in the Commercial Billboard Zone District.
11. **Commissioner's Comments:**
12. **Approval of Minutes:**
  - a. October 6, 2020
13. **Adjourn:**

RECEIVED FOR RECORD  
Oct 09:2020 09:42A  
JoAnn Doyle  
TOWN CLERK  
CROMWELL, CT

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

Type of Activity: Install Digital Billboard  
(Per Section 3.6.c of the Cromwell Zoning Regulations)

Street Address: 241 + 251 Main St. Zoning District: CB D


Assessor's Parcel ID #: 00480800 + 00278500 Volume/Page: 1557/316 + 1505/190

Applicant's Name: RODNEY BITGOOD  
Address: 263 MAIN ST CROMWELL, CT 06416  
Telephone Number (daytime): 860-613-2355  
Email Address: RODNEY@CROMWELLAUTOMOTIVE.COM

Property Owner's Name: Rodrella Realty LLC  
Address: 263 Main Street Cromwell, CT

Description of Proposed Activity:  
Request to install digital billboard

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)

9-3-2020  
(date)

Application# 20-48

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION**

***APPLICATION FOR SPECIAL PERMIT***

Type of Activity: Erect Two (2) Digital Billboards

(Per Section 3.6C of the Cromwell Zoning Regulations)

Street Address: 6 Piney Ridge Zoning District: CBD

Assessor's Parcel ID #: 00212500 Volume/Page: 1626/61

Applicant's Name: DFC OF CROMWELL, LLC

Address: 920 S. Colony Rd. Wallingford, Ct 06492

Telephone Number (daytime): (203) 410-7649

Email Address: \_\_\_\_\_

Property Owner's Name: DFC OF CROMWELL, LLC

Address: 920 S. Colony Rd., Wallingford, Ct 06492


Description of Proposed Activity:

See attached

\_\_\_\_\_

\_\_\_\_\_

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)

8-26-2020  
\_\_\_\_\_  
(date)

**DFC OF CROMWELL, LLC**

**COMMERCIAL BILLBOARD DISTRICT (CBD)**

**SPECIAL PERMIT APPLICATION: 6 PINEY RIDGE ROAD**

**Description of Proposed Activity**

The Applicant and Owner of 6 Piney Ridge Road, being DFC OF CROMWELL, LLC, proposes to erect two (2) digital billboards on its Property along the Property's northwesterly border which adjoins and has unimpeded visual orientation to Connecticut highway, Route 9.

The attached Site Plan identifies the specific locations of the proposed digital billboards. These locations comply with the requirements set forth in section 3.6D(4) of the CBD, as they are spaced at a horizontal distance more than 750 feet from any other billboard on the same side of Route 9. Each digital billboard has a maximum sign area that complies with the 672 square feet maximum (i.e. 14' X 48' in each instance) and each is oriented with the sign faces at an angle no greater than 35 degrees perpendicular to Route 9.

The attached Site Plan confirms the plan's compliance with all Bulk Requirements set forth in section 3.6B of the CBD, as the Property has more than 700 linear feet of frontage along Route 9, meets the lot area and yard requirements, and the proposed billboard structure heights for each proposed digital billboard does not exceed the 50 feet height maximum (when measured from the average grade of the closest lane of Route 9).

The digital billboards comply with the requirements regarding Display time, Transition time and Brightness set forth in section 3.6E. The messages and/or imagery (i.e. ads) displayed on the digital billboard faces are displayed in a static manner for a minimum of seven (7) seconds. The transition time from one message or copy is direct and immediate without special effects and occurs within one second of time. Neither digital billboard operates at a brightness level that exceeds 0.3 foot-candles above ambient light measured at 200 feet from any and all sign faces; an illumination plan has been submitted with this application to confirm the brightness measurements.

In compliance with section 3.6F, the proposed digital billboards are designed and equipped to freeze the sign face in position and immediately discontinue operation if a malfunction occurs, and all non-face parts of the billboard are painted in a dark or neutral color.

Applicant has prepared and submitted a robust Landscape Plan in order to comply with section 5.1H, which plan is designed to provide buffering of any visual

impact from the view of the back side of the digital billboards and to provide an additional sound attenuation benefit to neighbors along South Street.

The proposed Digital Billboards are readily accessible for fire and police protection as shown on the attached Site Plan. Also, they are in harmony with the CBD and will not be detrimental to the appropriate development of nearby properties, particularly in light of the fact that the nearby properties are already developed. Further, the location and size of the proposed use will have either no or a minimal effect on traffic circulation, as the billboards, being digital, are changed remotely. The only time that traffic will access the digital billboard locations is every few years for minimal maintenance. Thus, parking is not an issue for this use.

