

**Town of Cromwell
Planning and Zoning Commission**

RECEIVED FOR RECORD
Sep 26, 2018 02:01P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT

**REGULAR MEETING
7:00 P.M. TUESDAY OCTOBER 2, 2018
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 Application:**
 - a. Application #18-63 Request to modify the Site Plan to construct new green houses and a loading dock addition at 419 Main Street. Cromwell Growers, Inc. is the Applicant and Cromwell Realty, LLC is the Owner.
9. **New Business:**
 - a. Application #18-61: Request for a Site Plan approval for the façade and signage at the new Marshall's Store at 45 Shunpike Road. Taylor Associates - Architects is the Applicant and HBN-CSC LLC C/O HB Nitkin Group is the Owner is the Owner
10. **Approval of Minutes:**
 - a. September 4, 2018
 - b. September 20, 2018
11. **Commissioner's Comments:**
12. **Adjourn**

RECEIVED FOR RECORD
Sep 26, 2018 01:27P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT

P & Z 2018 Permit Report

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
18-01	Coles Road Brewing LLC	14 Alcap Ridge	Manufacture and sale of beer	Approved 2/6/2018	Awaiting renovations
18-04	Greater Hartford Community Foundation	100 Golf Club Road	Travelers Golf Tournament	Approved 3/27/2018	Event Complete
18-05	Carrier Group, Inc.	76 Field Road	Special permit for Planned Residence Development	Approved	Silt Fence installed, fill material arriving, Monitoring Wells installed
18-06	Carrier Group, Inc.	76 Field Road	Site Plann approval for Planned Residence Development	Approved	Silt Fence installed, fill material arriving, Monitoring Wells installed
18-13	Carrier Group, Inc.	76 Field Rd/59R Nooks Hill/10 S. Ridge Rd	Substantial filling	Continued	Silt Fence installed, fill material arriving, Monitoring Wells installed
18-14	Joe's Filling Station LLC	35A Berlin Road	Permit to see Alcohol	Approved 5/15/18	Building under renovation
18-15	Cromwell Little League	WIS School ballfield	Add a scoreboard	Approved 5/15/18	Awaiting installation

		P&Z 2018 Permit	Report			
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status	
18-17	PGA Tour, Inc.	674 Main Street	Gravel parking lot 1st tee	Accept 4/24/18	Site improvements underway	
18-18	Covenant Village	Missionary Road	Amend max bldg height zoning reg.	Approved 5/15/18	Awaiting Construction	
18-19	Covenant Village	Missionary Road	Amend master plan for Covenant Village	Accept 4/24/18	Awaiting Construction	
18-20	Garrett Homes, LLC	539 Main Street	Importing of fill	Approved 6/19/18	Awaiting Construction	
18-21	Garrett Homes, LLC	539 Main Street	Construct retail bldg.	Approved 6/19/18	Awaiting Construction	
18-26	Ed Bartolotta	New Lane & Hillside Rd	Car Show	Approved by staff 4/30/18	Event Completed	
18-27	Kemal Cecunjamin	35 Berlin Road	Restaurant	App with/cond. 6/5/18	Renovations Underway	
18-28	Town of Cromwell	41 West Street	Library Expansion	Approved 5/15/18	Awaiting construction	
18-29	Town of Cromwell	204 Main Street	Transfer materials and grading	Approved 6/5/18	Construction underway	

18-31	The Well LLC	540 Main Street P&Z 2018 Permit	Amend zoning reg. To permit café/tavern Report	Withdrawn	
Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
18-32	Town of Cromwell	Highway Bus. Zone Dist.	Amend zoning reg to increase max bldg height	Continued	Approved 7/17/18
18-33	Dennis King	14 North Ridge Drive	Addition to East side of existing accessory bldg	Withdrawn	Withdrawn
18-34	Bill Chen	136 Berlin Rd. Unit#115	K.K. Hibachi & Sushi Rest	Use Permit Approved by staff 5/31/18	Renovations underway
18-35	Curaleaf CT Retail LLC		Amend 3.3.C.2 zoning reg	Scheduled for 7/17/18	Approved 7/17/18
18-36	Linden Landscape Arch.	60 Hicksville Road	Adelbrook Additional Parking	Approved 6/19/18	Awaiting Construction
18-37	Robert Gallitto	150 Sebethe Drive	Top soil processing facility	Approved 6/19/18	Site in operation
18-38	Leticia Martinez	161 Berlin Road	Walmart 2299 Remodel Signs	Approved by 7/17/18	Awaiting Installation
18-39	Kemal Cecunjanin	35 Berlin Road	Café Luna Restaurant	Approved by staff 7/8/18	Renovations in progress
18-40	ECS/WIS PTO	Pierson Park	Trick or Trunk Event	Approved by staff 7/8/18	Awaiting event date

Permit#	Name of Applicant	Site Location	Type of Activity	Decision Date	Status
		P&Z 2018 Permit Report			
18-49	Bryan Zerio	27 Fawn Run	Detached garage	Approved 9/20/18	
18-50	KC Brunini	Frisbee Park	Health & Wellness Event	Approved by Staff 9/25/18	
18-51	Curaleaf	4 Willowbrook Road	Marijuana	Approved 8/21/18	Approved 8/21/18
18-52	Ganesha Hospitality	113 Berlin Road	Resubdivision	Approved 9/20/18	
18-53	G.M. Crisalli & Assoc.	161 Berlin Road	Modify site plan for construction to temp. trailers and dumpsters	Approved 8/7/18	Renovations begin 08/19/18
18-54	AVA Group	76 Berlin Road	Special Permit construction of hotel	Approved 9/20/18	
18-55	AVA Group	76 Berlin Road	SPA for construction of hotel	Approved 9/20/18	
18-56	Shady Lane Farm	Shady Lane	Modify existing Shady Lane Subdivision	Approved 9/20/18	
18-57	Curaleaf CT Retail LLC	4 Willowbrook Rd	Proposed marijuana dispensary	Approved	

18-63

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN MODIFICATION

Name of Project: Proposed Greenhouse and Loading Dock Addition

Street Address: 419 Main Street, Cromwell, CT 06416

Volume/Page: 649/36 **PIN #:** 00370200

Applicant Name: Cromwell Growers, Inc.

