

**Town of Cromwell
Planning and Zoning Commission**

**REGULAR MEETING
7:00 P.M. TUESDAY OCTOBER 3, 2017
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:
 - a. Application #17-39: Request for a Site Plan Modification to install additional parking at the Adelbrook campus at 60 Hicksville Road. Linden Landscape Architects is the Applicant and Adelbrook Inc. is the Owner.
 - b. Application #17-44: Request for a Site Plan Modification to install lights at the little league field at 9 Captain James Mann Memorial Drive. The Cromwell Little League is the Applicant and the Town of Cromwell is the Owner.
 - c. Application #17-46: Request to modify the Site Plan at 6 Kirby Road to add additional parking for a coffee shop. Lisa DiMichele is the Applicant and Luca & Sons Landscaping LLC is the Owner.
9. Public Hearing:
 - a. Application #17-35: Request for a Special Permit under Section 2.10.1.(3) and 2.10.4. of the Zoning Regulations to allow for the parking of a Commercial vehicle and trailer in a R-25 Zone District at 75 Field Road. Jeff DiClemente is the Applicant and the Owner.
10. Commissioner's Comments:
11. Approval of Minutes:
 - a. September 19, 2017
12. Adjourns

RECEIVED FOR FILING
9/26/2017 at 1:32 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Gloria Prendergast, Asst.
TOWN CLERK

Memo

To: Planning and Zoning Commission
From: Stuart B. Popper, AICP
Director of Planning and Development
Date: September 26, 2017
Re: Additional Comments for the October 3, 2017 Meeting Agenda

8. New Business:

a. Application #17-39: Request for a Site Plan Modification for the Adelbrook campus at 60 Hicksville Road. The applicant is proposing to install an additional 26 parking spaces in the vicinity of the Administration building. The 54.27 acre site is located in the Institutional Development Zone District on the east side of Hicksville Road and the south side of West Street. Linden Landscape Architects is the Applicant and Adelbrook Inc. is the Owner. *Staff has reviewed the plans and attached are staff comments received to date.*

b. Application #17-40: Request for a Site Plan Modification for the little league field at 9 Captain James Mann Memorial Drive. The Cromwell Little League is proposing to install lights at the field. The field is located in the Residence 15 Zone District on the north side of Geer Street and the east side of Watrous Park Road. The Cromwell Little League is the Applicant and the Town of Cromwell is the Owner. *Staff has reviewed the plans and attached are staff comments received to date.*

c. Application #17-46: Request to modify the Site Plan at 6 Kirby Road to add additional parking for a coffee shop. Lisa DiMichele is the Applicant and Luca & Sons Landscaping LLC is the Owner. *Staff has reviewed the plans and attached are staff comments received to date.*

9. Public Hearing:

a. Application #17-35: Request for a Special Permit under Section 2.10.1.(3) and 2.10.4. of the Zoning Regulations to allow for the parking of a Commercial vehicle and trailer in a R-25 Zone District at 75 Field Road. Jeff DiClemente is the Applicant and the Owner. Staff has reviewed the plans and attached are staff comments received to date. The .46 acre lot contains an existing single family house.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: New Parking Expansion, Adelbrook, Inc.

Street Address: 60 Hicksville Road, Cromwell, CT

Volume/Page: 30/31/25 PIN #: _____

Applicant Name: Linden Landscape Architects, LLC for Jacunski Humes Arch., LLC

Address: 39 Parkview Drive 15 Massirio Drive, Suite 101
Wethersfield, CT 06109 Berlin, CT 06037 (860-828-9221)

Telephone: 860-899-9556 (day) _____ (evening)

Email Address: tom@lindenlandscapearchitects.com

Property Owner Name: Adelbrook, Inc. c/o Mr. David Maibaum, CFO

Address: 60 Hicksville Road, Cromwell, CT 06416
860-635-6010 dmaibaum@adelbrook.org

Attached:

- (X) Application fee. \$160
- (X) ~~Twenty-five~~ copies of the **Site Development Plan** prepared in accordance with Article 13.3 of the Cromwell Zoning Regulations. 5 full-size, 15 reduced-size

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

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



Applicant Name and Signature

Thomas J. Linden



Owner: David Maibaum

8/24/2017

Date

8/28/17

Date

LINDEN LANDSCAPE ARCHITECTS

Site Planning

Athletic Facilities

39 Parkview Drive

Wethersfield, CT 06109

860-249-1801

www.LindenLandscapeArchitects.com



August 28, 2017

Mr. Stuart Popper, Director of Planning & Development
Town of Cromwell
41 West Street
Cromwell, CT 06416

Dear Stuart:

On behalf of Adelbrook, Inc, at 60 Hicksville Road, we are applying for Site Plan Approval as a modification to the existing permit. We have prepared site plans for "New Parking Expansion" to be located adjacent to and connecting to the existing parking at the Administration Building.

The following is a summary of the key elements of this proposed plan:

1. The purpose of this proposal is to help alleviate the parking situation where staff and visitors now park along Missionary Road and on the grass in various locations. A campus-wide parking Master Plan was prepared earlier this year identifying various possible locations for expansion. This area was chosen by the Owner as the best, first place to expand.
2. The site is in the ID Institutional Development District. Total site area is 54.27 acres. Construction will affect a gross area of 0.45 acres (19,700 s.f.). The final net, new additional paved area is 0.15 acres (6,700 s.f.).
3. The campus currently has 160 existing spaces. This proposal adds 25 spaces to the 26 existing spaces at the Administration Building.
4. The new parking area requires approximately 500 cu. yds. of gross fill. The new detention system will remove approximately 775 cu. yds. of material that will be replaced with stone surrounded chambers. There will be a net excess of approximately 275 cu. yds. of material to be removed from the site.
5. Seven new trees will be planted. Two existing buffer trees will be removed and replaced. Three trees (1 per 10 spaces) are required; five are being provided.
6. Stormwater will be routed to a new detention system meeting the requirements for storage. The amount of stormwater going to the existing detention system will actually be decreased. See the storm drainage report for details.
7. Two new site lights will be added at the new parking to match the existing lighting.

We will attend the September 5th Planning and Zoning meeting to be available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Linden", is written over a faint, larger version of the same signature.

