

NEWINGTON TOWN PLAN AND ZONING COMMISSION

January 14, 2009

Regular Meeting

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:30 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

I. ROLL CALL

Commissioners Present

Commissioner Casasanta
Commissioner Ganley
Chairman Hall
Commissioner Kornichuk
Commissioner Pane
Commissioner Pruett
Commissioner Schatz
Commissioner Camerota
Commissioner Niro

Staff Present

Ed Meehan, Town Planner

II. PUBLIC HEARINGS

A. PETITION 48-08 Newington Plan and Zoning Commission applicant, 131 Cedar Street, Newington, CT 06111 Attention: Edmund Meehan, Town Planner, request for Zone Regulation proposed Section 6.13 Accessory Apartments, permitted in R-20 and R-12 Zone Districts by Special Exception. Continued from December 10, 2008.

Chairman Hall: This is a continuation, most of us were at that December 10th meeting, and this is to give those who weren't here an opportunity, as well as any of the public that may not have been able to make it at the December meeting. Ed, do you want to start?

Ed Meehan: I have no additional correspondence to put into the record this evening, nothing has come in. There was a press release finally in the Courant this morning on this. For the record, at the last public hearing, back on December 10th, we put into the record, Capital Region Council of Governments, inter-town referral, Central Connecticut Regional Planning Agency, inter-town referral, Newington Housing Authority comments from Chairman Steve Karp. That is the correspondence that we have received to date on this. I have no additional information to add to what has already been in the record.

Chairman Hall: Anyone from the public wishing to speak in favor of the petition? Anyone from the public wishing to speak in opposition to the petition? Please come forward, state your name and address for the record.

Jim Stawski, 84 Partridge Drive: Last meeting you had you read a very nice letter from I guess it was the Commission on Aging, and also there was a nice little talk from a woman from the Senior Center. I'd like to bring to your attention that these people, that is their job, to bring their agendas to your Commission here, whether they get paid, or are volunteer, that's their job. Now, if they

worked for Aetna or any other company, you would probably never hear of this. Now even though there is a long list of seniors that want to move into Newington, there are other facilities for this. We don't have to start corrupting our single family neighborhoods. You have a senior center, land was bought over here by the senior center, I think like five acres or something like that. It was bought for the specific use for senior housing. That should be developed for senior housing, not in our neighborhoods. There is also other land around that could be used for senior housing. You're corrupting the idea of single family homes. What would stop a developer from coming in and building a whole development of these homes? Now I just don't want to see Newington New Britainized. And that is what you are slowly doing. You are opening the flood gates, well, I shouldn't say flood gates, but you are opening up the idea of changing single family homes to two family homes.

Now, I live in a raised ranch, which for a minimum amount of money I could convert into a senior apartment. What is to stop me from getting a single woman with a child to rent my apartment? Then they get Section 8. Your proposals here, there is nothing in here to, for supervision on how this would be supervised and controlled. I told you last time I was here, I have a neighbor across the street, the mother-in-law passed on, and now it's being rented out, as a two family house. It doesn't do you any good to go over there to check the house out, because they are down in Florida in their condo, with the checks sent down to them. They are down there for the winter. This is going to happen to all of the neighborhoods. Now, at one time it was just limited to in-laws, now, I don't know what an in-law is considered, whether it's aunt, uncle, cousin, grand nephew, or what, any excuse can be made. Now it's opened up to just anybody. It's just not right, it's not right. Why don't you just do away with the R-20, R-12 single family and just open it up to any developer that wants to put in something. As I said, I just don't want to see Newington New Britainized.

Chairman Hall: Okay, thank you. Thank you for your thoughts. Anyone else wishing to speak in opposition to the petition? Anyone from the public wishing to speak, either for or against, but wishing to speak?

Discussion around the table on this, at this point? We've talked about this for several months, we've had two public hearings.

Commissioner Ganley: I think we could close the public hearing aspect of this. I don't know how much more we are going to get out of this to be very honest with you. We had a rather extensive public hearing the last time, as extensive as it should be, I don't know what else we can get out of this. No one has come up and dealt with some of the technical issues or their perception of what some of the technical issues ought to be, so I think we're in the proper forum, I would move to close the public hearing on this issue.

