



## Town of Cromwell Planning and Zoning Commission

**REGULAR MEETING**  
**7:00 P.M. TUESDAY SEPTEMBER 4, 2018**  
**ROOM 224 CROMWELL TOWN HALL 41 WEST STREET**

### AMENDED 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. **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 LLC is the Owner.
  - b. Application #18-46: Request for Site Plan Approval for a Planned Multifamily Residential Development at 50 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner.
9. **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 Site 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.
10. **Executive Session**
  - a. Discuss Pending Litigation for Application #17-22: Request for Site Plan Approval for Center Point Apartments (an Affordable Housing Application) at 186 Shunpike Road.
11. **Approval of Minutes:**
  - a. August 7, 2018
  - b. August 21, 2018
12. **Commissioner's Comments:**
13. **Adjourn**

RECEIVED FOR RECORD  
Aug 28, 2018 01:25P  
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
18-06	Carrier Group, Inc.	76 Field Road	Site Plann approval for Planned Residence Development	Approved	Silt Fence installed, fill material arriving
18-13	Carrier Group, Inc.	76 Field Rd/59R Nooks Hill/10 S. Ridge Rd	Substantial filling	Continued	Silt Fence installed, fill material arriving
18-14	Joe's Filling Station LLC	35A Berlin Road	Permit to see Alcohol	Approved 5/15/18	Bulding under renovation
18-15	Cromwell Little League	WIS School ballfield	Add a scoreboard	Approved 5/15/18	Awaiting installation

		<b>P&amp;Z 2018 Permit</b>	<b>Report</b>		
<b>Permit#</b>	<b>Name of Applicant</b>	<b>Site Location</b>	<b>Type of Activity</b>	<b>Decision Date</b>	<b>Status</b>
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	Awaiting Construction
18-31	The Well LLC	540 Main Street	Amend zoning reg. To permit café/tavern	Withdrawn	

		P&Z 2018 Permit	Report		
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

18-41	Christopher Plummer	135 Berlin Road Cromwell Diner	Modify site plan to add additional parking spaces	Tabled to 9/4/18	Awaiting PZC meeting
18-42	David Tremblay	51 Shunpike Road	Special permit for restaurant with sale of alcoholic beverages	Approved 8/21/18	Approved 08/21/18
		<b>P&amp;Z 2018 Permit Report</b>			
<b>Permit#</b>	<b>Name of Applicant</b>	<b>Site Location</b>	<b>Type of Activity</b>	<b>Decision Date</b>	<b>Status</b>
18-43	Cromwell Village Assoc	150 Country Squire Dr.	Amend Master Plan	Approved 8/21/18	Awaiting PZC meeting
18-44	Cromwell Village Assoc	150 Country Squire Dr.	Planned Multifamily Residential Development	Continued to 9/4/18	Awaiting PZC meeting
18-45	Cromwell Village Assoc	150 Country Squire Dr.	Removal of Earth Material	Continued to 9/4/18	Awaiting PZC meeting
18-46	Cromwell Village Assoc	150 Country Squire Dr.	Site Plan Approval for Planned Multifamily Residential Development	Continued to 9/4/18	Awaiting PZC meeting
18-47	David Tremblay	51 Shunpike Road	Sit down restaurant with alcoholic beverages	07/11/18	Use Permit approved
18-48	William Chen	136 Berlin Road	Permit for restaurant with alcoholic beverages	Approved 8/7/18	Renovations in progress



# Memo

**To: Planning and Zoning Commission**

**From: Stuart B. Popper, AICP  
Director of Planning and Development**

**Date: August 28, 2018**

**Re: Comments for the September 4, 2018 Meeting Agenda**

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## **9. New 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 LLC is the Owner. *The 1.21 acre site contains the existing 13,099 square foot Cromwell Diner and is located on the south side of Berlin Road in the Highway Business Zone. The applicant is proposing to remove some landscaping to install additional parking spaces in the rear of the building.*

b. Application #18-46: Request for Site Plan Approval for a Planned Multifamily Residential Development at 50 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner. *The 8.75 acre site (former Nike Site) is located at the end of Country Squire Drive in a Planned Residential Development Zone. The applicant is proposing to construct 160 multifamily units with 246 parking spaces. Please see attached Project Narrative and Stormwater Narrative.*

## **10. Public Hearing:**

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 Site LLC is the Owner. *The 8.75 acre site (former Nike Site) is located at the end of Country Squire Drive in a Planned Residential Development Zone. The applicant is proposing to construct 160 multifamily units with 246 parking spaces. Please see attached comments from Chief Lamontagne.*

b. Application #18-45: Request for a Special Permit under Section 6.1 of the Zoning Regulations to Removal of Earth Material at 150 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner. *The 8.75 acre site (former Nike Site) is located at the end of Country Squire Drive in a Planned Residential Development Zone. The applicant is proposing to remove 25,000 cubic yards of material from the site. Please see attached Earth Excavation Narrative.*

18-41

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL *Modification*

Name of Project: Cromwell Diner  
Street Address: 135 Berlin Rd  
Volume/Page: \_\_\_\_\_ PIN #: \_\_\_\_\_

Applicant Name: Christian Plummer  
Address: 224 Shunpike Rd  
Cromwell

Telephone: 860-398-0101 (day) \_\_\_\_\_ (evening)

Email Address: christian@plummerlandscaping.com


Property Owner Name: SAAD Associates, LLC  
Address: 135 Berlin Road  
Cromwell, CT 06416

Attached:

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

- |   |       |      |
|---|-------|------|
| 1. Is <u>any part</u> of the site within 500' of an adjoining town?   | (Yes) | (No) |
| 2. Will this project require an <u>Inland Wetlands Agency permit</u> if yes, have you obtained it?                                      | (Yes) | (No) |
| 3. Will this project require a DEP <u>Stormwater Management Permit</u> if yes, have you applied for it?                                 | (Yes) | (No) |
| 4. Will this Project Require an <u>STC Permit</u> if yes, have you submitted a copy of the plans to the STC?                            | (Yes) | (No) |
| 5. Does the parking comply with the <u>handicapped parking</u> 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.

 Christian Plummer 7-10-18  
Applicant Name and Signature Date



TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION

APPLICATION FOR SITE PLAN APPROVAL



Name of Project: Planned Multifamily Residential Development

Street Address: 150 Country Squire Drive

Volume/Page: 1486-142 PIN #: 00336000

Applicant Name: Cromwell Village Associates, LLC

Address: c/o Joseph P. Williams, Esq., Shipman & Goodwin LLP,

One Constitution Plaza, Hartford, CT 06103-1919

Telephone: 860-251-5127 (day) \_\_\_\_\_ (evening)

Email Address: jwilliams@goodwin.com

Property Owner Name: Country Squire Site LLC

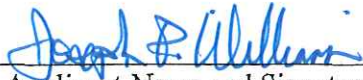
Address: 10 Sachem Drive  
Cromwell, CT 06416

Attached:

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

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

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



Applicant Name and Signature

July 10, 2018

Date

By: Joseph P. Williams, Esq.  
Attorney for Applicant



# Project Narrative

## PROPOSED MULTIFAMILY RESIDENTIAL DEVELOPMENT 150 COUNTRY SQUIRE DRIVE CROMWELL, CONNECTICUT

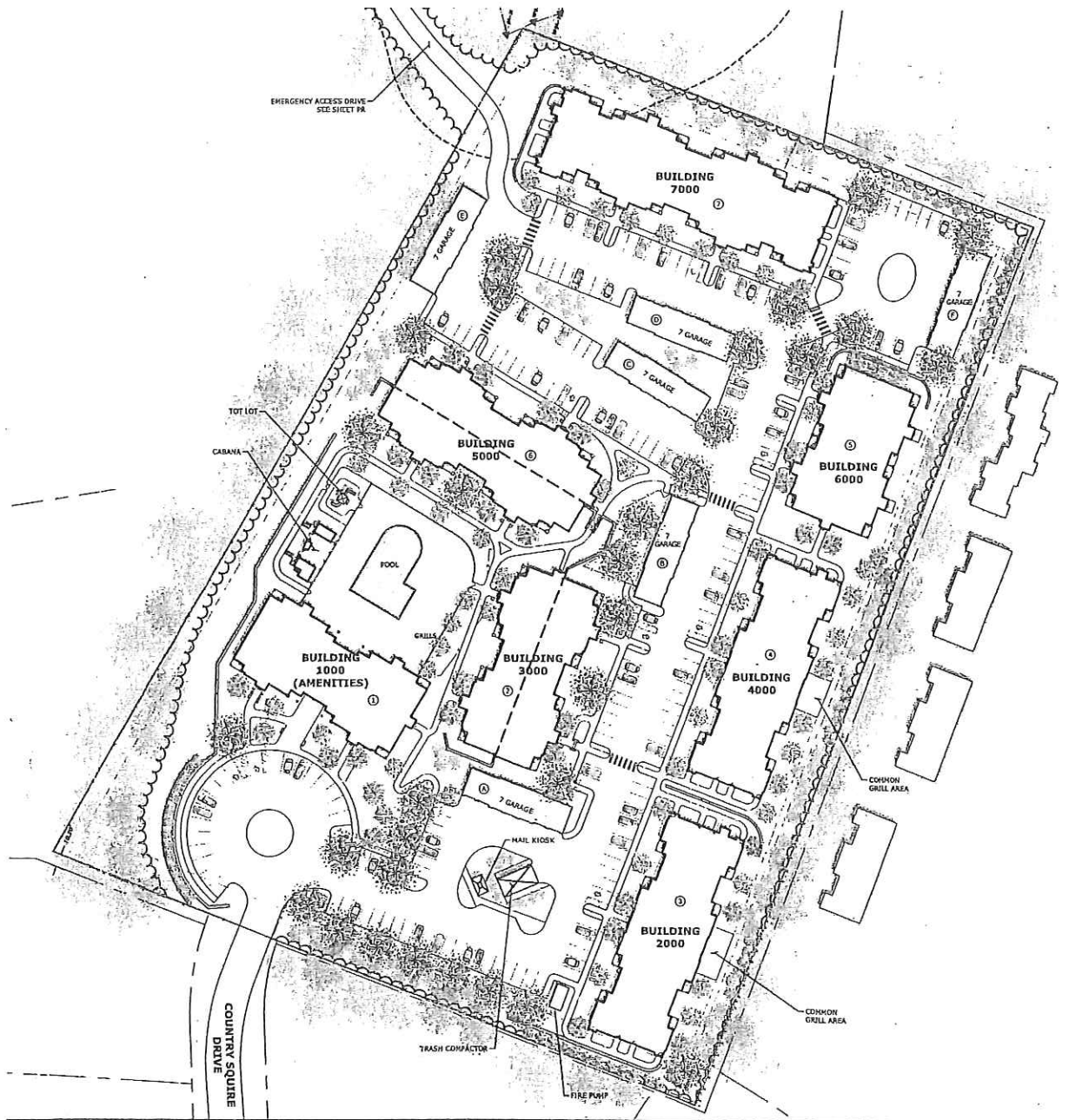
July 6, 2018

MMI #2398-07-09

This narrative has been prepared in support of a site plan application for a proposed multifamily residential development to be located at the existing terminus of Country Squire Drive in the town of Cromwell, Connecticut. The site is a former Nike missile control facility that ceased operations more than 50 years ago. The project site is located in the western portion of Cromwell and has an approximate area of 8.75 acres. The property is situated in an area surrounded by Country Squire Condominiums to the south, Fox Meadows Condominiums to the east and north, residential development along Cedar Drive to the southwest, and Town of Cromwell property to the northwest.



A Planned Residential Development (PRD) zone change and Master Plan approval was granted on November 9, 2017. As part of this application, seven buildings are proposed to accommodate 160 rental apartment units in a community that will also include a swimming pool and amenities such as a leasing office and a clubhouse. Parking will be provided throughout the new community by surface parking spaces and six detached garages. A total of 246 parking spaces have been provided. As part of this project, improvements will be made to Country Squire Drive including widening to 28 feet, storm drainage, and sidewalks. An emergency access drive will be provided from the northwest corner and will tie into the Evergreen Active Adult Community.



The new buildings will be served by public water service and sanitary sewer. A new gravity sanitary sewer main will be constructed through the community with a proposed connection to the existing sewer main located in Country Squire Drive. An extension of the public water main in Country Squire Drive is proposed to serve the site. All other utilities servicing the project such as telephone, electric, and cable will connect to nearby existing utilities and shall be located underground.

There are abandoned buildings and overgrown vegetation on site, and the perimeter is wooded. No inland wetlands or watercourses were identified on the property; however, an isolated off-site wetland pocket was found on the adjacent property to the north. Elevations range from 152 feet to 216 feet National Geodetic Vertical Datum. The site sits at the top of a hill; therefore, stormwater runoff drains off

in several directions under existing conditions. A topographic ridge line generally bisects the site in a north-south direction. Those two main watersheds are then further divided into smaller subwatersheds based on the existing topography. Runoff sheet flows off the site to the abutting properties and ultimately discharges to the Mattabasset River located south of State Route 372.

The entire project site is located within the Mattabasset River watershed. According to the current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for Middlesex County, there is no Special Flood Hazard Area (SFHA) that extends onto the property. Furthermore, the site is not located within an aquifer protection zone. The Connecticut Department of Energy & Environmental Protection (CTDEEP) Natural Diversity Data Base (NDDB) areas of endangered, threatened, or special concern species do not extend onto this parcel.

The stormwater management system will utilize four new underground detention systems to attenuate proposed peak runoff rates in order to prevent increases in the predevelopment peak runoff rates from the site. The underground storage areas consist of multiple rows of plastic chamber units laying over a crushed stone bed. The final discharge from the detention systems will be connected to an extension of the municipal drainage system in Country Squire Drive. Prior to the site's final discharge, a water quality chamber will be employed and sized to meet water quality standards from the CTDEEP *2004 Stormwater Quality Manual*. Proposed water quality measures also include catch basins with deep sumps and isolator rows integrated with the underground detention systems. The isolator row consists of a row of chambers where stormwater is further treated prior to entering the storage chamber system, thus enhancing total suspended solids (TSS) removal and protecting the storage chambers from sediment accumulation.

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



# Stormwater Narrative

## **PROPOSED MULTIFAMILY RESIDENTIAL DEVELOPMENT 150 COUNTRY SQUIRE DRIVE CROMWELL, CONNECTICUT**

**July 6, 2018  
MMI #2398-07-09**

This narrative has been prepared in support of a site plan application for a proposed multifamily residential development to be located at the existing terminus of Country Squire Drive in the town of Cromwell, Connecticut. The site is a former Nike missile control facility that ceased operations more than 50 years ago. The project site is located in the western portion of Cromwell and has an approximate area of 8.75 acres. The property is situated in an area surrounded by Country Squire Condominiums to the south, Fox Meadows Condominiums to the east and north, residential development along Cedar Drive to the southwest, and Town of Cromwell property to the northwest.

The stormwater management system has been designed using Best Management Practices (BMPs) to provide a means to properly manage and discharge stormwater runoff from the project site. The proposed system incorporates design features to attenuate peak runoff rates as well as provide water quality treatment measures. The stormwater management system will utilize four new underground detention systems to attenuate proposed peak runoff rates in order to prevent increases in the predevelopment peak runoff rates from the site. The underground storage areas consist of multiple rows of plastic chamber units laying over a crushed stone bed. The final discharge from the detention systems will be connected to an extension of the municipal drainage system in Country Squire Drive. There will be no proposed stormwater pipe discharge to the off-site wetland areas located adjacent to the northwest corner of the property.