Address: 419 Main Street, Cromwell, CT 06416

Telephone: (860) 635-6988 (day) (evening)

Email Address: edb@cromwellgrowers.com

Property Owner Name: Cromwell Realty, LLC

Address: PO Box 179, Cromwell, CT 06416

Attached:

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

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

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

Edmund S. Buchholz
Applicant Name and Signature

9/14/18
Date

18-61

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: MARSHALLS STORE
Street Address: 45 SHUNPIKE RD. CROMWELL, CT.
Volume/Page: _____ PIN #: _____

Applicant Name: JERREY TAYLOR Associates - Architects
Address: 542 NORTH BROADWAY
WHITE PLAINS, NY. 10603
Telephone: 914-289-0011 (day) 914-649-9015 (evening)
Email Address: JT@TAYLORARCHITECTS.COM

Property Owner Name: H.B. NITKIN
Address: 2321 MASON ST.
GREENWICH, CT. 06830

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.

JERREY TAYLOR
Applicant Name and Signature

9/13/18
Date

RECEIVED FOR RECORD
Sep 07 2018 01:32P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT

**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY SEPTEMBER 4, 2018
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Ken Rozich, David Fitzgerald (alternate), John Keithan (alternate)

Absent: Chris Cambareri, Nicholas Demetriades, Brian Dufresne, Ken Slade, Paul Cordone

Also Present: Director of Planning and Development Stuart Popper, Town Engineer Jon Harriman, Town Council Liaison James Demetriades

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

Michael Cannata made a motion to seat David Fitzgerald and John Keithan; Seconded by Jeremy Floryan. *All in favor; motion passed.*

4. Approval of Agenda

Mr. Popper asked the Commission to table Application #18-41. He corrected the subject property address of Application #18-46 to be 150 Country Squire Drive. He said that the next Commission meeting would be Thursday, September 20, 2018, instead of Tuesday, September 18, 2018.

Michael Cannata made a motion to accept the amended agenda; Seconded by Ken Rozich. *All in favor; motion passed.*

5. Public Comments

There were no public comments.

Chairman Kelly explained Executive Session to the public in attendance. She said that the Commission could go into Executive Session by a 2/3 majority vote for a limited number of proceedings and had to state the reason for doing so and any votes resulting from that discussion must take place during the public meeting. She said that tonight's Executive Session was to discuss strategy regarding negotiations taking place in a court matter. She read Application #17-22's heading into the record.

6. Development Compliance Officer

Mr. Driska was not present. Mr. Popper asked if there were any questions or comments. He said that the two major projects in town, the warehouse on County Line Drive and the ShopRite, were both progressing.

7. Town Planner Report:

Mr. Popper read a notice regarding a Public Information Meeting being held to discuss the replacement of Bridge #05939 on September 19, 2018 at 7 p.m. in Room 224 of the Town Hall. Mr. Harriman clarified that this bridge is the North Road extension over Coles Brook and that construction was planned for 2020.

8. New Business: Accept and Schedule

Mr. Popper said that there was one new application to Accept and Schedule: Application #18-54 Site Plan Approval for Covenant Village, Applicant and Owner.

Michael Cannata made a motion to accept and Schedule Application #18-54 for October 2, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

9. Old Business:

- a. Application #18-41: Request to modify the Site Plan to add additional parking spaces at 135 Berlin Road (the Cromwell Diner). Christopher Plummer is the Applicant and SAAD Associates is the Owner.

Mr. Popper asked the Commission to table the application.

Michael Cannata made a motion to table Application #18-41 to September 20, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- b. Application #18-46: Request for Site Plan Approval for a Planned Multifamily Residential Development at 150 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner.

Mr. Popper asked the Commission to consider this application in conjunction with the Public Hearing.

10. Public Hearings (Continued):

- a. Application #18-44: Request for a Special Permit under Sections 4.7.E and 8.7 of the Zoning Regulations for a Planned Multifamily Residential Development at 150 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and Country Squire

LLC is the Owner.

- b. Application #18-45: Request for a Special Permit under Section 6.1 of the Zoning Regulations for Removal of Earth Material at 150 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner.

Michael Cannata made a motion to re-open Application #18-44 and Application #18-45; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Mr. Popper said that Freeman Companies had conducted a peer review of the traffic study and that town staff had commented on the extension of the water main towards Evergreen.

Attorney Joe Williams, Shipman & Goodwin, 1 Constitution Plaza, Hartford, began by stating that the Commission had approved the amended master plan during the last meeting. They were now addressing the Special Permit and Site Plan Applications. He also introduced the development team and their roles.

Attorney Williams submitted a letter dated September 4, 2018, addressed to Chairman Kelly, which addressed the proposed off site improvements, specifically the reconstruction of 1,675 feet of the top portion of Country Squire Drive and sidewalks, although the applicant did not want to be responsible for snow clearing, and the water main extension which would extend 850 feet and end in a hydrant about 50 feet away from a hydrant at Evergreen, and include an 8 inch water line. Attorney Williams said that per Joe Palmeri's recommendation that there be a physical interconnection instead, they would agree to that, provided that an agreement between the private parties could be reached within a reasonable time, that being 90 days.