Thomas J. Linden, RLA

cc: D. Maibaum, Adelbrook, Inc.
A. Jacunski, Jacunski Humes Architects, LLC

**Engineering Department
Town of Cromwell
Cromwell, CT**

Memorandum

To: Stuart Popper

CC: Planning & Zoning Commission

From: Jon Harriman, P.E.

Date: 9/26/2017

Re: #17-39



I have reviewed plans entitled; "New Parking Expansion, Adelbrook, Inc., 60 Hicksville Road, Cromwell, CT" dated August 28, 2017 by the team of Jacunski Humes Architects, Linden Landscape Architects and Torres Engineering. I have also reviewed the drainage report entitled; "Drainage Calculations, Adelbrook, Inc., 60 Hicksville Road, Cromwell, CT," dated August 29, 2017 by Torres Engineering, Inc.

The plan calls for the creation of a new parking lot with associated drainage improvements. The drainage calculations demonstrate compliance with the zoning regulations in regards to storm water. I had questioned whether the existing drainage structure would support vehicle loading and the applicants engineer provided me with information supporting that use.

Water quality is addressed by the use of an isolator row in the underground detention system. I would request that sizing calculations for the isolator row be provided. Also the plans indicate that long term maintenance is the responsibility of the owner. I agree with this, but a maintenance plan must be provided detailing the maintenance of the new system and the existing system associated with the new and modified parking areas. Additionally an annual maintenance report detailing the previous years completed maintenance activities shall be submitted to the Zoning Enforcement Officer and Town Engineer by January 31st of the following year.

17-44

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL

Name of Project: New lights for Little League Ballfield

Street Address: 6 Mann Memorial Drive Cromwell

Volume/Page: _____ PIN #: _____

Applicant Name: James Vincetti

Address: 3 Greendale Ave.

Telephone: 8603983460 (day) _____ (evening)

Email Address: JVIN80@hotmail.com

Property Owner Name: Town of Cromwell

Address: 41 West Street
Cromwell Ct 06416

Attached:

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

- | | | |
|--|-------|------|
| 1. <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>?</i> | (Yes) | (No) |
| <i>if yes, have you obtained it?</i> | (Yes) | (No) |
| 3. <i>Will this project require a <u>DEP Stormwater Management Permit</u>?</i> | (Yes) | (No) |
| <i>if yes, have you applied for it?</i> | (Yes) | (No) |
| 4. <i>Will this Project Require an <u>STC Permit</u>?</i> | (Yes) | (No) |
| <i>if yes, have you submitted a copy of the plans to the STC?</i> | (Yes) | (No) |
| 5. <i>Does the parking comply with the <u>handicapped parking requirements</u> as set forth in current version of the State Building Code?</i> | (Yes) | (No) |

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

Jim Vincetti
Applicant Name and Signature

Sept 5 2017
Date

Memo

To: Town Staff
From: Stuart B. Popper, Town Manager
Date: September 18, 2017
Re: Application #17-44

Please review and comment. Email responses are welcome.

Application #17-44: Request to install new lights for the Little League Ball field. James Vinchetti is the Applicant and Town of Cromwell is the Owner.

- No Comments 9.19.17

c: Town Engineer, Chief of Police, Fire Marshall, Development Compliance Officer,
Building Inspector, File

17-46

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
MODIFICATION
APPLICATION FOR SITE PLAN ~~APPROVAL~~

Name of Project: Cafe Vernazza

Street Address: 6 Kirby Rd Cromwell, CT

Volume/Page: _____ PIN #: _____

Applicant Name: Lisa Dimichele

Address: 12 Savage Hill Rd
Berlin, CT

Telephone: 860-471-2868 (day) same (evening)

Email Address: lucalandscaping@yahoo.com

Property Owner Name: _____

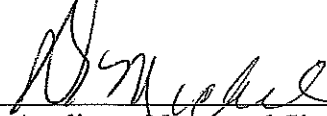
Address: _____

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) | (No) |
| 2. <i>Will this project require an Inland Wetlands Agency permit?
if yes, have you obtained it?</i> | (Yes) | (No) |
| 3. <i>Will this project require a DEP Stormwater Management Permit?
if yes, have you applied for it?</i> | (Yes) | (No) |
| 4. <i>Will this Project Require an STC Permit?
if yes, have you submitted a copy of the plans to the STC?</i> | (Yes) | (No) |
| 5. <i>Does the parking comply with the handicapped parking
requirements as set forth in current version of the State Building Code?</i> | (Yes) | (No) |