Prior to the site's final discharge, a water quality chamber will be employed and sized to meet water quality standards from the Connecticut Department of Energy & Environmental Protection (CTDEEP) *2004 Stormwater Quality Manual*. Proposed water quality measures also include catch basins with deep sumps and isolator rows integrated with the underground detention systems. The isolator row consists of a row of chambers where stormwater is further treated prior to entering the storage chamber system, thus enhancing total suspended solids (TSS) removal and protecting the storage chambers from sediment accumulation.

The underground chamber systems have been designed such that the estimated surface elevation within the chambers during a 100-year storm event does not exceed the top of the stone layer above the chambers. No increases in peak rates of runoff are anticipated from the project site due to a planned stormwater management system and the detention capability of the underground storage areas.

The provided stormwater control measures include short-term erosion controls to be implemented during the construction phase and long-term TSS removal from stormwater runoff for the completed project. These measures will serve to mitigate water quality impacts during construction and improve the quality of stormwater runoff from the site after the site is developed. The focus of the water quality measures was to remove suspended solids and other potential pollutants as well as to protect against erosion during and after construction. The Sediment & Erosion Control Plan will provide short-term protection of the existing wetlands and watercourses by preventing sediment transport to areas downgradient of the site during construction.

18-44

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
APPLICATION FOR SPECIAL PERMIT

7/11/18 JPD  
RECEIVED

Type of Activity: Planned Multifamily Residential Development  
(Per Section 4.7.E and 8.7 of the Cromwell Zoning Regulations)  
Street Address: 150 Country Squire Drive Zoning District: PRD  
Assessor's Parcel ID #: 00336000 Volume/Page: 1486/142

Cromwell Village Associates, LLC  
Applicant's Name: c/o Joseph P. Williams, Esq., Shipman & Goodwin  
Address: LLP, One Constitution Plaza, Hartford, CT 06103-1919  
Telephone Number (daytime): 860-251-5127  
Email Address: jwilliams@goodwin.com

Property Owner's Name: Country Squire Site LLC  
Address: 10 Sachus Drive, Cromwell, CT 06416

Description of Proposed Activity:  
The proposed project consists of building seven multifamily residential buildings (a total of 160 apartment homes) including an amenities building and a pool with associated site infrastructure.

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).*

Joseph P. Williams  
(applicant)  
By: Joseph P. Williams, Esq.  
Attorney for Applicant

7/10/18  
(date)

## Popper, Stuart

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**From:** Chief Lamontagne  
**Sent:** Monday, August 27, 2018 3:51 PM  
**To:** Popper, Stuart  
**Subject:** 18-42, 18-43, 18-44, 18-45

Stuart,

In regards to the 150 country Squire Drive there is currently improvements occurring to the intersection on Willowbrook Road at Rt. 372. These improvements have also called for an increase in the dedicated left turn arrow on Rte. 372 onto Country Squire/Willowbrook Road. I will have the intersection monitored in the future in case additional time is needed due to the increased traffic from the development.

As there will be increased traffic from the development guiderail system should be in place on Country Squire Drive to protect the houses on Cedar Drive due to the significant slope along the eastern portion of the road.

In regards to the added sidewalks, during inclement weather there is a Town Ordinance regarding the clearing of snow/ice within 24 hours of cessation of the weather. Currently the property owner abutting the sidewalk is responsible for the clearing of the sidewalks, however, it is recommended that the developer be responsible for the clearing of this added sidewalk.

*Denise Lamontagne*

Chief of Police  
Cromwell Police Department  
860-635-2256 x.13  
860-613-2934 fax

18-45

TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
APPLICATION FOR SPECIAL PERMIT



Type of Activity: Filling and Removal of Earth Material  
(Per Section 6.1 of the Cromwell Zoning Regulations)  
Street Address: 150 Country Squire Drive Zoning District: PRD  
Assessor's Parcel ID #: 00336000 Volume/Page: 1486/142  
Cromwell Village Associates, LLC  
Applicant's Name: c/o Joseph P. Williams, Esq., Shipman & Goodwin LLP,  
Address: One Constitution Plaza, Hartford, CT 06103-1919  
Telephone Number (daytime): 860-251-5127  
Email Address: jwilliams@goodwin.com

Property Owner's Name: Country Squire Site LLC  
Address: 10 Sachem Drive, Cromwell, CT 06416

Description of Proposed Activity:

The proposed project consists of building seven multifamily residential buildings (a total of 160 apartment homes) including an amenities building and a pool with associated site infrastructure. Approximately 25,000 cubic yards of material will be removed from the site for the construction of the project.

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).*

Joseph P. Williams  
(applicant)

By: Joseph P. Williams, Esq.  
Attorney for Applicant

7/10/18  
(date)





# Earth Excavation Narrative

**PROPOSED MULTIFAMILY RESIDENTIAL DEVELOPMENT  
150 COUNTRY SQUIRE DRIVE  
CROMWELL, CONNECTICUT**

**July 10, 2018  
MMI #2398-07-09**

The applicant is developing an approximately 8.75-acre parcel located at 150 Country Squire Drive in Cromwell for the construction of 160 apartment units. The site is a former Nike missile control facility that ceased operations more than 50 years ago. The existing on-site buildings will be demolished. The proposed development consists of seven residential multifamily buildings with six detached garages, paved parking and roadway, and a community pool.

The site sits on top of a hill, and the topography slopes gently to the west though the gradient increases toward the western property boundary. Soil parent materials are derived from lodgement till and urban fill material. The soil survey mapping is appended. The Natural Resources Conservation Service (NRCS) identifies two upland soil units (Wethersfield Urban land complex and Udorthents) on the property. No wetlands or watercourses exist on the subject parcel. However, a forested depressional wetland exists off site to the northwest.

Site elevations range from 152 to 216 feet. Given the existing rolling topography of the site, the proposed development results in earth cuts of up to  $\pm 15$  feet below existing grades and filling upwards of  $\pm 15$  feet. The earthwork computations show that approximately 25,000 cubic yards of material will be removed from the site for the construction of this project (see attached plan). Considering the substantial amount of subsurface investigations completed prior to this date, the applicant believes that processing of soil material or rock crushing will not be needed. A truck route map is provided with the application materials. The truck route was selected to be the most direct route and to minimize traffic through residential streets. The portion of the access road within the area of operation shall be swept regularly as necessary. Proper measures shall be taken to minimize the nuisance of noise and dust.

It is expected that the equipment used to move this material will be two dozers, two excavators, one loader, and two off-road trucks on site and four triaxle trucks for off-site use. Assuming that four triaxle trucks work five 8-hour days, with a round trip taking approximately 1 hour, this would allow for 32 truck trips a day moving approximately 18 cubic yards per truck for a total of 576 cubic yards per day. Therefore, it is anticipated that it will take approximately 9 weeks to move the excess 25,000 cubic yards of material from the site. The contractor will schedule a preconstruction meeting with the town engineer, at which time a detailed schedule, including commencement and completion dates, will be provided. After erosion controls are installed, vegetation cleared, and topsoil stripped and stockpiled, earthwork will begin. Mass earthwork will be completed as a single phase of work with surplus material being trucked off site.

As a result of earthwork operations, site-generated traffic is not anticipated to significantly impact traffic volumes. Localized noise increases may also be expected from demolition and construction activities and from vehicles during the construction period, but vehicles will be those typically associated with construction. The level of noise impact varies depending on the equipment and activity involved. Construction activities would be limited to the hours of 7:00 a.m. to 6:00 p.m., Sundays and holidays excepted.

A Sediment and Erosion (S&E) control plan has been developed to mitigate the short-term impacts of the project during construction. The S&E control plan includes descriptive specifications concerning land grading, topsoiling, temporary vegetative cover, permanent vegetative cover, vegetative cover selection and mulching, and erosion checks. Details have been provided for all erosion control measures with corresponding labels on the S&E control plan. The S&E controls provided are in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*.