Tom Daly, PE with Milone & MacBroom, gave an overview of the overall project and location, and reviewed the abutting property owners, aerial overview, topography, and existing conditions map. He pointed out the wetlands to the north and said that approvals had been received. He also reviewed the existing building foundations on site and some historical photographs. He next reviewed the site plan, which include a cul de sac at the end of Country Squire Drive, a combination unit/amenities building, which will have on site staff, and the location of the outdoor pool, mail kiosk, and trash compactor. He also reviewed the residential buildings, the sidewalk system throughout, the outdoor patios, the six garages containing 42 parking spaces, and the vegetated buffer.

Mr. Daly reviewed the emergency access drive to the Evergreen community. He said that when that project was approved, it was anticipated that there would be an interconnection. They were proposing a 675 foot emergency accessway across town property, containing an 8 inch water main terminating at the hydrant. Per Joe Palmeri's recommendation, the lines would be connected. There would be a gate valve and it would remain closed with just the Fire Department having access. He said that this proposal benefits Evergreen more than Country Squire because of the elevation differences. He said that there would be a post indicator valve to show if it was open or closed. He said that this would be a closed system but physically connected. He said that the lines would be privately owned, but the pump station would be publicly owned.

Mr. Daly said they were widening Country Squire Drive to town standards so that it would be 28 feet wide and also contain new drainage. They were responsible for the first 1,675 feet and would work with the town on reconstructing the lower part of the roadway. The roadway work would be done at the tail end of project and all work would be bonded. Brand new sidewalks would extend to Route 372.

Mark Forlenza addressed the Commission next. He said he was representing Cromwell Village Associates and Belfonti Companies and was essentially the director of development and construction of this project. He said he was trained as a city planner and spent his career with Fortune 500 companies, building luxury housing in Connecticut and New York. He said that the Belfonti Companies are an investment company, managing apartment homes and commercial communities.

He spoke next about the market segment served by this type of high-end apartment community, saying they were residents who choose this type of lifestyle, such as empty nesters, people in transition, and young professionals. He said that not a lot of children are anticipated in the community, except for some toddlers. He reviewed the apartment sizes and rents, with the average about \$2,500.00.

He reviewed the site design of the clubhouse, Building 1000, which will have between 6-8 staff members, contains residential units on each side, a fitness center, and a model unit. He said there would be fire pits and other recreation areas as well as a dog run. There will be 6 unique building designs, some with common corridors and some direct entry units, with a total of 12 different styles. Mr. Forlenza reviewed the architectural renderings, showing a three-story building with a common corridor and a two-story building with direct entry. He showed the floor plan of the clubhouse, highlighting the package room and fitness area. He showed a photo rendering as well. He said that some of the buildings around the pool were 3/4 splits, with the side facing the pool 4-stories and the side facing the road being 3-stories, which increases density and provides pool views. He said that the long building on site is 3-stories in the middle and 2-stories on each end. He reviewed the architectural rendering of the proposed garages. He ended by saying that there had been a long period of time between the zone change and site plan application, and they conducted numerous studies and borings and reviews of the architecture site plan and materials. He said that they were very proud of this application.

Kwesi Brown, LPE, traffic engineer with Milone & MacBroom, reviewed the traffic study, which had been peer reviewed by Freeman Companies. He submitted his response to the Freeman comments. He said that they essentially concurred with the applicant's analysis, approach, methods, findings, and recommendations. They had made a comment about updating the level of service table regarding volume to capacity ratio and queuing information. Mr. Brown said that the study area was the intersection of Route 372, Country Squire Drive and Willowbrook Road. He said that this area was the subject of DOT improvements, where they were installing dedicated left and right turn lanes, were installing a new traffic signal, widening the roadway and adding pedestrian upgrades, and these improvements were factored into the study. He said that the traffic volumes were from the CT DOT, with about 17,700 vehicles trips and 1,800 trips during peak times. The traffic counts were conducted during a weekday, and peak times were from 8-9 a.m. and 5-6 p.m. He anticipated that site generated traffic would be

85 vehicles during the morning and 100 in the evening.

They considered future planning, projected out to the year 2020, at an 0.8% yearly growth rate. Even with added site traffic, the future projections remained at a level of service C or better. They also studied all individual movements and proposed changes to the traffic timing and cycle length, but said that those recommendations must be reviewed and implemented by DOT. He said that the extensive internal sidewalk system, traffic calming measures such as the cul de sac, and parking layout and circulation will help provide a safe environment and concluded by saying that the roadways can accommodate the proposed development.

Tom Daly said they had conducted an exhaustive study of the soils and the earth removal plan and were proposing to remove 25,000 cubic yards, mostly from the high point of the site in the middle. He reviewed the cut and fill analysis, saying they were mostly filling by the cul de sac. The maximum end for both the cut and fill was 14 feet, and they would be using the cut material for filling. The edge of the site would be blended in the topography. The proposed truck route would be Country Squire Drive, then disbursing from there. They had conducted a geotechnical study and no crushing or blasting was anticipated. Mr. Daly said that this part of the construction has to happen in the first part of the project. They would strip and stockpile then topsoil and then do the earthwork.

Mr. Popper asked how many trucks and the hours they anticipated. Mr. Daly said they were anticipating working five 8-hour days per week, but not weekends or holidays, and average 32 truck trips per day (16 in and 16 out), moving about 600 cubic yards per day. He said it would take about 9 weeks, but could be faster.