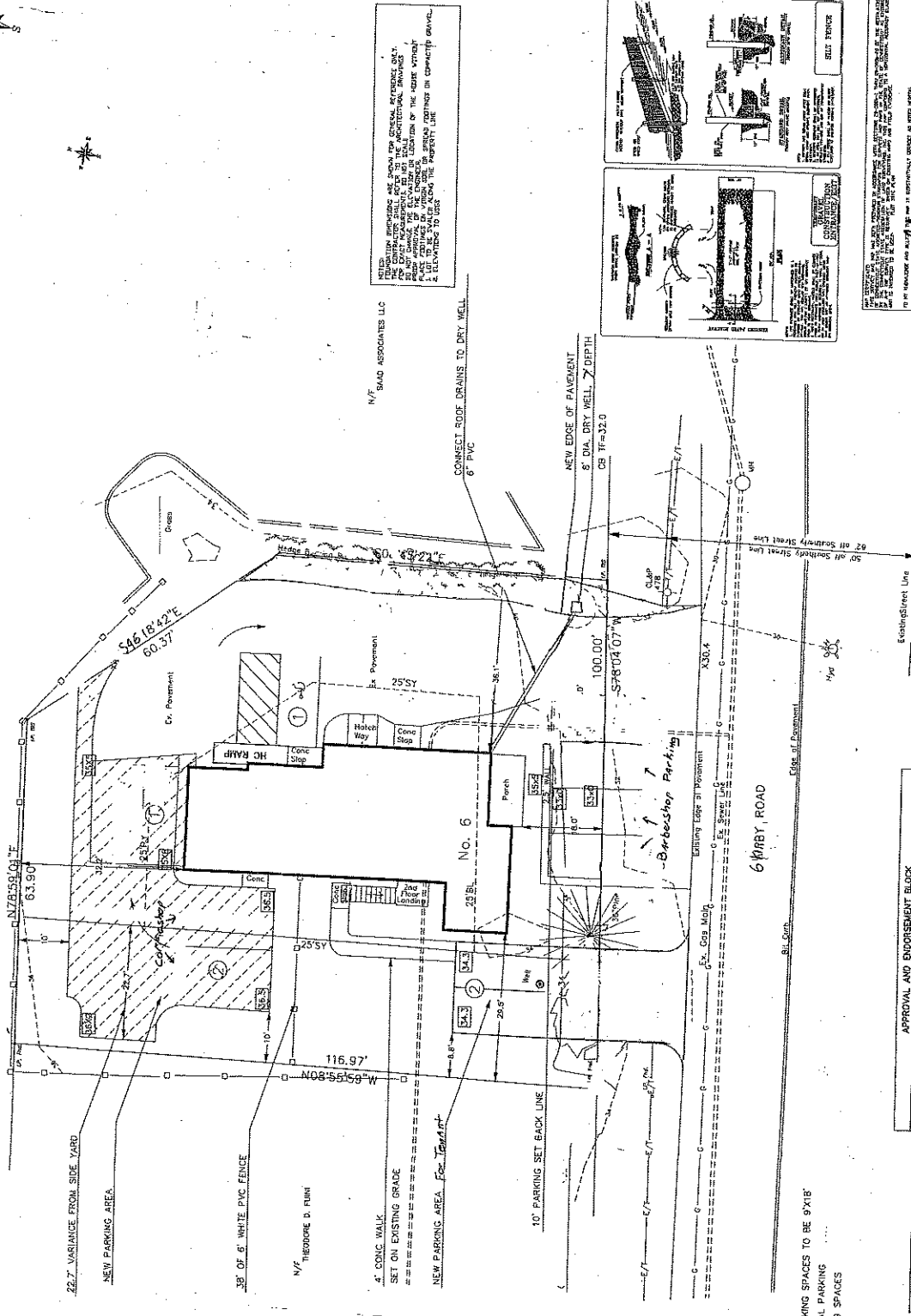
I hereby certify that the information presented above is correct to the best of my knowledge.


Applicant Name and Signature

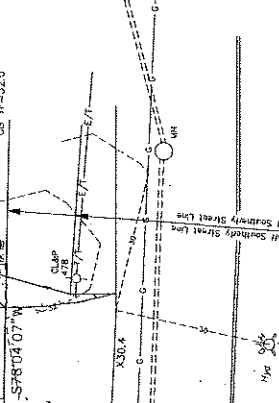
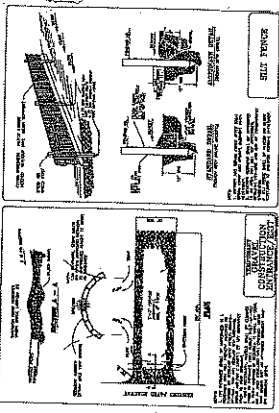
Date



N/A SAAD ASSOCIATES LLC



NOTE: THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES AND THE LOCATION OF THE CORNER POINTS OF THE PROPERTY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



FOR THE RECORD AND AS A REFERENCE ONLY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

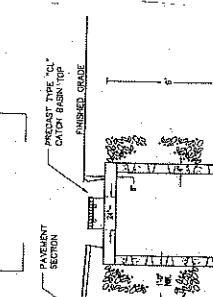
DATE: 11/11/2014

J. L. SURVEYING
 8140 S. WILSON BLVD.
 SUITE 100
 PHOENIX, AZ 85048-4000
 PHONE: 480-448-2000

APPROVED AND ENDORSED BLOCK

DATE: 11/11/2014

1 inch = 10' ft.