Attached are excerpts from the Cromwell Plan of Conservation and Development that confirm the compatibility of this use (the only permitted use in this zone) with the POCD. Particularly noteworthy is the language found in Section 2.2.1 where the Plan recommends that "(T)he Town should continue to work with existing business owners to promote and ensure their retention, development and expansion." To that end, it encourages communications with the Chamber of Commerce. Here, the Chamber of Commerce, as a representative of many Cromwell businesses, has provided written and oral "unconditional" support for the new CBD, and for the zone change for this Property to CBD.

## **CROMWELL PLAN OF CONSERVATION AND DEVELOPMENT**

### 2.1.6 Economy

#### **GOAL 6 - Expand Cromwell's economic base to better serve residents, businesses and visitors**

Objective 11 - To enhance the economic environment for existing businesses

Policy 41 - Maintain appropriate communication with representatives from existing business and industry to keep apprised of needs and future plans

Policy 42 - Maintain open communication with neighboring municipalities and plan for economic development on a regional basis

Policy 43 - Institute commercial design controls to stimulate economic development

## **2.2 Recommendations for the Plan of Conservation & Development**

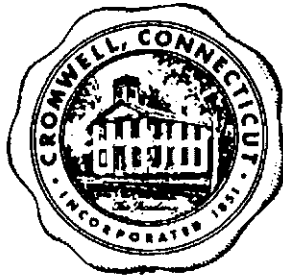
### **2.2.1 General Recommendations**

#### **Meet Regularly with Existing Business Owners**

The Town should continue to work with existing business owners to promote and ensure their retention, development and expansion. The local business owners are essential to the character and livelihood of the community and discussion should take place to ensure their continued success. Continued communication will not only allow the Town to understand their needs, but will also allow businesses in the Town to develop better working relationships among themselves. Communication with the existing Chamber of Commerce could ensure that the sessions are well coordinated and complement, not duplicate, existing outreach efforts.

Responsibility: Board of Selectmen, Economic Development Commission, Chamber of Commerce

Cost: N/A Timeframe: Ongoing



## MEMORANDUM

To: Stuart B. Popper, AICP, Director of Planning & Development

From: Bruce E. Driska, CZEO, Zoning & Wetlands Enforcement Officer **BD**

Date: September 21, 2020

Re: **Plan Review, PZC Application #20-48, Special Permit for "Two (2)" Digital Billboards at 6 Pinney Ridge**

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### BACKGROUND

The PZC recently approved both zoning map (Commercial Billboard District, CBD) and text amendments to allow Digital Billboards.

### PROPOSAL

The Applicant is seeking approval for "Two (2)" Digital Billboards.

### COMMENTS

The application makes a request for "Two (2)" Digital Billboards when the submitted plan show Four (4) billboards. The regulations clearly do not allow Four (4) digital billboards. This is clearly evident by both billboard definition and billboard spacing as noted below.

NEWLY ADOPTED ZONING TEXT	COMMENTS
<p><b>§1.7 DEFINED TERMS</b> <b>SIGN RELATED TERMS</b></p> <p><i><b>Digital Billboard:</b> A billboard utilizing digital message technology capable of changing the static message or copy electronically but not displaying any movement, or the appearance or optical illusion of movement, or any flashing, scintillating or varying of light intensity during the static display periods.</i></p>	<p>§1.7 DEFINED TERMS SIGN RELATED TERMS</p> <p>The Applicant's proposal indicates four (4) digital billboards.</p>
<p><b>§3.6.D Location, Orientation, Size and Spacing</b></p> <p>4. All digital billboards shall be spaced at a horizontal distance of not less than 750 feet from any other billboard on the same side of the limited access State highway in the CBD.</p>	<p><b>§3.6.D Location, Orientation, Size and Spacing</b></p> <p>The Applicant's proposal does not comply with the spacing of digital billboards.</p>

## Popper, Stuart

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**From:** Harriman, Jon  
**Sent:** Tuesday, September 15, 2020 11:16 AM  
**To:** Popper, Stuart  
**Subject:** P&Z application 20-48

Stuart,

I have reviewed the plans showing 2 billboards adjacent to the highway a 6 Piney Ridge. I have no comments on this application.