Attorney Joe Williams said that the applicant had submitted an application that fully complied with the zoning regulations and master plan requirements and asked the Commission for approval.

The hearing was opened to public comment.

Kate Geoffrey, 14-C Country Squire, asked how the road will be widened.

Carol Joyce Cannito, 3 Blackhaw Drive, asked if the buildings contained elevators. She asked who will maintain the sidewalks coming down Country Squire Drive and what effect the soil movement will have on adjacent properties. She said that she disagrees with the traffic study and says that there are problems on Route 372 as well as on Willowbrook Road because of the numerous condo units.

Amos Huang, 8 Cedars Drive, asked why the accessway to Evergreen was limited to emergency vehicles instead of being opened up to resident traffic.

Ann Marie Perier, 123 Country Squire Drive, asked how much land would be taken from Country Squire II as they are in process of repaving driveways and who would maintain the sidewalks. She said that the association did not want to be responsible for paying for the maintenance. She said that there needed to be a second accessway. She cited traffic issues now

where drivers are running red lights and taking turns on red when they aren't allowed.

Mike Nearing, 19 Sun Ridge Lane, asked how the developer will protect downslope residents from runoff and flooding, as well as the days and hours of construction. He asked about the resulting water pressure for existing homes when the new units are installed. He asked if notifications were required if blasting was necessary and who would repair damage from the blasting. He also asked about the approximate completion date.

Lilli Green, 51 Clubhouse Drive, didn't agree that a 3 of 4-floor walk up was a luxury apartment.

Tom Sullivan, 45 Woodsboro Circle, said this project would forever change Cromwell and he was frightened because the applicant did not address wildlife, the vernal pond on site, the definition of luxury, the amount of children or current traffic issues turning onto Willowbrook Road from Country Squire Drive. He wants the Commission to listen to residents and to not be influenced by a Commission member who is an investor in the project.

Debbie Doll, 20 Glenview Drive, wanted information on soil samples and contamination and said she was concerned about runoff and dirt washing off.

James Demetriades, 7 Bonnie Briar, said these apartments were more expensive than other rental properties in Cromwell. He said that the town needs a strategic housing planning. He also asked about the development of this Open Space and said that the Commission should have a 5 to 10 year strategic plan for the development or preservation of Open Space parcels in town. He said he was concerned about traffic matters and if there were plans to approve the D service levels. He said younger and older people would be using this intersection, as the targeted resident group.

Joyce Swilling, 11 Blackhaw Drive, asked about the leveling of the property, and the impact on groundwater levels. She also asked about the maintenance of the sidewalks. She said that there are abundant condos and apartments in Cromwell and Middletown. She was concerned as to how these would be filled and whether they would become condos over time.

The hearing was opened to Commissioner comments. Chairman Kelly asked Attorney Williams to clarify the property's ownership and the matter of open space, as this is private property. Attorney Williams said they were asked to put in sidewalks and they are willing to do so, but they understood the town ordinance to require property owners adjacent to the sidewalks to maintain them. He said that construction would occur mainly on weekdays and occasionally on Saturdays, generally from 7 a.m. to 7 p.m., with most work done by 3 p.m.

Attorney Williams said that the town has an Open Space Plan, prepared in 2012, that lists major parcels in town.

Tom Daly said that the widening of Country Squire Drive to 28 feet would use available land on the right hand side, and then split the difference as it moved up. He said that the decks at Country Squire Drive extend into the right of way, so they would shift the roadway to the left.

There would not be elevators in the buildings. He said 14 feet was the maximum grading change, with most of the site needing between 2-6 feet of cut or fill. He said that they were protecting the neighbors to the east via extensive erosion control, through bonds, and that the project had to be registered and reviewed by the DEEP. All drainage would be collected, with no discharge to the neighbors or wetlands. All drainage would run through Country Squire Drive and they projected decreased runoff as a result.

Mr. Daly said that the connection to Evergreen was never intended as full access. He said that Evergreen has a convoluted circular roadway network. Chairman Kelly said that the roadway is privately owned and not built to town road specifications.

He said that all projects in the area have their own boosted water systems and they would be building a boosted water system here as well. The pump station would be owned by Cromwell. It wouldn't have an impact on the surrounding properties because it is not a looping system. He said blasting was highly unlikely, but if necessary, a blasting permit would be required. The blasting company would have to provide insurance. They would conduct pre and post blast surveys and install monitors. Mr. Daly said they would probably address any issues through mechanical means instead of blasting.

Mr. Daly said that luxury walkups were being built now throughout the state. He said that the issues of wildlife and wetlands had been previously addressed during the zone change and master plan application processes. He said that their studies determined that there was no vernal pool. He said that the soil contamination was very minor. They had reviewed past studies and their licensed environmental professional would work with the developer on any required cleanup.

He said that they were at the top of the hill, so the issue of the water table was not a concern. They felt that the project would be highly successful in Cromwell. Approximate completion date was in 18-20 months. They had submitted an application to OSTA for administrative approval.

Michael Cannata asked who would maintain and plow the emergency accessway, if there was soil contamination from oil leaking from transformers, and if they could agree to no blasting.

Tom Daly said blasting was highly unlikely based on their exhaustive study, but that there were no guarantees. He said that if it was needed, they would meet with the Town Engineer and Town Planner to discuss the approach. He said that the contamination was fairly minor and that the contractor and LEP would meet on site to review any cleanup needed.

Attorney Williams said that they would maintain the portion of the emergency accessway on their property and on the town's property, but not the part on Evergreen.