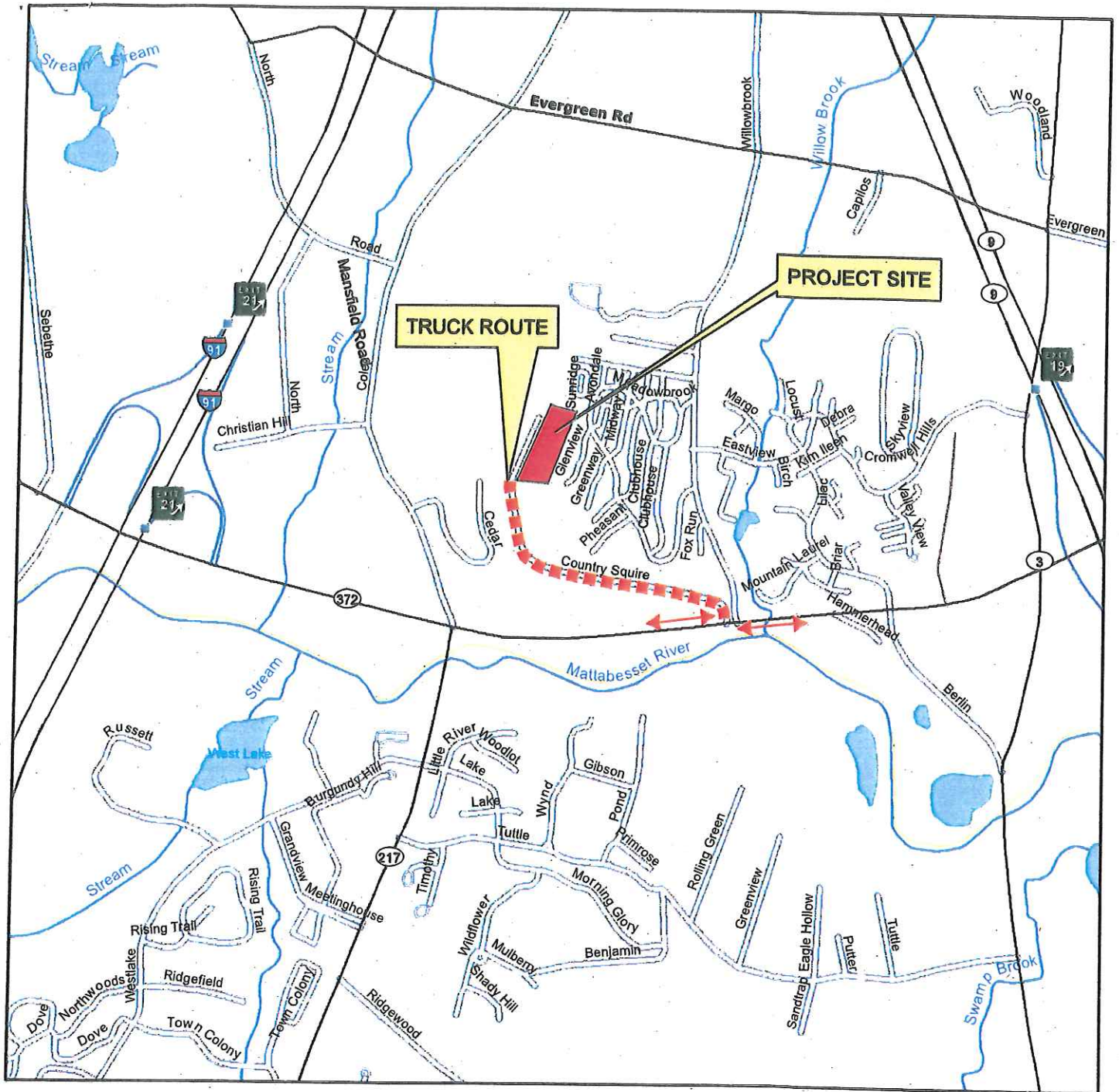
Temporary S&E controls will be employed during construction to help prevent sediment transport from the site until construction is complete and permanent cover is established. The construction areas are to be surrounded by geotextile sediment filter fence that will be fortified with staked hay bales or straw wattles upgradient of the off-site wetland pocket near the northwest corner of the property. A construction entrance has been provided at the site entrance on Country Squire Drive. Temporary topsoil stockpile areas have been provided throughout the project site, which will be encircled with sediment filter fencing. Inlet protection has been provided at each drainage inlet to trap and prevent sediment from entering the storm drainage system during construction. The S&E controls are to be modified by the contractor with the changing grades on site to ensure the protection of the surrounding areas.

The provided stormwater control measures include short-term erosion controls to be implemented during the construction phase and long-term total suspended solids removal from stormwater runoff for the completed project. These measures will serve to mitigate water quality impacts during construction and improve the quality of stormwater runoff from the site after the site is developed. The S&E Control Plan will provide protection of the existing receiving waters by limiting sediment transport to areas downgradient of the site during construction and until the site is permanently established. These measures, along with periodic maintenance, will serve to maintain the water quality of the stormwater runoff from the proposed project.

The proposed design includes measures to prevent hazards inherent to open excavation areas and steep slopes of loose earth. The site plans show the final landscaping and seeding plan for the development. Temporary vegetative cover shall be established on all unprotected areas where final grading has been completed and on areas where the estimated period of bare soil exposure is more than 30 days. The construction entrance shall be inspected each day and damages immediately repaired to reduce the tracking of sediment off site onto paved surfaces. The temporary soil stockpiles shall be surrounded by silt fence and inspected at the end of each workday and immediately repaired.

All earthwork activity shall be conducted in accordance with S&E control requirements in the Cromwell Zoning Regulations.

Attachments



0 450 900 1,800 Feet



**ANTICIPATED TRUCK ROUTE FOR CONSTRUCTION & EARTHWORK OPERATIONS**

**Proposed Multi-Family Residential Development  
150 Country Squire Drive  
Cromwell, Connecticut**

RECEIVED FOR RECORD  
Aug 10, 2018 08:52A  
JOAN AHLQUIST  
TOWN CLERK  
CROMWELL, CT

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

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

**Absent:** Nicholas Demetriades, John Keithan (alternate)

**Also Present:** Director of Planning and Development Stuart Popper, Development Compliance Officer Bruce Driska, Town Council Liaison James Demetriades

**1. Call To Order**

The meeting was called to order by Chairman Kelly at 7:03 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 Paul Cordone.  
*All in favor; motion passed.*

**4. Approval of Agenda**

Michael Cannata made a motion to accept the amended agenda as presented; Seconded by Jeremy Floryan. *All in favor; motion passed.*

**5. Public Comments**

There were no public comments.

**6. Development Compliance Officer**

Mr. Driska referenced his report in the Commissioners' packets and asked if there were any questions or comments. He said that work at 120 County Line Drive was progressing, specifically the installation of infrastructure, stormwater management and stabilization mats. He said that work at 11 Progress Drive was progressing, as was construction at ShopRite. He said that the TPC project remained on schedule.

**7. Town Planner Report:**

Mr. Popper told the Commission that there were many new applications to accept and schedule. He said that the Wetlands Agency had approved the plan to rebuild Hoffman Pond as well as the application to relocate and expand the detention basin at Cromwell

Commons for the purposes of constructing a new Starbucks between Baci Grill and Burger King.

There was a brief discussion regarding whether sidewalks would be extended along Willowbrook Road as part of the pond project. Chris Cambareri and Chairman Kelly cited the need for them, saying it was a safety issue. Mr. Popper said they were looking for funding sources and Chairman Kelly said she had brought the issue to the Town Manager's attention.

Mr. Popper said that Covenant Village was continuing to work on modifying their master plan and he thought they might present an application to the Commission in September.