NOTE: ALL PARKING SPACES TO BE 9'X15' PROPOSED TOTAL PARKING APPROVED - 9 SPACES

NOTE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

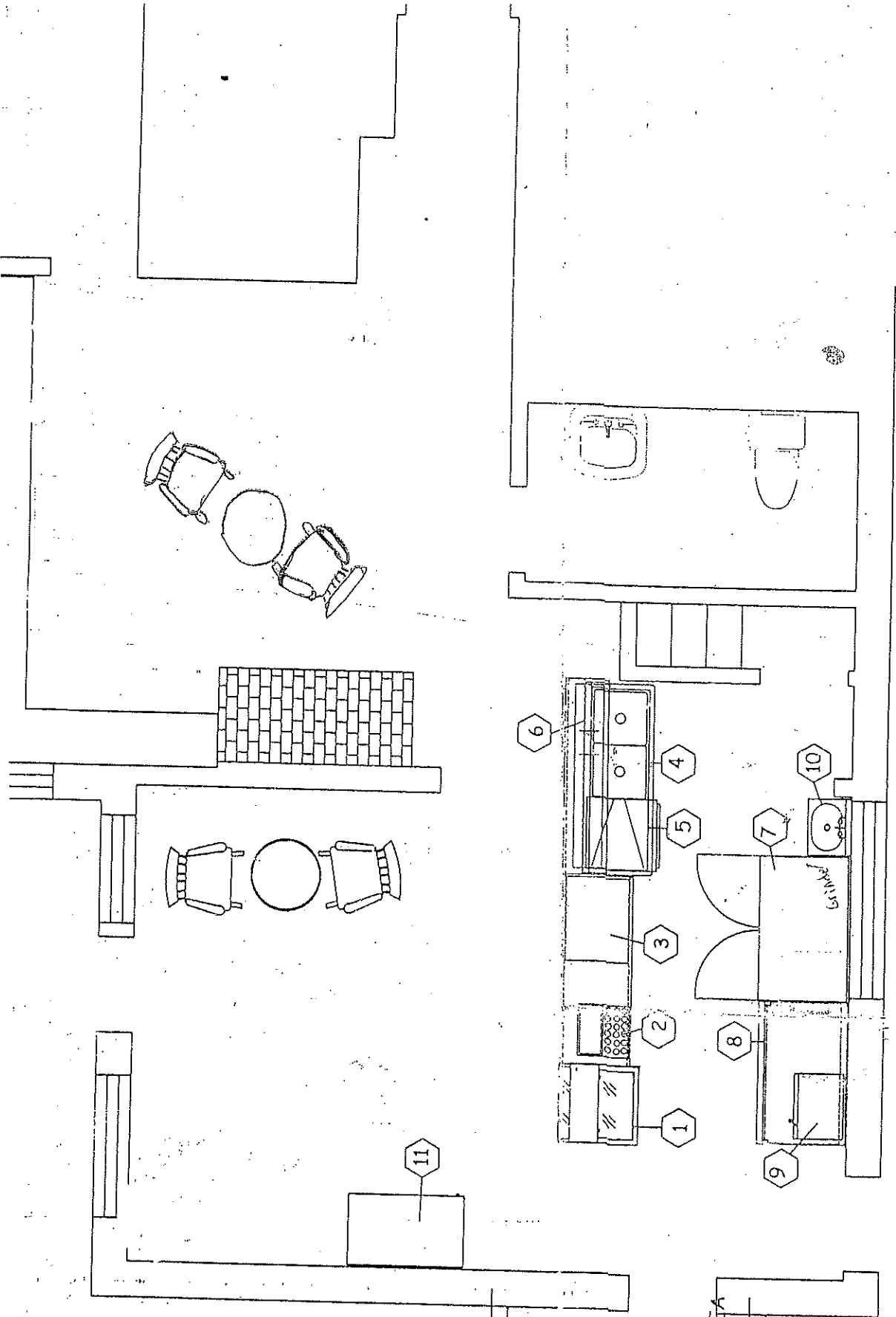
REQUIREMENT	EXISTING	PROPOSED
MINIMUM LOT AREA (SQUARE FEET)	10,000 SF	10,000 SF
MINIMUM LOT WIDTH (FEET)	25'	25'
MINIMUM LOT DEPTH (FEET)	15'	15'
MINIMUM LOT FRONT SETBACK (FEET)	25'	25'
MINIMUM LOT SIDE SETBACK (FEET)	15'	15'
MINIMUM LOT REAR SETBACK (FEET)	15'	15'
MINIMUM FRONT SETBACK (FEET)	15'	15'
MINIMUM SIDE SETBACK (FEET)	15'	15'
MINIMUM REAR SETBACK (FEET)	15'	15'
TOTAL IMPERVIOUS SURFACES	15%	15%

APPROVAL AND ENDORSEMENT BLOCK

DATE: 11/11/2014

1 inch = 10' ft.

17-46



EMPLOYEE
COAT RACK

STORAGE AREA
OFFICE

CENTRAL HALLWAY

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

The Town of Cromwell Planning and Zoning Commission will hold a Public Hearing on Tuesday October 3, 2017 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. Application #17-35: Request for a Special Permit under Section 2.10.1.(3) and 2.10.4. of the Zoning Regulations to allow for the parking of a Commercial vehicle and trailer in an R-25 Zone District at 75 Field Road. Jeff DiClemente is the Applicant and the Owner.

At this hearing interested persons may appear and be heard and written testimony received. This application is available for public inspection in the office of the Town Planner.

Alice Kelly
Chairman

Dated in Cromwell, Connecticut this 19th day of September 2017.

TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
APPLICATION FOR SPECIAL PERMIT

Type of Activity: LANDSCAPING (mowing)
(Per Section 2.10.1-3 + 2.14.4 of the Cromwell Zoning Regulations)
Street Address: 75 Field RD Zoning District: R-25
Assessor's Parcel ID #: 00008300 Volume/Page: 944/63

Applicant's Name: JEFF DICLEMENTE
Address: 75 Field RD
Telephone Number (daytime): 860 982-1737
Email Address: BROTHERSPROPERTYMAINTENANCE@YAHOO.COM

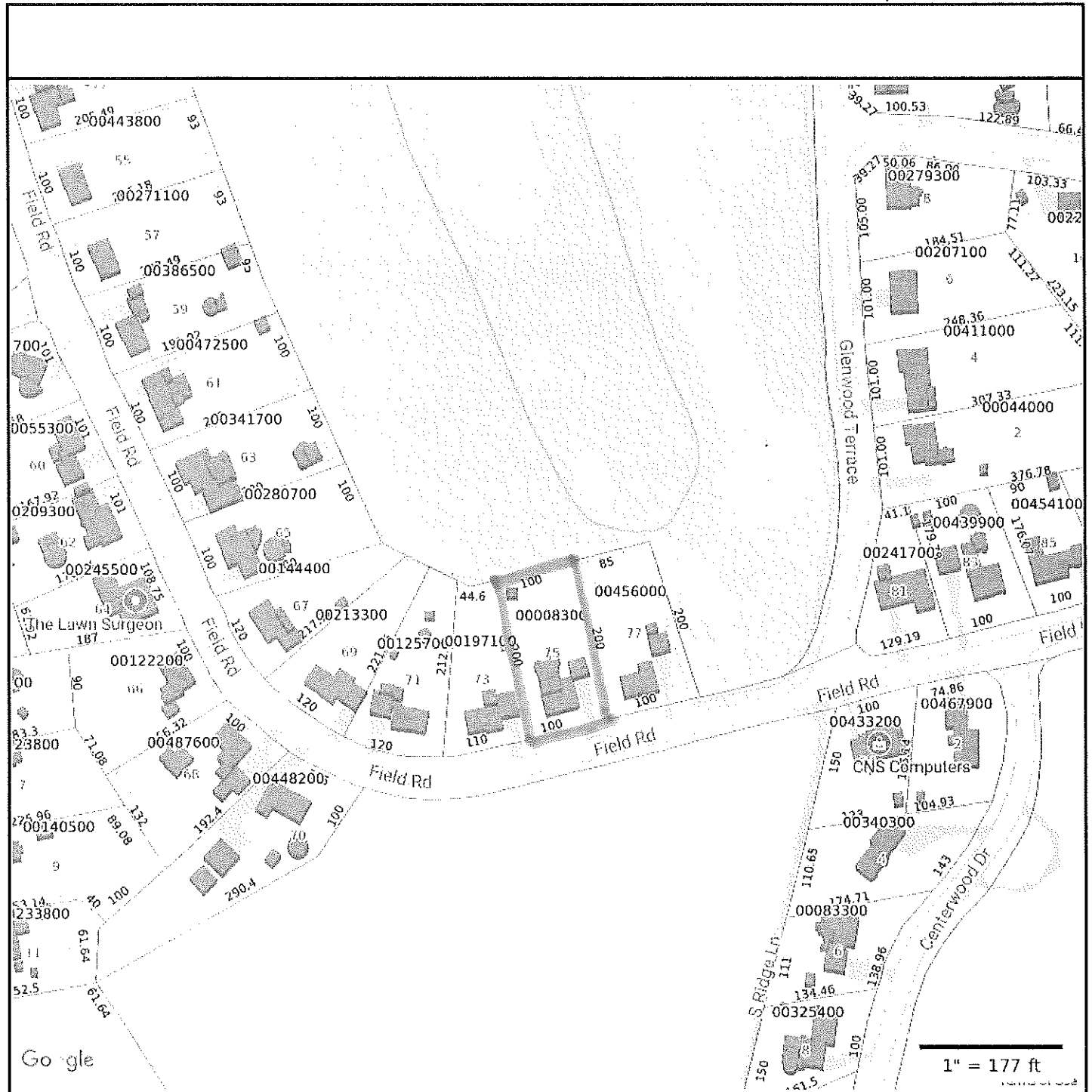
Property Owner's Name: JEFF DICLEMENTE
Address: 75 Field RD