Commissioner Pane: I second it.

Chairman Hall: Other discussion? All right, seeing no discussion, at this point it is the consensus of the Commission, I believe, to close this. Is there anyone who feels strongly against that? I don't think so, we're all in agreement. So at this point I think we will close the public portion of Petition 48-08.

III. PUBLIC PARTICIPATION (relative to items not listed on the Agenda-each speakers limited to two minutes.)

None.

IV. MINUTES

December 10, 2008 – Special Meeting
December 10, 2008 – Regular Meeting

Commissioner Casasanta moved to accept the minutes of the December 10, 2008 Special Meeting and the December 10, 2008 Regular Meeting. The motion was seconded by Commissioner Schatz. The vote was unanimously in favor of the motion, with seven voting YES.

V. COMMUNICATIONS AND REPORTS

- A. Newington Park and Recreation Commission, proposed Badger Field concession stand and storage structure replacement – submitted for informational purposes.

Ed Meehan: In the packet the Commission members should have received a proposal that the Park and Recreation Commission is discussing, from Newington Little League. The Little League organization would like to replace the facilities at Badger Field and remove the existing concession stand by demolition, and replace it with a utility building in the same location. This is coming to you as informational, doesn't really rise to the level of an 8-24 referral because there is already a facility there, it's not a virgin piece of property, and there are no town funds involved in this, so what the Park and Rec Superintendent asked me to do is to bring this to you for your comments, that he will share with his board and with the folks at the Little League, so I've just given you the cover letter and the explanation of how this would be done. There would be some town department participation from our highway department who would help demolish the building and break it up and put it into dumpsters that the Little League will provide for them on the site. Other than that, the town doesn't have much participation, but the superintendent is interested in your comments on the building, the use, and any questions that you have. There is also an aerial photo in here, showing you where this is going to go. I would be happy to relay anything back to Bruce Till. Bruce Till is the new superintendent if you don't recognize his name, of Park and Rec.

Chairman Hall: I had a few. First of all, it was a little confusing on page one of his letter when he was talking about raising, r-a-i-s, instead of raze it, without a joke, I thought he was somehow going to build it up, and make it a tall structure. They are going to raze it, r-a-z-e, they are going to knock it down. My other concern was, I drove past, and you are going to see this building from the road, and it's going to look like a garage. It's going to look like a one car garage with an overhead door in plain view. I don't know what the purpose of that is. Can they flip it and have the door on the back so it doesn't look so much like a garage, and my other question, again, just a technical, I thought one of the main reasons for having a concession stand at these ball parks is to make some money. Why all of a sudden are they getting rid of this, at this field? I would think that would be a money-making operation, and now they are getting rid of it. Are you familiar with.....

Commissioner Pane: I'll have to agree with you, Madam Chairman. I think the building is still in good shape, and I don't understand what their reasoning is for getting rid of it. It's a facility where it stores, they announce out it on the second floor, and on the bottom floor is cooking facilities. I think it's a good facility for Newington Little League and they are not duplicating it, they are only putting in storage, and I don't understand why they are giving that up. I think that the facility is an asset to the Little League and to the kids in town, and I don't, I wouldn't agree with them demolishing it until I had further information from them on the reason why they want to demolish it.

Commissioner Pruet: I agree with Commissioner Pane. I've been down there too, and it serves its purpose. As we said, like he said, a retail function, great revenue, I've been in that building numerous times, it appears to be in good shape, I don't see any reason, they didn't state a reason why they want to go through with this. I would like to know why before I commented.

Chairman Hall: Any other comments. Well, we don't like the way it looks, we are wondering why it is happening, and just a few more questions that we would like answered.

Ed Meehan: I'll rely that to Parks and Rec.

Chairman Hall: Thank you.