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

- 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 accept Application #18-49 and schedule it for a public hearing on September 4, 2018; Seconded by Paul Cordone. *All in favor; motion passed.*

- b. Application #18-51: Request for a Special Permit under Section 3.3.C.4 and 6.11 of the Zoning Regulations to permit the operation of Marijuana Dispensary at 4 Willowbrook Road. Curaleaf is the Applicant and Willowbrook Plaza LTD Partnership is the Owner.

Chris Cambareri recused himself from considering Application #18-51.

Michael Cannata made a motion to accept Application #18-51 and schedule it for a public hearing on August 21, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed (Chris Cambareri abstained).*

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

Michael Cannata made a motion to accept Application #18-52 and schedule it for a public hearing on September 18, 2018; Seconded by Jeremy Floryan. *All in favor; motion passed.*

- d. Application #18-53: Request to modify the Site Plan to add a Temporary construction office trailer, storage trailers and dumpsters at 161 Berlin Road. G.M. Crisalli & Associates is the Applicant and Infinity Cromwell Properties Limited Partnership is the Owners.

Michael Cannata made a motion to accept Application #18-53 and to consider it as a business item at tonight's meeting; Seconded by Ken Slade. *All in favor; motion passed.*

- e. Application #18-54: Request for a Special Permit under Section 3.3.C.4 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 accept Application #18-54 and schedule it for a public hearing on September 18, 2018; Seconded by Paul Cordone. *All in favor; motion passed.*

- f. Application #18-55: Request for a 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.

Michael Cannata made a motion to accept Application #18-55 as a business item to be considered on September 18, 2018; Seconded by Chris Cambareri. *All in favor; motion passed.*

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

Michael Cannata made a motion to accept Application #18-56 as a business item to be considered on September 18, 2018; Seconded by Chris Cambareri. *All in favor; motion passed.*

#### **9. New 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 LLC is the Owner.

Mr. Popper asked the Commission to table Application #18-41 as he expected revised plans to be submitted in response to the Town Engineer's comments. He said the application would be considered on August 21, 2018 if the applicant was ready to proceed.

Michael Cannata made a motion to table Application #18-41; Seconded by Chris Cambareri. *All in favor; motion passed.*

- b. Application #18-53: Request to modify the Site Plan to add a Temporary construction office trailer, storage trailers and dumpsters at 161 Berlin Road. G.M. Crisalli & Associates is the Applicant and Infinity Cromwell Properties Limited Partnership is the Owners.

Todd Gerbsch, G. M. Crisalli & Associates, Inc., presented the application. He said that they were seeking approval to place storage trailers and a dumpster enclosure at the Wal-Mart property for use during the renovation. They were planning to remove the VCT flooring and then grind and polish the concrete. The dumpster area would have green screening around it. An office trailer would be located up against the garden center in order to supply power to it. He said that the work hours would be between 9 p.m. and 7 a.m. and would begin on August 19, 2018 and proceed for twelve weeks until November 8, 2018. The grand re-opening was slated for November 9, 2018.

Michael Cannata asked about the potential noise involved in dumping the construction debris, citing the abutting residential neighborhood to the rear. He said that a condition of approval should be authorizing town staff to address any noise complaints by modifying work hours as necessary. Mr. Gerbsch said debris would be removed from the store around 6 a.m. and showed the location of the dumpster, which was to the front of the building towards Berlin Road. He said the work was being done as part of the rebranding and re-signing of the store.

Mr. Popper said that the application for site plan modification allowed for enforcement in the event of problems via fines for violations. Mr. Driska said that the two Conex storage boxes by the Garden Center needed to be removed prior to beginning work, as a condition of approval. He also reviewed the parking schedule contained in his August 7, 2018 memorandum.

Michael Cannata made a motion to approve Application #18-53: Request to modify the Site Plan to add a Temporary construction office trailer, storage trailers and dumpsters at 161 Berlin Road, with the condition that work be completed and items removed by November 10, 2018, and that the two Conex boxes be removed prior to beginning work; Seconded by Chris Cambareri. *All in favor; motion passed.*

#### 10. Public Hearings:

Chaiman Kelly read the legal notice.

- a. Application #18-42: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sales of alcoholic beverages at 51 Shunpike Road. David Trembly is the Applicant and HBN-CSC LLC C/O HB Nitkin Group is the Owner.

Mr. Popper said that the hearing would be rescheduled and re-noticed for August 21, 2018. No action taken.

- b. Application #18-48: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sales of alcoholic beverages at 136 Berlin Road. William Chen is the Applicant and TNO Cromwell LLC is the Owner.

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

William Chen presented the application for his new restaurant, Mizzu Asian Bistro and Hibachi, which was being located at the site of the former Oyama. The restaurant would feature Chinese, Japanese, and Thai cuisine. He said that he had restaurants in Connecticut and Massachusetts, two of which were in Wethersfield on the Silas Deane Highway. He was requesting a full liquor license. He planned some renovations to the interior and said the bar would be a separate from the dining room. The hours would be 11:30 a.m. to 10 p.m. Sunday through Thursday and 11:30 a.m. to 11 p.m. Friday and Saturday. He planned to open in mid September.

Mr. Popper said that Commission approval was needed before Mr. Chen could apply to the state for a liquor permit. He said that Mr. Chen's restaurant group was well known. Mr. Popper asked about signage and Mr. Chen said that the sign would be the same size and in the same location as the current sign, but he was not using the existing sign frame.

There were no public comments.

Michael Cannata complimented Mr. Chen's restaurant in Wethersfield.

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

Michael Cannata made a motion to approve Application #18-48: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sale of alcoholic beverages at 136 Berlin Road; Seconded by Ken Rozich. *All in favor; motion passed.*

#### 11. Approval of Minutes:

- a. April 3, 2018: Michael Cannata made a motion to accept the minutes as presented; Seconded by Brian Dufresne. In favor: Michael Cannata; Chris Cambareri, Jeremy Floryan, Paul Cordone, Brian Dufresne, David Fitzgerald. Abstained: Chairman Kelly, Ken Rozich. *Motion passed.*
- b. June 5, 2018: Michael Cannata made a motion to accept the minutes as presented; Seconded by Jeremy Floryan. In favor: Michael Cannata, Chris Cambareri, Jeremy Floryan, Ken Slade, David Fitzgerald. Abstained: Chairman Kelly, Ken Rozich, Brian Dufresne, Paul Cordone. *Motion passed.*




c. June 19, 2018: Michael Cannata made a motion to accept the minutes as presented; Seconded by Brian Dufresne. In favor: Chairman Kelly, Michael Cannata, Chris Cambareri, Jeremy Floryan, Ken Slade. Abstained: Ken Rozich, Brian Dufresne, Paul Cordone, David Fitzgerald. *Motion passed.*

d. July 17, 2018: Michael Cannata made a motion to accept the minutes as presented; Seconded by Jeremy Floryan. In favor: Chairman Kelly, Michael Cannata, Jeremy Floryan, Brian Dufresne, Paul Cordone, David Fitzgerald. Abstained: Chris Cambareri, Ken Slade, Ken Rozich. *Motion passed.*

12. **Commissioner's Comments:** Chris Cambareri complimented town staff as he had been told by various businesspeople that the Cromwell Planning and Development office was easy to work with. Chairman Kelly, Michael Cannata and Brian Dufresne said they had heard similar sentiments.

13. **Adjourn:** A motion to adjourn was made by Michael Cannata. Meeting adjourned at 7:51 p.m.

Respectfully submitted,

  
Julie C. Petrella  
Recording Clerk

RECEIVED FOR RECORD  
Aug 24, 2018 09:14A  
JOAN AHLQUIST  
TOWN CLERK  
CROMWELL, CT

**TOWN OF CROMWELL  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
7:00 PM TUESDAY AUGUST 21, 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 Slade, Ken Rozich, Paul Cordone, David Fitzgerald (alternate), John Keithan (alternate)

**Absent:** Chris Cambareri, Nicholas Demetriades, Brian Dufresne

**Also Present:** Director of Planning and Development Stuart Popper; Development Compliance Officer Bruce Driska, Town Engineer Jon Harriman, Town Council Liaison James Demetriades

**1. Call To Order**

The meeting was called to order by Chairman Kelly at 7:02 p.m.