Description of Proposed Activity:
LOOKING TO PARK 2ND COMMERCIAL VEHICLES
AND TRAILER BEHIND 6 FT FENCE

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).

[Signature]
(applicant)

8-11-17
(date)



Property Information

Property ID 00008300
Location 75 FIELD ROAD
Owner DICLEMENTE JEFFREY J



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town of Cromwell, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 10/1/2016
 Properties updated daily

CURRENT OWNER	TOPO.	UTILITIES	STRT./ROAD	LOCATION
DICLEMENTE JEFFREY J	2	1		
75 FIELD RD	6	3		
CROMWELL, CT 06416		7		
Additional Owners:	SUPPLEMENTAL DATA Census Tr. 5703 DV Map # Prior Zoning A-25 DV Lot # Color YELLOW Callback 100 Yr Flood I&E Penalty GIS ID: 00008300 ASSOC PID# 58/48/20// BAA Prior Value 194750			

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.
DICLEMENTE JEFFREY J	944/ 63	07/15/2003			165,000	

Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Val
2013	1-1	106,580	2012	1-1	106,580	2011	1-1	106,580
2013	1-3	60,330	2012	1-3	60,330	2011	1-3	60,330
2013	1-4	5,790	2012	1-4	5,790	2011	1-4	5,790
Total:		172,700	Total:		172,700	Total:		173,000

PREVIOUS ASSESSMENTS (HISTORY)

This signature acknowledges a visit by a Data Collector or Assessor

APPRaised VALUE SUMMARY 10-01-2012

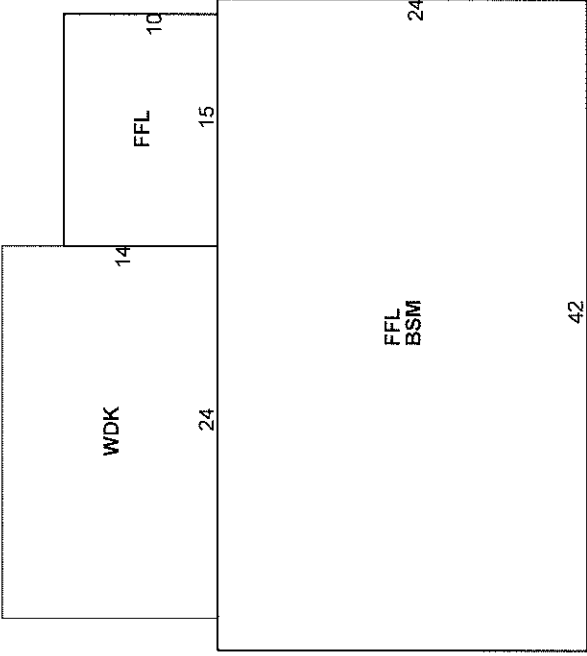
Appraised Bldg. Value (Card) 86
 Appraised XF (B) Value (Bldg) 8
 Appraised OB (L) Value (Bldg) 152
 Appraised Land Value (Bldg) 247
 Special Land Value
 Total Appraised Parcel Value
 Valuation Method:
 Adjustment:
Net Total Appraised Parcel Value 247

Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Of CO	Comments
21881	08/05/2013	WD	Wood Deck	1,000	09/23/2014	100		
15043	01/04/2005	EL	Electric	0	01/04/2005	101		Add 8ft to Existing Deck upgrade electrical service to 200 amp

LAND LINE VALUATION SECTION														
B Use Code	Use Description	Zone D	Frontage	Depth	Units	I. Factor	S.A.	Acre Disc	C. Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing	Land V.
1	101 Single Family	R-25			20,038 SF	1.0000	5	1.0000	1.00	4500	1.00			15



CONSTRUCTION DETAIL		MIXED USE	
Element	Description	Code	Percentage
Style	Ranch	101	100
Grade	C	Single Family	
Exterior Wall 1	Bedrooms	03	
Exterior Wall 2	Full Baths	1	
Roof Structure	Half Baths	0	
Roof Cover	Total Rooms	6	
	Jet Tub		
	Full Baths below		
Interior Wall 1	Fireplace		1955
Interior Wall 2	Fireplace Dtd.		G
Interior Flr 1	Gas Fireplace		
Interior Flr 2	Fin Bsmt %	0	
Heat Fuel	Fin Bsmt Qual		27
Heat Type	Bsmt. Garages	0	
AC Type	Central		