Mr. Popper noted the landlocked parcel at the top of hill that is owned by the Town of Cromwell and is not a part of the town's open space. Mr. Popper wanted to ensure that access to the parcel remains open and is limited to fire and police and town personnel.

Mr. Popper also mentioned the Police Chief's memo dated August 27, 2018, in which she recommended that the property owner maintain the sidewalks. He said that the town ordinance makes maintenance the responsibility of abutting property owners, unless changed by Commission. He said that there was no way to force the construction or maintenance upon the developer. Mr. Harriman clarified that maintenance was snow and ice removal, not repair work.

Mr. Popper said that conditions of approval should include the comments in Mr. Harriman's memo dated August 15, 2018 and Mr. Driska's memo of August 6, 2018, as other staff comments had already been addressed.

Mr. Popper also referenced Attorney William's letter of September 4, 2018 regarding off-site improvements the applicant was agreeing to construct. Mr. Popper said that they could not be required as a condition of approval. Chairman Kelly read the letter into the record. Attorney Williams said that they would interconnect the lines if they reached a mutual agreement with Evergreen within 90 days.

Mr. Harriman said that the applicant had submitted new information that addressed most of his comments, so only page 3 of his memo should be incorporated, those being dated August 16, 2018.

Michael Cannata made a motion to close the public hearing for Application #18-44; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to close the public hearing for Application #18-45; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-44: Request for a Special Permit under Sections 4.7.E and 8.7 of the Zoning Regulations for a Planned Multifamily Residential Development at 150 Country Squire Drive, subject to the conditions contained in the letters of Engineer Jon Harriman dated August 16, 2018 and Zoning Enforcement Officer Bruce Driska dated August 6, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-45: Request for a Special Permit under Section 6.1 of the Zoning Regulations for Removal of Earth Material at 150 Country Squire Drive, subject to the conditions contained in the letters of Engineer Jon Harriman dated August 16, 2018 and Zoning Enforcement Officer Bruce Driska dated August 6, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-46: Request for Site Plan Approval for a Planned Multifamily Residential Development at 150 Country Squire Drive; Seconded by Jeremy Floryan. *All in favor; motion passed.*

11. Executive Session:

Michael Cannata made a motion to go into Executive Session at 9:15 pm.; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Michael Cannata made a motion to come out of Executive Session at 9:23 p.m., with no action taken; Seconded by Ken Rozich. *All in favor; motion passed.*

12. Approval of Minutes:

- a. August 7, 2018: Michael Cannata made a motion to approve the minutes as presented; Seconded by Jeremy Floryan. *All in favor; motion passed (John Keithan abstained).*
- b. August 21, 2018: Michael Cannata made a motion to approve the minutes as presented; Seconded by Jeremy Floryan. *All in favor; motion passed.*

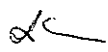
13. Commissioner's Comments: None

14. Adjourn: A motion to adjourn was made by Michael Cannata. Meeting adjourned at 9:25 p.m.

Respectfully submitted,



Julie C. Petrella
Recording Clerk



**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
SPECIAL MEETING
7:00 PM THURSDAY, SEPTEMBER 20, 2018
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET
AMENDED MINUTES AND RECORD OF VOTES**

Present: Chairman Alice Kelly, Vice Chairman Michael Cannata, Jeremy Floryan, Chris Cambareri, Ken Slade, Paul Cordone, David Fitzgerald (alternate)

Absent: Ken Rozich, Nicholas Demetriades, Brian Dufresne, John Keithan (alternate)

Also Present: Director of Planning and Development Stuart Popper, Town Engineer Jon Harriman, Development Compliance Officer Bruce Driska, Town Council members Myron Johnson and Samantha Slade

1. **Call to Order:** The meeting was called to order by Chairman Kelly at 7 p.m.
2. **Roll Call:** The presence of the above members was noted.
3. **Seating of Alternates:** Michael Cannata made a motion to seat David Fitzgerald; Seconded by Chris Cambareri. *All in favor; motion passed.*
4. **Approval of Agenda:** Michael Cannata made a motion to approve the agenda as presented; Seconded by Paul Cordone. *All in favor; motion passed.*
5. **Public Comments:** None
6. **Development Compliance Officer Report:** Mr. Driska asked if there were any questions or comments on his report. There were none. He provided photographs to the Commission showing the progress of construction at the TPC Clubhouse. He said that the concrete was poured at the warehouse at County Line Drive and that the development was proceeding on schedule. He said that plans for the library renovation were being reviewed and that work was continuing on the ShopRite. Mr. Popper said that the roadway was out to bid, to start in the fall. They would be making improvements to Shunpike Road from the driveway to Route 372.
7. **Town Planner Report:** Mr. Popper referenced the new applications to be accepted and scheduled tonight.

8. New Business Accept and Schedule New Applications:

- a. Application #18-61: Request for Site Plan approval for the façade and signage at the Marshal's Store at 45 Shunpike Road. Taylor Associates - Architect is the Applicant and HBN-CSC LLC c/o HB Nitkin Group is the Owner.

Michael Cannata made a motion to accept Application #18-61 and to schedule it as a business item for the October 2, 2018 meeting; Seconded by Chris Cambareri. *All in favor; motion passed.*

- b. Application #18-62: Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit a school for training in occupational skills at 45 Shunpike Road. HBN-CSC LLC c/o HB Nitkin Group is the Applicant and Owner.

Michael Cannata made a motion to accept Application #18-62 and to schedule a public hearing for October 16, 2018; Seconded by Chris Cambareri. *All in favor; motion passed.*

9. New Business:

- a. Application #18-55: Request for Site Plan approval for the construction of a 125-room hotel at 76 Berlin Road. AVA Group is the Applicant and Cobblestone Associates, LLC is the Owner.