**2. Roll Call**

The presence of the above members was noted.

**3. Seating of Alternates**

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

**4. Approval of Agenda**

Mr. Popper added under New Business as Item C: Request for Release of Bond in the Amount of \$10,883.98 for Phase 1 of Northwoods Estates by Northwoods of Cromwell, LLC.

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.

**6. Development Compliance Officer**

Mr. Driska referenced his report in the Commissioners' packets and asked if there were any questions or comments. He said that work at the TPC was progressing on schedule and that the clubhouse and utilities were under construction. The slope had been stabilized and erosion and sedimentation controls installed. He said that work at 120 County Line Drive was progressing as well, with concrete beginning to be poured at the site.

**7. Town Planner Report:**

Mr. Popper told the Commission that there were no new applications to accept and schedule. He said that tonight's public hearing on the Nike Site applications would be continued to Tuesday, September 4, 2018, and that a Special Meeting would be held on September 20, 2018 in lieu of the September 18, 2018 regular meeting.

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

**9. New 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 as they were still waiting on additional information from the applicant.

Michael Cannata made a motion to table Application #18-41 to September 4, 2018; Seconded by Ken Slade. *All in favor; motion passed.*

- b. Application #18-46: Request for Site Plan Approval for a Planned Multifamily Residential Development at 50 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.

- c. Request for Release of Bond for Phase 1 of Northwoods Estates in the amount of \$10,883.98.

Mr. Popper said that Town Staff have reviewed the request and were in agreement with the request. Mr. Harriman said he agreed with the request.

Michael Cannata made a motion to release the bond for Phase 1 in the amount of \$10,883.98; Seconded by Ken Rozich. *All in favor; motion passed.*

**10. Public Hearings:**

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

- a. Application #18-42: Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sales of alcoholic beverages at 51

Shunpike Road. David Trembly is the Applicant and HBN-CSC LLC C/O HB Nitkin Group is the Owner.

Michael Cannata made a motion to open the public hearing for Application #18-42; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Barry Arpaia represented the applicant, Barb's Pizza. He said that they were moving their location from 199-Shunpike Road to 51 Shunpike Road, in the corner, next to the Dollar Store. They would have a party room and serve beer and wine. They will have more parking, including spaces in the back for the party room. Mr. Arpaia reviewed the site plan for the Commission, noting the entrance, exit, parking area, and lighting. He said that they will offer curbside service for families with children. He said that the parking area already exists but that no one knows its back there. It can be accessed by driving around the bank.

The hearing was opened to the public.

Ann Lohrand asked why she received the certified mailing. Mr. Popper said that abutting property owners within 100 feet had to be notified as part of the Special Permit application process.

Michael Cannata made a motion to close the public hearing for Application #18-42; Seconded by Ken Rozich. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-42; Request for a Special Permit under Section 7.5.B.4 of the Zoning Regulations to permit a restaurant with the accessory sale of alcoholic beverages at 51 Shunpike Road; Seconded by Paul Cordone. *All in favor; motion passed.*

- b. Application #18-51: Request for a Special Permit under Section 3.3.C.4 and 6.11 of the Zoning Regulations to permit the operation of Marijuana Dispensary at 4 Willowbrook Road. Curaleaf is the Applicant and Willowbrook Plaza LTD Partnership is the Owner.

Michael Cannata made a motion to open the public hearing for Application #18-51; Seconded by Jeremy Floryan. *All in favor; motion passed.*

Attorney Michael Romano, representing the applicant, said they were seeking a Special Permit for a medical marijuana dispensary at 4 Willowbrook Road per Sections 3.3.C.4. and 6.11 of the Zoning Regulations. He said that James Cassidy would discuss the site location, improvements, traffic impact, and site suitability. Greg Schaan would then review the state's legal requirements, operations, security, and public safety matters.

James Cassidy, P.E with Hallisey, Pearson and Cassidy Engineering Associates, 630 Main Street, Cromwell, began by submitting the affidavit regarding the sign posting and notification to the 100' abutters. He reviewed the existing site photo, saying it was a quarter acre parcel on the easterly side of Willowbrook Road in the Highway Business

Zone and north of Willowbrook Plaza, which contains retail, restaurants, and personal service shops. He reviewed the site plan, showing a one story building 2,600 square feet in size. He said it was previously used as a Liberty Bank and then by Xfinity as a customer service center.

He described the proposed use as per Department of Consumer Protection regulations, which requires a licensed pharmacist to dispense the medications and patients needing a card to enter. The medicine is kept in locked storage, which is not visible to patients. The building is staffed by a security guard. Patients are limited in quantities they can obtain and all use is off site. Medicine is dispensed in childproof packaging. He said that the applicant needs a license from the state to operate, but must first get a permit from the town to even be eligible for the state license.

He reviewed the parking plan and said there were no changes to the exterior of the site. He said there were thirteen spaces in front and two handicapped spaces to the side. He said they used two different uses to calculate the parking requirements – retail and medical use – based on square footage of the building. He said they calculated a need for 10.1 spaces and were proposing 15, which exceeded the requirement. He said the trip generation manual did not list this specific use, so they used retail. He said that there was no adverse impact on traffic as the past uses generated more trips. He said the dispensary would see about 60 to 80 patients per day, which was less than retail use.

Greg Schaan, representing Curaleaf, 100 Grist Mill, Simsbury, said that the use was highly regulated by the state and referenced strict requirements for labeling, inventory, and regular inspections. He said the state was issuing more licenses this fall. There were nine currently and three to ten more to be licensed out of 73 pending applications. He said that the additional licenses would make the medicine more accessible and prices more competitive. He said that there are about 27,000 patients and 940 certifying physicians, and more were being added each month in the state.

He said patients need a card from the state, which is renewed annually for \$100. Patients must choose 1 dispensary, can only obtain 2.5 ounces per month, although there is no monthly limit for visits. Pharmacists are licensed by the state and medicine dispensed in child proof packaging. Hours would be 10 a.m. to 7 p.m. Monday through Saturday and 12 p.m. to 5 p.m. on Sunday. They planned to hire fifteen employees, which 7-8 working at a time. He said they would hire Cromwell residents, if qualified, and that patient volume is about 5-6 per hour.

Mr. Schaan spoke about public safety next. He said that prior to opening, they conduct site tours and information sessions for fire and police and solicit feedback from public safety teams. They introduce the security team and provide copies of their policies and procedures to both the police and fire chiefs.

He said that they have an armed guard on premises, as well as security cameras, and utilize identification badges. Patients need a card to gain access, and must show their identification to get in. Visitors need 24 hour notice prior to entry, so they can be vetted by

the state, and must be escorted at all times while at the dispensary. Employees must all undergo a background check. He showed photos of the typical layout. No medications are on display. He reviewed the typical dispensing procedure. He said there is a menu board in the consulting area. A pharmacist then goes to the secure storage area to obtain the medicine for dispensing. He reviewed the building rendering as well.

James Cassidy showed the 250' radius showing surrounding uses: Fox Meadows condominiums, Cromwell Hills condominiums, Cromwell Plaza, and the newer building across the street, which has a counseling service, dentist office, and vacant retail spaces.

He reviewed the Special Permit criteria, saying the plan met the goals of the Plan of Conservation and Development, by utilizing an existing developed site, expanding the economic base as this would be the only dispensary in Middlesex County, drawing customers from other areas, employing Cromwell residents, and enhancing the customer base for existing businesses. He said it was a suitable location in the Highway Business zone, which includes both retail and medical offices. He said that there were appropriate improvements, with no renovations planned other than the elimination of the drive through. No new lighting was proposed, as the two lights on site are adequate. Parking is adequate.