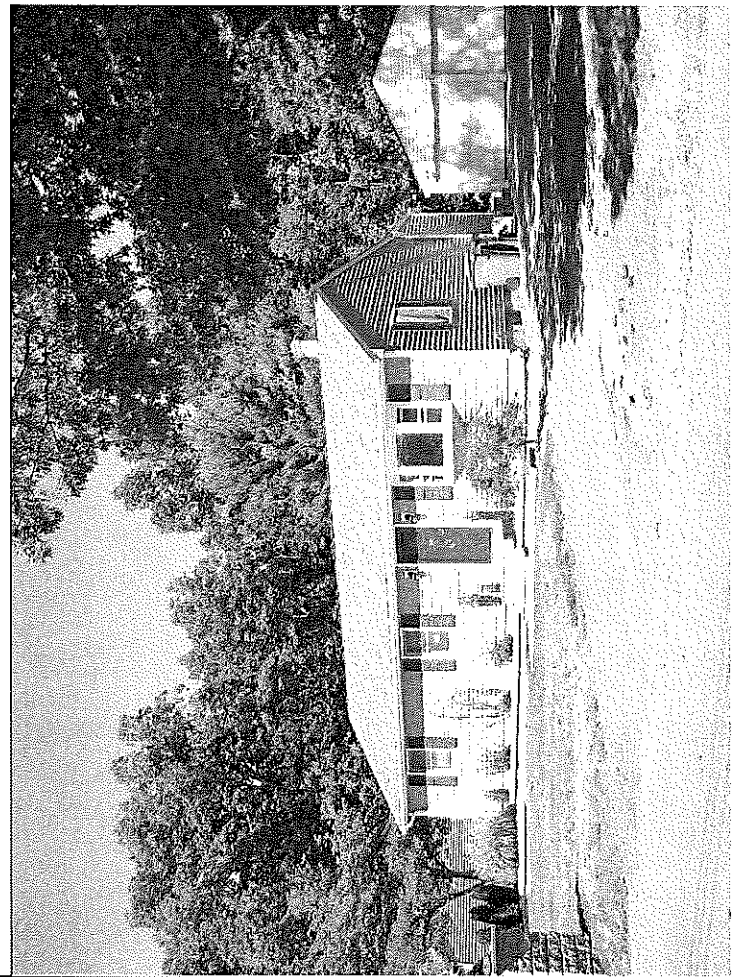


BUILDING PERMIT INFO

Issue Date	Type	% Comp.	Date of CO	Comments
08/05/2013	WD	100		
01/04/2005	EL	101		Add 8ft to Existing Deck upgrade electrical service to 200 amp

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)										
Code	Description	Sub	Sub	Sub	Unit	Unit	Unit	Unit	Unit	Unit
		Descrpt	Frame	Frame	Price	Yr	Cnd	Dp	Rt	Apr Value
GAR1	Garage	FR	Frame	L	400	25.00	1963	0	75	7500
SHD1	Shed	FR	Frame	L	96	20.00	2007	0	40	770

VISIT/ CHANGE HISTORY				BUILDING SUB-AREA SUMMARY SECTION			
Date	ID	Purpose/Result	Description	Code	Living Area	Gross Area	Apr Value
09/23/2014	MM	Permit - Measure Exterior	Basement	BSM	0	1,008	
09/25/2013	MM	Permit - Walk Exterior	First Floor	FFL	1,158	1,158	
12/12/2012	AJ	Change - Value Change Company	Wood Deck	WDK	0	336	
08/29/2012	AJ	Change - Field Review					
11/14/2007	DR	No change					



**TOWN OF CROMWELL
PLANNING AND ZONING COMMISSION
REGULAR MEETING
7:00 PM TUESDAY SEPTEMBER 19, 2017
CROMWELL TOWN HALL GYMNASIUM, 41 WEST STREET
MINUTES AND RECORD OF VOTES**

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

Absent: Kenneth Slade

Also Present: Director of Planning and Development Stuart Popper

1. Call To Order

The meeting was called to order by Chairman Kelly at 7:08 p.m.

2. Roll Call

The presence of the above members was noted.

3. Seating of Alternates

A motion to seat Alternate David Fitzgerald was made by Michael Cannata; Seconded by Richard Waters. *All in favor; motion passed.*

4. Approval of Agenda

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

5. Public Comments

There were no public comments at this time.

6. Development Compliance Officer Report

Mr. Curtin was not present. Mr. Popper said if there were any questions or comments from the Commission, he would pass them along to Mr. Curtin. There were no questions or comments.

7. Town Planner Report

Mr. Popper stated that the north side of Frisbee Park, near Route 9, would be subject to some grading and re-seeding. There were be no activity in the wetlands or flood plain, but the Upland Review Area would be affected. There would be an application to the Inland Wetlands and Watercourses Agency regarding the activity.

9. New Business Accept and Schedule New Applications:

- a. Application #17-42: Request for a Special Permit to install a new Digital Sign Pricing at 164 West Street. National Sign Corp is the Applicant and AN Patel LLC is the Owner.

Michael Cannata made a motion to accept the application and schedule it to be heard on November 9, 2017; Seconded by Richard Waters. *All in favor; motion passed.*

- b. Application #17-45: Request to Amend the Zoning Map to Change the Zone District from Residence 25 to Planned Residential Development at property located at 150 Country Squire Drive, also known as the Nike Site. Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner.

Chris Cambareri recused himself from acting upon this item.

Michael Cannata made a motion to accept the application and schedule it to be heard on November 9, 2017; Seconded by Brian Dufresne. *All in favor; motion passed* (Chris Cambareri abstained from the vote).

- c. Application #17-46: Request to modify the Site Plan at 6 Kirby Road to add additional parking for a coffee shop. Lisa DiMichele is the Applicant and Luca & Sons Landscaping LLC is the Owner.

Michael Cannata made a motion to accept the application and schedule it to be heard on October 3, 2017; Seconded by Paul Cordone. *All in favor; motion passed.*

10. Public Hearing:

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

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

Mr. Popper began by stating that a revised site plan, revised traffic study and revised Affordability and Fair Housing Marketing Plan had been received by the Commission tonight. Because the Commission had not had a chance to review the materials, they would not be discussing those items at tonight's meeting. He stated that the public hearing would be continued to October 17, 2017, to be held in the Town Hall gymnasium. The town attorney had not yet responded to the Commission's questions. Mr. Popper stated that the public hearing would be closed on October 17, 2017, unless the applicant agreed to an extension. Once closed, the Commission has sixty-five days to either approve or deny the application.