This application was heard as part of the public hearing for Application #18-54.

- b. Application #18-56: Request to modify the existing Subdivision at Shady Lane. Shady Lane Farm, LLC is the Applicant and Owner.

Justin Packard, Project Engineer, with the firm of Hallisey, Pearson and Cassidy Engineering Associates, Inc., presented the application. He said that he was representing Shady Lane LLC. He reviewed the property location of the subdivision, which is located between Evergreen Road and Congress Drive. It contains fifteen lots over 22 acres in the R-40 zoning district. Thirteen lots front on Shady Lane and two on Evergreen Road. He reviewed the three open spaces, A, B, and C, and said that there were three conservation easements on site.

Mr. Packard said that they were proposing to swap Lot 15 with Open Space B, making Lot 15 an open space area contiguous with Open Space A and making the current Open Space B into the new proposed Lot 15. Lot 15 on Evergreen Road is currently about .8 acres in size and contains a conservation easement. The Open Space B is about 1.5 acres and fronts on Shady Lane. He showed the new proposed Lot 15, with a schematic house layout and shaded to show the conservation

easement, which was for the protection of the wetlands to the rear of the lot. He said that all drainage from impervious coverage would run to a catch basin in Shady Lane. The benefit to the town would be that the homeowner, not the town, would have to maintain the 1,500 feet of sidewalk during snow and ice events. The newly proposed Lot 15 was also now better connected to the rest of the subdivision neighborhood and on a quieter street.

Mr. Popper said that this subdivision modification application required a permit from Inland Wetlands, which they received. The permit allows for the construction of a house and associated improvements within the Upland Review Area.

Mr. Harriman said that he had no comment at this time. He would review the formal site plan. He said that the Public Works Department was in favor of the swap as far as it concerned the snow and ice removal from the sidewalks.

Chris Cambareri agreed with Mr. Harriman's comments. Paul Cordone asked if the new lot owner knew about maintaining the sidewalks and where the property line ends for maintenance. Mr. Packard said that the developer is aware of the snow and ice removal and that the lot was not yet sold to a third party. It was clarified that the entire sidewalk is along the proposed property line. Chairman Kelly asked about the conservation easement, if the treeline was being kept and if the buildable area/square meet the requirements. She was told that the easement runs on the property, that the treeline was being kept, that the buildable area was .408 acres, and that it meets the requirements of a buildable square.

Mr. Driska said that the Project Engineer has received his previous comments, noting that a minor correction had to be made prior to the filing of the Mylar.

Michael Cannata made a motion to approve Application #18-56, Request to modify the existing Subdivision at Shady Lane, Seconded by Chris Cambareri. *All in favor; motion passed.*

10. Public Hearings:

Chairman Kelly read the legal notices for the public hearings scheduled for tonight.

- a. Application #18-49: Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to permit private garage facilities greater than 1000 square feet at 27 Fawn Run. Bryan Zerio is the Applicant and Elaine M. Zerio is the Owner.

Michael Cannata made a motion to open the public hearing; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Mr. Popper said that the Zoning Regulations restrict garage facilities to 1,000 feet. This property was .97 acres, contained a single family home on the south side of

Fawn Run, in the R-25 district, and a freestanding 576 square foot garage was proposed.

Bryan Zerio, 27 Fawn Run, presented the application. He has a two-car garage already, and with the proposed detached garage, the total square feet would be 1,148, which is 148 square feet over the limit. He submitted the mailing receipts and presented a manufacturer's cut sheet of the proposed garage. He said that he planned to use pavers to connect to it, instead of paving a driveway area, and planned to use it for garaging cars, bicycles, and lawn equipment.

Michael Cannata made a motion to close the public hearing; Seconded by Chris Cambareri. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-49, Request for a Special Permit under Section 2.7.A.4 of the Zoning Regulations to permit private garage facilities greater than 1000 square feet; Seconded by Ken Slade. *All in favor; motion passed.*

- b. Application #18-52: Request for Resubdivision at 113 Berlin Road. Ganesha Hospitality LLC is the Applicant and the Owner.

Chairman Kelly called for the opening of the public hearing.

Justin Packard, Civil Engineer with Hallisey, Pearson & Cassidy Engineering Associates, Inc., presented the application. He submitted an Affidavit regarding the public hearing sign, and the Certificate of mailing. He gave an overview of the 4.3-acre site at 113 Berlin Road, in the highway business zone, consisting of 4.3 acres, and reviewed the abutting property owners. He said that the site currently contains a 77 room 3-story Quality Inn and 66 parking spaces. There is a one-way access drive running clockwise around the property and a gravel lot to the west of the hotel. He reviewed the drainage, saying that there are a series of catch basins on the hotel site, but not on the gravel lot, and the runoff runs south, discharging to the river. He said that there is about 25,000 square feet of wetlands bordering the river to the south.

The applicant was proposing to split the lot into two lots, a 2.45-acre lot containing the Quality Inn and parking (Lot 3-2) and an 1.86-acre gravel lot (Lot 3-1). They would be adding in three street trees along the frontage. He reviewed the bulk requirements, showing that each of the new proposed lots met the requirements. Mr. Packard said that they were not proposing a building on the gravel lot at this time, but did show a schematic plan for the potential development of an 80-room hotel.

Mr. Packard reviewed the proposed changes to the existing hotel site, namely the expanded parking area to the east, the two way access drive, and expanded landscaped islands. He said that 157 parking spaces were required and 163 were

proposed. This schematic development would require a parking easement in favor of Lot 3-1 and an access easement in favor of Lot 3-2. Mr. Packard said that this hotel development was just a schematic to show development potential, but that any development would improve the site as far as its visual appearance and in terms of drainage.