He said that there were appropriate conditions on site, noting the circular driveway, with no changes to traffic circulation. There are adequate public utilities, such as water and sewer, with no increase in impervious coverage. He said that it met the environmental criteria by using an already development site, instead of a vacant one. He said that the application was proposing a long term use of the site as the need for this is growing. He said that Curaleaf had been operating in Simsbury since 2014 and would be making a long term investment in both the site and community.

The hearing was opened to public comments and those in opposition spoke first.

Helen Barnaby, 21 Sunridge Lane, said she opposed the dispensary. She asked if the armed security guard was present 24 hours a day. She said that monies obtained by the dispensary are not allowed to be deposited in federal institutions. She was worried about crime and concerned about the traffic from Berlin Road. She said that she did not have an issue with the dispensary itself. She said that patients are unlikely to spend money anywhere else and this won't increase revenues to town.

John Syc, 6 Hemlock Court, spoke in opposition. He said that this is a Schedule 1 drug and federal laws trump state laws. He said the use can still be punished via the federal system and that Cromwell is taking a risk without this use being fully legalized. He said that this would hurt the surrounding businesses because people would avoid the area. It was too close to residential areas and approving this would not send a good message to children.

Jill Salafia, 60A Willowbrook Road, said she was opposed. She said she was sympathetic to the need, but that this was not the proper location. She wanted it placed in an industrial area like other towns. She noted the proximity to residences, including 600 condos and 100 homes in area. She said that this sends a contradictory message to children regarding drugs

and would be a detriment to the town's image. She wanted Curaleaf to provide a property valuation.

John Salafia, 60A Willowbrook Road, said he was not against people fighting diseases or against the owners of plaza. He said it was an issue of questions and unknowns. He said Cromwell would be in the 10% minority of towns if they have a facility. He said that there were lots of children in the nearby condos and homes, and said it was an issue of property values and the character of street. He was concerned about the cash basis of the operation and potential credit/borrowing issues. He was concerned about this use opening up the town to recreational use. He feels that this application is being hurried through and wants the applicant and town to work with the citizens on locating the dispensary elsewhere, such as an industrial area.

Anthony Ricciuti, 15 Wynwood Drive, opposed the location because of its proximity to families and children, and because of the amounts of cash on premises. He was concerned about illegal/street uses and the possibility of resale. He said other locations might be better, such as an industrial area, and said that this location was within 1000 feet of a place of worship.

Caroljoyce Cannito, 3 Blackhaw Drive, said she was an educator in the Cromwell schools. She was concerned for the patients arriving and leaving via Route 372/Berlin Road because of traffic. She asked why they did not pick a location closer to an emergency room or hospital. She said that children don't understand the medical use. She said this location was too close to a religious facility and residences. She said an emergency clinic elsewhere (such as Berlin Road) was a better location. She said that this doesn't fit the character of the town.

Bill Sullivan, 2 Millennium Drive, spoke in opposition. He was concerned about possible mistakes such as dropped medications. He noted the amount of children in the area and said that a bus stop might be located in the immediate vicinity. He said that another area of town would work better.

James O'Toole, 35 Chestnut Court, said marijuana is still illegal per the federal government, and this would be a criminal enterprise operating within the residential area. He said getting a card is easy and recreational use was possible. He said that some users could be felons on parole. He doesn't see people spending money in town as a result of this.

Barbara Cote, 68 Washington Road, said she didn't agree with the location. She said that the card was easy to get. She said this was a poor location and an industrial area would be better. She said that this is not a good fit for town, that traffic in the area is difficult, and that other things would be more beneficial for the town.

Debbie Doll, 20 Glenview Drive, said she was concerned about the armed guard and a possible incident resulting in kids getting shot. She agreed with other speakers. She said she was sympathetic to users. She said she was concerned about traffic, and the dispensary

should be closer to hospital, not residences.

Michael Nearing, 19 Sunridge Lane, said he was opposed to the location, not the marijuana, and was in agreement with the previous speakers.

Kathleen Landraitis, 25 Valley Run Drive, said she doesn't need weed around her. She was concerned about property values and agreed with the previous speakers. She was concerned about traffic. She said this use should be in an industrial park.

Brice Stroneski, 120 West Street, said he agreed with previous speakers. He was concerned about people leaving the facility being followed and robbed.

Mr. Popper summarized a number of letters submitted in opposition:  
Irene Childs, 51 Woodbridge Lane, saying this use should be in an industrial area.

Rosalyn Greenberg, 8 Redwood Court, saying this use should be in a commercial area instead of near residences.

Lori Fortenbach, 8 Amy Lane, saying this use will cause more traffic. She said this is a bad location and could lead to criminal activity.

Mr. Popper also summarized several letters in agreement with the application.

Jennifer Beck, 62 Franklin Road, said that she is a user and currently goes to Hartford. She said this service is needed in town and should be located near other businesses, not off in an industrial park.

Steven R Bulmer, 18 Ranney Road, said Curaleaf has a solid track record in Connecticut and a dispensary would provide relief to suffering patients.

Joni Miller Greene, 17 Pheasant Run, said this would be a licensed facility that is closely monitored, not a place for junkies.

Gaia McDermott, 28 Valley Run Drive, wrote a letter in support, with similar sentiments.

Chairman Kelly opened up the hearing to public comment by those in agreement with the application.

Matthew Long, 120R Washington Road, said he was a member of the Assessment Board of Appeals and that the owners have had a hard time getting at tenant. He said that this is a legal, valid business use, is an extremely regulated use, and is greatly needed in town and in a good area, that being the highway business zone. He said that this would increase the grand list and help people in town.

Mary Brown, 2 Brookview Road, said she was a chronic pain patient. She did not want to be treated as a criminal and hidden away. She said it was okay for children to see people



disabled and struggling and she would be happy to speak at the schools about this topic. She said she has to go to Hartford for medicine and doesn't have help and it is very difficult, especially in the winter. She said people cannot understand this topic until they have experienced it.

Gabriella Rodriguez, 3 Mann Memorial Drive, said she saw dispensaries in Colorado, nearby schools, residences, and churches. She said children knew and understood the use. She said there is too much fear and miscommunication about users. She said painkiller overdoses are increasing because of their accessibility. She said that we need to communicate with children and the community to change the stigma. She said that Cromwell should set an example and be that change.

J.C. Long, 120R Washington Road, said that a Schedule 1 drug, by definition, has no medical use, but that the previous speakers are telling us that there is a medical use. The likelihood of federal intervention is low and kids need to learn from their parents about this use of the drug.

Roger Thompson, 16 A Country Squire Drive, said that he works with the Fire and EMS service. He said that the security guards are not visible in the clinics. He said he uses it for PTSD and drives to Hartford, which is inconvenient and costly. He said users are incorrectly labeled as criminals and that it is not that easy to get card. He said overdoses are from alcohol and opioids, never from marijuana. He said elderly persons use banks and no one monitors them for safety.

Heidi Stergos, 16 Hicksville Road, said she opposed this location within a strip mall.

Tim Griffin, 95 Willowbrook Road, said he was neither for nor against the application. He asked if this was just for medical use. Mr. Popper said that the title, "Marijuana Dispensary" is patterned after the language of the state statutes, which does not use the word "medical". He asked about the menu versus a prescription.

Greg Schaan addressed the public comments. He said that they have been using banks chartered in Connecticut during the past 4 years and make daily cash deposits.

He addressed the legality, citing the 10<sup>th</sup> Amendment where states can legislate themselves. He said that this is a Schedule 2 drug, not a criminal enterprise. He said patients get prescriptions and are certified by a doctor, then must apply to the state, which conducts a background check, and pay the \$100 yearly fee. They then consult with pharmacists who dispense based on preferences.

The hearing was opened to Commissioner comment.

Michael Cannata asked for a breakdown of products dispensed. Mr. Schaan said that half is via the flower, which is smoked, and the other half is either oils which are vaped or smoked in e-cigarettes or edibles, such as cookies and crackers.