Jon Harriman, P.E.  
*Town Engineer*  
*Town of Cromwell, CT*  
*ph: 860 632-3465*  
*fx: 860 632-3477*



## COMMERCIAL BILLBOARD DISTRICT

### 1.7 DEFINED TERMS

#### **SIGN RELATED TERMS**

**Conventional Billboard.** A billboard displaying static message or copy that cannot be changed mechanically or electronically.

**Digital Billboard.** A billboard utilizing digital message technology capable of changing the static message or copy electronically but not displaying any movement, or the appearance or optical illusion of movement, or any flashing, scintillating or varying of light intensity during the static display periods.

### 3.6 COMMERCIAL BILLBOARD DISTRICT (CBD)

#### **3.6A Purpose.**

The purpose of the Commercial Billboard District is to provide areas where the use of outdoor advertising structures designed to identify businesses, relay messages (often emergency in nature), and provide advertising is permitted.

#### **3.6B Bulk Requirements.**

	MINIMUM	MINIMUM	MIN. YARDS	MIN. YARDS	MIN. YARDS	MIN. YARDS	MAXIMUM	MAXIMUM
<b>ZONE</b>	<b>LOT AREA</b>	<b>FRONTAGE ON HIGHWAY</b>	<b>FRONT</b>	<b>SIDE</b>	<b>AGGREGATE SIDE</b>	<b>REAR</b>	<b>BUILDING COVERAG E</b>	<b>STRUCTUR E HEIGHT</b>
<b>CBD</b>	<b>20,000 SQUARE FEET</b>	<b>700 LINEAR FEET</b>	<b>N/A</b>	<b>10 feet</b>	<b>20 feet</b>	<b>N/A</b>	<b>N/A</b>	<b>50 feet</b>

- vertical distance from the average grade of the closest lane of highway

#### **3.6C Principal Uses.**

1. No Permit is Required

<b>USE</b>	
None	

**2. Requires Special Permit Approval [Section 8.7]**

<b>USE</b>	<b>ADDITIONAL CRITERIA</b>
* Digital Billboards	

**3.6D Location, Orientation, Size and Spacing.**

1. All billboards in the CBD must be digital billboards on parcels with frontage or unimpeded visual orientation to I-91 or Route 9, both limited access State highways.
2. All digital billboards shall be oriented with their faces at an angle no greater than 35 degrees perpendicular to a limited access State highway.
3. All digital billboards shall have a maximum sign area not to exceed 672 square feet (being 14' by 48'). Billboards shall have a minimum clearance of fifteen (15) feet between the lowest component of the billboard and the mean (i.e. average) land grade in order to prevent unwanted access where other uses exist.
4. All digital billboards shall be spaced at a horizontal distance of not less than 750 feet from any other billboard on the same side of the limited access State highway in the CBD.

**3.6E Display time, Transition time, and Brightness.**

1. Messages and/or imagery must be displayed in a static manner for a minimum of seven seconds.
2. Transition time from one message or copy to another must be direct and immediate without special effects, and not to exceed one second.
3. No digital billboard may operate at brightness levels of more than 0.3 foot-candles above ambient light measured at 200 feet from the sign face; the brightness measurement shall be made with the light meter or similar device, positioned at a 90-degree angle to the orientation of the digital billboard.

#### **3.6F Digital Billboard malfunction and Maintenance.**

1. Digital billboards must be designed and equipped to freeze the sign face in position and immediately discontinue operation if a malfunction occurs.
2. All billboards must be maintained in good repair and safe condition. All non-face parts of the billboard shall be painted in a dark or neutral color.

### **5.1 LANDSCAPING.**

#### **5.1.H Variations to Landscaping Requirements.**

5. In the Commercial Billboard District, the Commission may require additional landscaping or more mature plantings between the billboard location and any abutting residentially zoned properties when the existing vegetation creates an unusual condition that requires more extensive screening.

### **5.3 SIGNS**

#### **5.3I Prohibited Signs.**

<b>OFF PREMISES</b>	[picture]	<b>Signs which advertise a business not located on the premises for which the sign is located except digital billboards located in the CBD or existing conventional billboards converted to digital billboards by Special Permit.</b>
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## **6. SPECIAL PERMITS**

### **8.11 DIGITAL BILLBOARDS**

Any Applicant proposing to erect one (1) or more digital billboards in the Commercial Billboard District must comply with the Special Permit Application requirements set forth in Section 8.7 hereinafter. A Special Permit is also required for conversion of an existing conventional billboard into a digital billboard. The converted digital billboard must comply with all standards/requirements set forth in Section 3.6D (3), 3.6E and 3.6F unless waived by the Commission.