Mr. Harriman said that he had no comment on the subdivision plan. Chairman Kelly reiterated that they were just discussing splitting the lot. Mr. Popper said that the applicant just had to show that something fit on the newly created lot and that they could meet parking and setback requirements and provide utilities. He said the property owner cannot sell the lot until it is a freestanding lot. He said that there might not even be a problem with parking, depending on the development proposed.

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

Michael Cannata made a motion to approve Application #18-52, Request for Resubdivision at 113 Berlin Road; Seconded by Paul Cordone. *All in favor; motion passed.*

Chairman Kelly asked Mr. Popper to purchase two laser pointers for use at future meetings.

- c. Application #18-54: Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit the construction of a 125 room hotel at 76 Berlin Road. AVA Group is the Applicant and Cobblestone Associates, LLC is the Owner.

Michael Cannata made a motion to open the public hearing for Application #18-54 and Application #18-55, Seconded by Paul Cordone. *All in favor; motion passed.*

Brandon Handfield, Professional Engineer with Yantic River Consultants, LLC, in Lebanon, Connecticut, introduced the applicant, Ajesh Patel from AVA Group, and submitted the Certificate of Mailing and Affidavit.

Mr. Patel provided background on AVA Development Group, saying they are hospitality developers based in New Jersey. He said that Marriott was working to increase its supply in Connecticut and they had been studying the markets for about eighteen months. He said that a Springhill Suites was proposed, which was an upper tier suites product. It would have 125 rooms as well as an indoor pool, gym, breakfast area, and nighttime lounge available to hotel guests only. He showed a rendering of the design, with blue and beige coloring and an EFIS (stucco-type) façade.

Mr. Popper asked how the site was selected. Mr. Patel said that they look at demand generators and that this site is to attract Monday through Thursday business travelers. He said that there were not any conference facilities nearby, but lots of corporate parks. Business travelers tend to want suites. They were not proposing any banquet facilities, but there would be a small boardroom.

Mr. Cannata asked Mr. Driska if the comments in his memo had been addressed and was told yes. Mr. Handfield said that the revised plans addressed all staff comments and submitted a letter in response.

Mr. Handfield began by reviewing the site location at 76 Berlin Road and abutting properties via an aerial photograph. He said it was 4 acres in size, with a stabilized riprap wall to the rear. He reviewed the main driveway and traffic controls as well as the right in/right out closer to the daycare to the west. He said all utilities were present at the site.

A 20,000 square foot, 4-story, 125-room hotel was proposed. The site would follow the existing retaining wall for the most part, but they planned to go into the slope about 18 horizontal feet (12 vertical feet) in the development of the rear accessway. They had contacted a geotechnical engineer to oversee that part of the development. There was a brief discussion regarding the concerns of impacting the slope and Mr. Handfield said that they had already contacted the original engineer, Max Welti.

Mr. Handfield said that that they would be providing a connection to the day care via a 24-foot driveway. Mr. Cannata asked Mr. Popper to review the original approvals regarding the accessway for the daycare to ensure that the intentions of the original conditions will be met. Mr. Handfield summarized the Traffic Impact Statement by saying that there will not be any noticeable impact on the surrounding area. He said that they needed an administrative decision from OSTA to modify their permit because of this change of use. He showed the proposed location of the monument sign and said that there would be an addition to the pylon sign.

He reviewed the detail sheet to show the proposed traffic circulation – two way along the north and east and one way in the back in a westerly and southerly direction. 115 parking spaces were proposed, leaving them eight spaces short. They had reached a shared parking agreement for eight spaces with the adjacent Liberty Bank. A draft easement had been prepared and was being reviewed by staff and legal. These shared spaces are immediately adjacent to the site and the sidewalks were extended for connectivity. He pointed out the fire lanes in the back and along the easterly curb, adjacent to the sprinkler connection.

He said that the underground detention system was in good shape and looked almost new. They were proposing to tie into it and what they were proposing was similar to what was previously approved. There would be the same amount of impervious coverage. He showed the existing sewer, water, electric and gas lines

and the proposed connections. He said that they would not need to go into Berlin Road to tie in.

Mr. Handfield showed the landscaping plan prepared by Kevin Grindle, which had been revised per Mr. Popper's comments. Additional trees were added to reach the 1 tree per 50 feet of frontage requirement. There were three different types of trees proposed, which were a mix of flowering and foliage, and foundation plantings covering more than 50%. He asked for a waiver of the intermittent islands at four locations in order to accommodate the fire lands, because they could not plant on top of the subsurface detention system, and because of light restrictions.

He said that the plans meet the 2002 guidelines for erosion control. He showed the overall renderings and elevations, which showed the buildings as 55 feet in height, the typical floor plans and layouts, and photos of the interior. He ended his presentation by showing the lighting plan prepared by Apex Lighting Solutions. The lights were pole mounted, no more than 20 feet high, and focused downward, to match the lighting already at the plaza. There were some sidewalk bollards proposed to illuminate the pedestrian walkways. He said that the lights were evenly spread to minimize the number of fixtures proposed.

The hearing was opened up to Commissioner comments. Michael Cannata said he was in favor but had concerns about how tight the site was. He asked about the plan for snow removal as they were already short on parking and the fire lanes had to be maintained free of snow at all times. He did not want there to be large piles of snow taking up parking spaces. The applicant said he was not concerned about that because of the typically low occupancy rate during winter. Michael Cannata said that the parking requirements need to be met, regardless of occupancy. Chris Cambareri said that there are ways for a landscaping company to properly manage the snow. The applicant agreed that they could remove the snow within a timely manner. Michael Cannata said that the timeliness would be determined by the Zoning Enforcement Officer.