Attorney Carl Landolina of Fahey and Landolina in South Windsor, Connecticut, began his presentation by introducing the members of JPG Partners, LLC, and

stating that he was submitting an affidavit regarding the posting of the required sign. He clarified that the subject property was still owned by the estate. Attorney Landolina stated that he had used Attorney Kari Olsen's template to revise the Affordability and Fair Housing Marketing Plan and summarized the exhibits located at the end of the plan. He discussed the sequencing of the construction, namely that the thirty percent (30%) ratio of affordable units to market rate units had to be maintained at all times. Therefore, Building 2 would be built first, with all 28 of the affordable units rented out before Building 1 could obtain a Certificate of Occupancy. The sequencing would be changed on the plans and new plans delivered to the Commission. There was some discussion regarding the sequencing of the site work. Attorney Landolina stated that site work would begin at the same time as the construction of Building 2. Michael Cannata expressed some concerns over site work not being complete and having Building 2, which is furthest from Court Street, being occupied, because residents of Building 2 would be passing through an active construction zone. He believed that such a sequence was detrimental to the health and safety of the residents.

Attorney Landolina next reviewed the rental price worksheets to explain how they were calculated. There was some discussion regarding the impact of the utility allowances and it was clarified that these allowances are not credits to the tenants, but act to lower the lease amount that could be charged. The heating utility is calculated for natural gas. Attorney Landolina explained the "next unit rule". He stated that residents must qualify annually and if their income exceeded the threshold, they must either vacate or pay market rate. The next unit of that type that becomes available would then be offered as affordable. The lease term for the affordable units is therefore one year and the likely lease term for the market rate rentals would also be one year.

Nicholas Demetriades questioned the appearance of the construction entrance and sequencing. Chris Juliano, P.E. and L.S., of Juliano & Associates, stated that the sequencing had to be revised on the plans. He said that all construction activity would enter/exit off of Court Street and that utilities and a binder course of pavement would be completed during construction of Building 2.

Attorney Landolina next began to address the comments and concerns raised during the August 15, 2017 meeting by the Commission members and public. He said that the Cromwell Zoning Regulations did not allow for density bonuses when affordable units are offered at other sites by a developer. He stated that the industrial zone exemption was not applicable because this was not an industrial zone. He said that public welfare is not a stated part of the criteria for considering the application. He acknowledged that the buffer area did not comply with the zoning regulations but that was not sufficient reason to deny the application. Fencing had been added to the plans around the residential perimeter. He said that the density does not impact health and safety as higher densities are allowed by the PRD zone and he referenced the upcoming application for the Nike Site. He stated that the 148 parking spaces were greater than the required amount. The proposed

four story height was also allowed in the PRD zone. Chairman Kelly objected to the comparison of this application to that of PRD zone development.

Attorney Landolina referenced the two handouts submitted to the Commission at tonight's meeting regarding Affordable Housing and its perceived impacts on property values and public schools. He stated that no species of concern had been identified during the wetlands review. The developer was being named as the administrator for the purposes of the application but he was discussing hiring a professional management company with the applicant to act as administrator. Ken Rozich asked about penalties if the program was not administered properly. Attorney Landolina stated that it would be treated as a zoning violation. The issue of stiffer penalties would have to be directed to the town's attorney. Chairman Kelly asked about the date of the studies being submitted regarding property values and the impact on schools.

Next, Attorney Landolina stated that a new traffic study / count was completed last week and a new report submitted. The revised document incorporated the concerns raised by peer review. He said that no events (such as foreclosure) ever serve to void the Affordable Housing designation. To give Cromwell residents preferential treatment in renting the units, equal preferential weight would need to be given to those races and ethnicities least likely to rent the units. He read the pertinent statute to the Commission.

Chris Juliano, Juliano and Associates, LLC, presented next and summarized the twelve changes contained in his memo dated September 18, 2017. The zoning designation had been changed, internal sidewalks added, parking spaces numbered 148, a six foot vinyl fence and bus stop added, photometric and landscaping plans added, title sheets updated to show revision dates, and a phasing plan and narrative added. The plans could be updated again to address the Fire Chief's request regarding the number and placement of hydrants. Snow removal would be conducted according to best management practices and snow storage would remain on site. The two larger buildings would have sprinklers.

Stephen R. Ulman of Alfred Benesch & Company of Glastonbury, reviewed his memo dated September 19, 2017. The new traffic count was conducted on Friday, September 8, 2017, both in the morning and afternoon. He incorporated some of the comments provided by the peer review, Freeman Company, in its memo dated September 11, 2017. He stated that the main conclusions were the same with all intersections operating at a level of service of "C" or better.

Attorney Landolina presented the architectural materials to the Commission for their review. Chairman Kelly asked for a three dimensional rendering. Attorney Landolina stated that he would review the request with his client. He also consented to extending the public hearing to October 17, 2017 and said he would provide such consent in writing.

Upon the conclusion of the presentation, the Commissioners offered their comments.

Michael Cannata asked if a pedestrian traffic analysis would be conducted. He specifically wants to know about the placement of crosswalks and traffic controls for the health and safety of the residents. Attorney Landolina said that one had not been done and he would discuss the matter with his client.

Nicholas Demetriades expressed concern for the safety of the residents passing through the construction areas and asked about construction traffic entering and exiting Court Street. Mr. Juliano stated that he predicted a three year duration to the project. All infrastructure would be completed first, then the buildings, so smaller equipment and less frequent trips would be required once the first building was occupied. Nicholas Demetriades stated that he wanted to see how those safety risks to the residents would be mitigated.

Chris Cambareri said he was concerned about the Fire Chief's memo which raised the issue of the flammability of the materials used during construction and asked that a safety plan be provided.

David Fitzgerald asked how the bus stop location and the safety of the students at the bus stop would be addressed during construction.

Ken Rozich asked how the affordable units had been chosen and designated and why no three bedroom units would be designated as affordable.

Richard Waters stated that he did not want the construction entrance on Court Street. Mr. Juliano stated that traffic volumes dictate the use of Court Street, not Shunpike Road, for construction. He said that he would review the issue with DOT and the Chief of Police.