Jeremy Floryan asked about a database to determine which facility patients use. Mr. Schaan said that the card issued by the state assigns the dispensary. To change, you have to file a request with the state.

David Fitzgerald asked about incidents of people dropping medication in the parking lot. Mr. Schaan said he was unaware of any incidents. He said that by law, the medicine has to be consumed in a private place, not a parking lot, car or public place. Otherwise, a patient's card will be revoked.

Chairman Kelly asked about the security process. Mr. Schaan said that patients are buzzed in and must show a card to verify their identity. The doors locks behind them and they are buzzed through to a second door. Incoming and outgoing patients are separated. Patients are buzzed out and the entire premises is under surveillance by security cameras. Anyone sitting in their car will be approached by a security guard. He said that the security guards are generally not visible and located in the security room.

Mr. Popper said that Chief Lamontagne had reviewed the detailed security plan and had no comments. Fire Chief Michael Terezio had no reservations from a firefighting perspective. He said that, if approved by the Town and State, the applicant would need a building permit, and plans would be reviewed by the building officials and fire marshal.

Chairman Kelly asked that the logo be removed from the building and only a small logo be placed on the door. The applicant agreed. He also agreed that the drive through would not be used.

David Fitzgerald asked about the traffic study. Mr. Cassidy said that there was no trip generation data, but the usage was less than the bank and customer care facility. He said that improvements to Willowbrook Road were based on trip counts that considered an occupied, not vacant, building. Mr. Harriman agreed with that statement.

Michael Cannata said that the town must be forward thinking. He said medical marijuana doesn't deserve such stigma and the medical uses outweigh the concerns. He said people should be more concerned about kids picking up medications in the parking lots of other pharmacies, such as those in the grocery store, as those do not have the same level of security and inspection. He said that he fully supports the application and cited friends that use for medical reasons. He said that the product has been around for hundreds of year and is truly medicine.

Chairman Kelly also spoke in favor, citing personal experiences within her family. She said that until you have someone in your family in pain, you cannot understand the necessity for this use. She did not agree with the concerns that the dispensary will have an impact on children in the area.

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

Michael Cannata made a motion to approve Application #18-51, Request for Special Permit under Section 3.3.C.4 and 6.11 of the Zoning Regulations to permit the operation of a Marijuana Dispensary at 4 Willowbrook Road, with the condition that the existing sign be eliminated from the site; Seconded by Jeremy Floryan. *All in favor; motion passed unanimously.*

c. Application #18-43: Request for a Special Permit under Section 8.7 of the Zoning Regulations to amend the Master Plan for 150 Country Squire Drive. Cromwell Village Associates, LLC is the Applicant and Country Squire Site LLC is the Owner.

d. 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 Site LLC is the Owner.

e. 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 open the public hearings for Applications #18-43, 18-44 and 18-45, and to consider 18-46 under New Business, Seconded by Jeremy Floryan. *All in favor; motion passed.*

Attorney Joseph Williams, Shipman & Goodwin, representing Cromwell Village Associates, LLC, introduced himself, Tom Daly, PE with Milone and MacBroom, Mark Forlenza, and Kwesi Brown, Traffic Engineer with Milone & MacBroom. He submitted the Certificate of Mailing and Affidavit regarding the sign posting. He began by reviewing the project history, saying that the zone change at 150 Country Squire Drive to a PRD had twice been approved. The master plan that was approved on November 9, 2017 was for 160 apartment homes in 7 buildings. The Commission has previously found the plan to be consistent with the zoning regulations, Plan of Conservation and Development, and protected public safety, health and property values. He submitted the November 9, 2017 meeting minutes in to the record. He said that this was the second part of the process.

The applicant amended the master plan to make a few minor tweaks to the height and length of the buildings, but there were no changes to the number of buildings or apartments.

He referenced his detailed letter summarizing the applications and their compliance, as well as an updated impact study, narratives for the overall project, stormwater management, earth removal, and the traffic study. He said approvals were received from Inland Wetlands on July 12, 2018 and from CWPCA on July 9, 2018.

Tom Daley, PE, Milone & MacBroom, civil engineer and landscape architect, reviewed the existing conditions map of the 8.75 acre site via an aerial photograph and reviewed the property abutters. He played a drone video of site as an overview and to show topography. He reviewed the existing conditions survey, and said wetlands were offsite,

and that the site was previously used for military purposes.

Mr. Daly said that the impact analysis was largely unchanged and had been redlined to show changes in regards to fiscal, public safety and traffic, cultural, aesthetics, heritage, natural resources, but there were no changes to overall impact. He said they were proposing some architectural changes. He reviewed the layout of the approved master plan. He said that the amended master plan had the same orientation. Building 1000 was being pushed back away from the road to build a cul de sac to accommodate a snow plow. Buildings 2000 and 4000 were revised to be just two stories, instead of a 2-3 story split, and made longer. Building 6000 was still three stories, but smaller. The overall density remains the same. Five garages for residents were added. The amended plan was still compliant with the zoning regulations. He showed an overlay of the two master plans for comparison. Mr. Daly said that a denser evergreen buffer had been added along the easterly boundary and the elevation of road closest to property frontage lowered. He said that they have committed to looping the water system after meeting with the Water Department. Amenities around the pool had been delineated as well.

Paul Cordone asked about the water system looping. Mr. Daly said they were working out the details. He said that the revised plans will show a water main in the emergency access to Evergreen. He clarified that it will just be for fire protection.

Michael Cannata asked if the garages were in addition or in place of the parking spaces. Mr. Daly said that the total parking space count included the garages.

Chairman Kelly informed the public that they would only be reviewing the application for the master plan amendment tonight.

James Demetriades asked the Commission to distinguish the master plan for the public.

Tom Daly reviewed the proposed changes to the building lengths and heights. He said that there were no additional impacts as a result.

Attorney Williams said that the remaining speakers would address the Commission on September 4, 2018 and Mr. Daly would discuss the earth removal proposal at the time as well.

The hearing was opened to public comment.

James Demetriades, 7 Bonnie Briar, said he was concerned about the overall density of the master plan, and asked if it is in line with the overall vision for mixed use and commercial development, and questioned the livability factor. He said that this development's density would be different from the surrounding properties, such as Fox Meadows. Mr. Popper said that during the PRD application, the applicant reviewed the adjoining density areas and the applicant could bring that information to the next meeting for review. He said he believed it was comparable.

Barbara Cote, 68 Washington Road, asked if this development was necessary for the town. She said that 160 units would have a big impact on the school system. She said that renters don't pay taxes and that the property taxes paid by the property owner were not the same thing. She said it could be a lot of kids and a large traffic impact. She was concerned that there isn't a master plan regarding how much more housing, especially apartments, can be built.

Attorney Williams said that the Commission had already approved the master plan and they were proposing very little change to it. He said that the amended master plan meets all the requirements of the PRD zone. He reviewed the summary of changes.

Michael Cannata said that he remembered the density being somewhere in the middle of those around it.

Mr. Popper said that the staff comments he received were not regarding the master plan modification.

Michael Cannata made a motion to close the public hearing on Application #18-43; Seconded by Ken Rozich. *All in favor; motion passed.*

Michael Cannata made a motion to approve Application #18-43: Request for a Special Permit under Section 8.7 of the Zoning Regulations to amend the Master Plan for 150 Country Squire Drive; Seconded by Ken Rozich. *All in favor; motion passed.*

Applications #18-44, 18-45, and 18-46 were continued to September 4, 2018.

**11. Approval of Minutes:**

- a. August 7, 2018: Michael Cannata made a motion to table the minutes; Seconded by Ken Rozich. *All in favor; motion passed.*

**12. Commissioner's Comments:** None

**13. Adjourn:** A motion to adjourn was made by Michael Cannata. Meeting adjourned at 9:59 p.m.

Respectfully submitted,

  
Julie C. Petrella  
Recording Clerk