Mr. Popper suggested that the island over the detention basin be converted to a parking space, since it was not going to be landscaped, and the applicant agreed to make that change.

The hearing was opened to public comment.

John Donovan, 41 Coles Road, said he owned the daycare at 80 Berlin Road. He was concerned about his clients leaving the daycare and traveling through the hotel lot in order to make a left hand turn when cars might be backing out of spaces at the hotel. He asked if there was any way they could allow left hand turns. He wanted to make sure that the accessway was maintained for emergency vehicles, snowplows and trash removal.

Robert Pellows, 6 Coles Road, asked how high the hotel would be and what the view would be like from his house. He also wanted to know about employee parking.

Mr. Handfield reviewed the elevations, saying that the hotel would rise to about 50 feet from the top of the hill at Country Squire. He said that the wooded buffer area was staying.

Theresa Cote, 6A Coles Road, agreed with Mr. Pellows, saying that she was concerned about seeing the hotel and being impacted by the proposed lighting.

Mo Islam, 2122 Cromwell Hills Drive, asked about the timeline for starting and completing the project. He asked how this version of a Marriott was selected and why the lounge would be limited to hotel patrons only.

Mr. Handfield said that they would be connecting to the daycare's driveway and that he would review the conditions of that connection. He reviewed the elevations, saying that the hotel is 55 feet and at elevation 31, so it would top out at 86 feet, with the top of the slope at 130. He said that if the resident could see Liberty Bank from their house, they would be able to see the hotel. He said that all light fixtures will be shining downward and not on adjacent properties. He said that they were full cut off fixtures. He expected construction to finish by 2020.

Mr. Patel said that this Marriott was chosen for territory and proximity as they cannot have the same products within certain distances. They are restricting the lounge to patrons only as they do not want to manage a fulltime restaurant and bar. Their focus is on Monday through Thursday, and not weekend operations.

Mr. Popper read a letter of support dated September 14, 2018 from the Middlesex Chamber of Commerce, saying that this proposal would compliment the existing commercial activity along Route 372 and have a positive impact on the grand list. The letter was signed by Jay Polke and Rodney Bitgood.

Mr. Popper asked about employee parking with the anticipated average shift of 12 employees. Mr. Patel said that there was a smaller crew at night, when the hotel was the most crowded and bigger crews during the day when the hotel was the least crowded. Mr. Popper suggested that they continue negotiations with Liberty Bank, if possible, for an additional 8 shared parking spaces.

Robert Pellows, 6 Coles Road, was concerned about parking shortages during the overlaps of shifts. Michael Cannata said that there wasn't a major influx in the hotel industry and that workers are spread out in coming and going.

Chris Cambareri said that this hotel use was one of the quieter uses in the Highway Business Zone as originally bars and restaurants were proposed for this site.

Mr. Popper asked the applicant to review the traffic striping and signaling proposed at the site. Mr. Handfield reviewed the circulations, the stop signs, and other traffic slowing and calming measures. There was some discussion between the Commission and Mr. Popper regarding reviewing the conditions on the original approvals as it pertains to the accessway and Mr. Popper said that if there are easements on the land records then they must continue to be honored.

Mr. Popper said that the issues raised by him, Mr. Driska and Mr. Harriman had all been complied with. There were two outstanding matters as contained in the Police Chief's memo dated August 8, 2018 and the Fire Marshal's memo dated August 31, 2018.

Teresa Cote, 6A Coles Road, raised concerns over the slope and possible blasting and wanted a guarantee that nothing bad would happen to the rock wall. She also asked about the affect on property values. Michael Cannata said that the same firm and family as the original engineer was working on the modification, that the plans would be reviewed by both the building and engineering departments, and the public records would be open for inspection. He said he was reassured by these measures. He said that blasting requires a permit from the Fire Marshal and pre and post blasting surveys are conducted. Michael Cannata said that the applicant is proposing the type of use allowed in the Highway Business zone. He said that the access to the daycare must remain open during construction.

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

Michael Cannata made a motion to approve Application #18-54, Request for a Special Permit under Section 3.3.C.4 of the Zoning Regulations to permit the construction of a 125 room hotel at 76 Berlin Road, with the following conditions: That the islands required in the parking lot be waived, that the easements for cross access between 76 Berlin Road and 80 Berlin Road be either verified or created, that snow removal be handled in a timely removal so that it doesn't occupy or impinge upon parking spaces, that the applicant work on extending the parking stalls shared with Liberty Bank, if necessary, and that the conditions of the Fire Marshal's letter dated August 31, 2018 be complied with and satisfied, and that the conditions of the Police Chief's letter dated August 8, 2018 letter be complied with and satisfied. The motion was seconded by Paul Cordone. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-55, Request for a Site Plan approval for the construction of a 125 room hotel at 76 Berlin Road, with the same conditions of approval at Application #18-54; Seconded by Chris Cambareri. *All in favor; motion passed.*

11. Approval of Minutes:

- a. September 4, 2018: no action taken

12. Commissioner's Comments: Mo Islam introduced himself to the Commission, saying he had been a resident for the past thirteen years and worked at Pratt and Whitney as a mechanical engineer. He was interested in Cromwell's growth and looked forward to contributing to the board. He was welcomed by the Commission.

13. Adjourn: Michael Cannata made a motion to adjourn; Seconded by Paul Cordone. Meeting adjourned at 9:22 p.m.

Respectfully submitted,



Julie C. Petrella
Recording Clerk