Alice Kelly asked the applicant, Patrick Snow, why he had not presented this apartment concept plan as affordable housing when he was first in front of the Commission and why was he doing it now. He stated that he had reviewed his options and this was one of the better options available to him at the present moment.

The public hearing was opened up to public comment.

Peter Hanson, 100 Court Street, stated that he believed that "other matters" referred to welfare, living conditions of the residents, and compatibility with the overall plan of development. He stated that he did not believe that comparisons to the PRD zone are relevant or accurate as the PRD zone regulations require open space and are subject to a Special Permit. He questioned the administration of the plan, what utilities were available to the site and whether the fence was non-climbable as requested.

Caroline Brunetto, 62 Washington Road, spoke against the application, saying that the plan was disorganized and she was concerned with the safety of the proposed residents.

Tommy Hyatt, 98 Court Street, stated that the plans were disorganized. He questioned why construction traffic would be on Court Street because Shunpike Road was too busy, but the applicant was still suggesting that there wouldn't be any significant impact on Shunpike Road when the complex was fully occupied. He did not feel that the traffic impact study was accurate. He was concerned with the lack of a snow removal plan and the possibility of overflow parking on Court Street.

Jackie Hayward, 15 Lancaster Road, spoke against the project, saying that she was concerned over the impact to the school system, especially in light of the state's budget problems. She wanted to focus on developing the vacant business properties in town.

Matt Ruske, 64 Evergreen Road, asked why there wasn't a privacy fence proposed for Shunpike Road.

Dilys McIntyre, 104 Court Street, asked if there was room to address a fire on the backside of the building since it was only thirteen feet from the property line, which was proposed to be fenced. She wanted a taller fence that could not be climbed. She was concerned about possible polluted runoff affecting her well and the lack of elevators in the buildings.

Ray Cioffi, 61 Court Street, said that he had calculated out approximately 240 to 265 residents at the apartments, with approximately 192 to 213 vehicles, since there were no public transportation options available. He did not think that the parking was sufficient. He raised concerns with the lack of recreational areas for children, the flammability of the proposed building materials, and the lack of an OSHA safety plan.

Ronald Bomengen, 5 Riverside Drive, was concerned about fire safety and truck access to the back of the buildings. He questioned the site plan details regarding the dumpster enclosure and said that he had reviewed the drainage report and found some errors. He also took issue with the footing drain connections, the sediment storage, the driveway proximity to the Learning Experience and the number of transformers proposed.

Dmytro Grebenyk was concerned about the lack of schedules, the lacking of planning for the bus stop and snow removal, how the construction sequence would affect marketing the apartments, the health and safety of the residents while construction was ongoing, the lack of a proposed deadline to complete the project, how the project would be supported financially during construction and the limited parking.

Andrea Shaw, 11 Riverpark Drive, was concerned over the developer's previous projects that were not fully completed, the developer's late submission of materials, and the partnership structure of the LLC. She said that even if the proposal was perfect in all elements, could the developer be trusted to properly execute those plans.

Sandra Tate, 6 Horse Run Hill, agreed with the previous speakers. She submitted her concerns in writing to the Planning and Zoning Commission via Mr. Popper. She was concerned with the volunteer fire department's ability to support this development, the project's burden on the taxpayers and the impact on the school system, especially transportation and special education.

Frank Mangene, 12 Sunset Drive, said he felt disrespected by this proposal as there were no clear answers being provided by the applicant.

Melissa Pine, 21 Cider Hill Drive, agreed with Ms. Tate, saying that no firefighters were available to respond to a recent fire call on Coles Road. She said that the schools were already short on classrooms, desks, and books.

Rob McIntyre, 102 Court Street, said that he was the Assistant Chief of EMS in Cromwell and a firefighter, and was speaking from that experience, but not as a representative of the Cromwell Fire Department. He was concerned over the lack of elevators and there being enough room for a ladder truck to park at the back of the buildings. He thought that fire suppression would be impacted by the lack of room on the property.

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

Chairman Kelly asked whether a performance bond spreadsheet had been completed. Attorney Landolina said no as there would be no public improvements and nothing owned or controlled by the Town of Cromwell. He had asked Mr. Popper for direction regarding this requirement. Chairman Kelly also asked about insuring the development against foreclosure. Attorney Landolina stated that he did not believe that to be relevant and was unaware of any court orders against the applicant.

Michael Cannata asked if a pedestrian traffic safety study would be performed, with information about crosswalks and traffic controls. He asked whether this project was a major traffic generator and if a special permit from DOT was needed. He wanted specifics about the elevator sizes and the number proposed for each building. He also wanted a legal definition and clarification as to what "other matters" encompasses.

Brian Dufresne asked how the outstanding concerns and questions could be compiled to ensure that all were answered.

Attorney Landolina stated that the issues of fire safety and drainage would be addressed at the next hearing. Paul Cordone asked if the plans could be reviewed by an independent third party at the applicant's expense. Attorney Landolina stated that the town's engineer, Mr. Jon Harriman, had already reviewed the plans. He was unaware of any town ordinance that would authorize Mr. Cordone's request and such a question should be directed to the town attorney. Mr. Popper said that he would review the town ordinances to see if any are applicable. Mr. Popper said that he would ask Attorney Olsen to be present at the next hearing.

Chairman Kelly asked that all information be submitted to Mr. Popper at least one week in advance so that it could be distributed to the Commission members prior to the meeting. She felt it was inappropriate to receive documents and plans last minute.

Mr. Ulman said that this project was not a major traffic generator. If more than 200 parking spaces are required, then the project would be a major traffic generator. They will need an encroachment permit from DOT. Mr. Juliano read a portion of the Fire Chief's memo dated July 12, 2017, stating that the access around the building perimeter is adequate.

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

11. **Commissioner's Comments:** Michael Cannata asked that a list of questions be compiled and addressed before the next hearing.
12. **Approval of Minutes:**
 - a. September 5, 2017: A motion to accept the minutes as presented was made by Michael Cannata; Seconded by Brian Dufresne. *All in favor; motion passed.*
13. **Adjourn:** A motion to adjourn was made by Michael Cannata; seconded by Chris Cambareri. *All in favor; motion passed.* Meeting adjourned at 10:08 p.m.

Respectfully Submitted,

Julie C. Petrella
Recording Clerk