B. Newington Town Council – 8-24 Referral proposed lease of Town property at Anna Reynolds School for cell tower use.

Ed Meehan: You should have that on your table. This is on the agenda, it is referred to you from the Newington Town Council. The town administration, actually led by the Newington Police Department has been in discussion with a company, Omnipoint Communications about the location of a cell tower monopole in the northwest corner of town. It's a service area that Newington PD would like to get additional coverage in, particularly along the Route 9 corridor. It would also improve coverage out towards Westfarms and into West Hartford. They looked at a couple of different sites and the site that is before you for your report to the Town Council is the area west of Anna Reynolds school. There is a ridge line, heavily vegetated area about 150, 170 feet off the southwest corner of the school, which has been identified as the optimum location, and that is being proposed for land lease to Omnipoint. It would be a 2500 square foot compound on the ground, 50 x 50, where they would locate their support services and it would be accessed by a drive from the parking lot which comes in right off of Reservoir. Omnipoint would be responsible for building a service drive, probably crushed stone into that site, and you can see in my staff report where we have been discussing with them the security of the site as far as making sure it's gated. This will probably have to go to the Newington Conservation Commission because either the service road or a part of the compound might be in the one hundred foot upland review area. Then lastly, when the drainage improvement work was done for Anna Reynolds last summer, the ridge line, in the vicinity of where this road is proposed to go in, was all blasted and the shot rock is still there. It was loosened and covered and hydroseeded. What the Board of Ed would like is if possible to carve six to eight spaces out of that entrance area. They have a tight parking situation, particularly when they have parent's events there. That is sort of the quid pro quo for this.

From a public safety point of view, Newington gets the top location for their facilities and there could be four other platforms that the vendor would lease. The lease arrangement as far as income to the town is being discussed through the town manager's office. It's a 148 foot monopole, that's pretty much it.

Commissioner Niro: What does it look like?

Ed Meehan: It's called a monopole, it's not a lattice work, it doesn't have guide wires, it's just one straight pole, and then it's got, at the top it's got different, up to four platforms.....

Chairman Hall: Like the one at the high school.

Ed Meehan: The one at the high school I think is 150, no, 190 feet. Much, another forty feet higher than this one would be.

Commissioner Pane: Maybe the Town Planner could fill us in, I thought the Town had their facilities at the high school pole with the other company, Marcus, I think it was called, so why does the town need to have their services on another pole?

Ed Meehan: It doesn't completely cover the whole geography of Newington, the Marcus pole.

Commissioner Pane: Really?

Ed Meehan: There is actually, the northwest corner I mentioned, and then there are spots down on the easterly side of Little Brook, over the back of Little Brook, because of the ridge line system, doesn't have good coverage. So the Marcus system doesn't provide the complete coverage for all of Newington.

Commissioner Pane: Does this complete it?

Ed Meehan: No, we still have the Little Brook area, which has got some dead spots, and far southeast corner, south of Kelsey, Orchard, down the Webster Brook section of town, there might be a need for better communication. There was a cell tower proposed down on Stamm Road to cover that area, but that has never been advanced.

Commissioner Pane: There are monthly payments to the town too?

Ed Meehan: Yeah, the number that I heard as being negotiated for starting number is \$1800.00 a month, lease cost to the town, and then for every additional vendor on the pole, the cost goes up,

Commissioner Pane: Cost, you mean income?

Ed Meehan: Income goes up for the town.

Commissioner Pane: Not a cost to the town?

Ed Meehan: Cost to the vendor, income to the town.

Commissioner Pane: So it's a rental income to the Town of Newington, starting at \$1800.00 and then each time they sign a new person on it would be an increase.

Ed Meehan: I think it goes up twenty percent, but that is still being negotiated. That will be something that the Town Manager will look into. That money goes into the town communication fund for radio replacement. It's a dedicated fund that the town, Board of Ed, Police Department use for all the radios. If this goes forward, the Board of Ed would certainly want to review this, Dr. Perlini has had some discussions with that group already, but because we haven't got the actual physical location ratified yet, he hasn't taken it much further than just informational.

Commissioner Ganley: Didn't we get any static from the neighbors who are abutting that school about this pole? There's a right of way as I remember, I can see it there. There is a utility right of way just to the west of the school property.

Ed Meehan: For Anna Reynolds?

Commissioner Ganley: Yes.

Ed Meehan: To the west is a pretty big chunk of wetlands, but to the further west there is the overhead utility.....

Chairman Hall: It goes two ways, it goes north and south, and east and west out there.

Ed Meehan: There is a CL&P right of way further to the west.

Chairman Hall: Well, it's a little past, I think it's Thornton comes out there.

Ed Meehan: It goes to the Cherry Hill substation.

Commissioner Ganley: The reason I raised, I don't know if we need a public hearing on this.

Ed Meehan: We don't usually have public hearings on 8-24 referrals.

Commissioner Ganley: And the Sitting Council.....

Chairman Hall: They will make up their own mind.

Ed Meehan: So it's really the location, there is nothing in the Plan of Development that addresses these types of uses, so it's more, is it consistent with what the Commission is seeing for private locations, there are two or three private locations in town, is it safe as far as the distance from the school, it's 170 feet so it's, so the so-called fall zone, it exceeds the fall zone.

Commissioner Ganley: How about guide wires that might be coming out.

Ed Meehan: There are no guide wires, it's just a monopole. It's a very cylindrical one.

Commissioner Pane: You could ask them to make it look like a tree if you want.

Ed Meehan: A 150 foot pine tree.

Chairman Hall: Except they look as fake as all get out. I've seen them all of the Henry Huchinson Parkway, you can pick them out, let's put it that way.

Ed Meehan: So that is it, there is a list of five suggestions for the Commission to think about. I haven't given you a hard motion on it because I didn't do a motion packet, but if you want to talk about it now, do something later, next meeting, whatever you want to do.

Commissioner Schatz: Any blasting involved in this thing?

Ed Meehan: I don't know yet, I don't know the answer to that. It's on a rock ridge that runs through there. Walking the site, you can see, it's very predominant along the west side of the school. There was quite a bit of blasting to get our drainage in, so there may be, depending on how they construct this, there may need to be some blasting.

Chairman Hall: Any other questions on this? I was involved with the one at the high school.

Ed Meehan: There are always aesthetic issues with these, and there is also public safety and public convenience side of it too, to consider.

Commissioner Schatz: Well if they are going to carve out X number of parking spaces, I mean, they are going to have to do it some way, with a chisel or

Ed Meehan: That's already been shot, that area is already rough graded. It's right on the right as you come in the driveway from Reservoir.

Commissioner Schatz: A number of years ago we had trouble with the septic tanks up in there.

Chairman Hall: Not just that, but that particular house that is just west of the driveway for years has had flooding problems, so that will have to be looked at because this looks to be directly behind that house, this new paved area.

Ed Meehan: It actually would be lower, that whole area I guess you would need to go out and see what has been done since last summer, all the drainage, there was a problem in Reservoir, has all been picked up, and there is a detention basin in this area now, this wetland area, a large detention basin, that in our last several heavy rains has worked very successfully so the water that was a problem out on Reservoir we think we have solved that, and the sheet flow off of all this rock is not going north any more, it's going back into this detention basin.

Chairman Hall: Good, because that would be important too.

Ed Meehan: It's not a lot of parking spaces, five or six spaces.

Chairman Hall: No, but still it's all paved, right?

Ed Meehan: Right now it's just grass, but.....

Chairman Hall: Their intention is to pave it.

Ed Meehan: They would put in bituminous, right.

Commissioner Ganley: They would go up the driveway, then there is no other access to maintenance, they would go up the school driveway with their trucks and equipment to get to the tower itself, it's not clear what is going to be there, some kind of a gravel road?

Ed Meehan: Yeah, it would be a gravel road. It actually looks like, this could be from kids in the neighborhood, there's almost like a walking trail through there that over the years people have used, this area looks as if it may have been clear cut twenty, thirty years ago and some second growth. The preference is to come in right off the drive way and through these new parking spaces, up into this compound area. One of the original thoughts was to go along the west side of the school, but that means they would have to, there is a gate up near that entrance, plus they would have to go by, there is some playground equipment down in here, we didn't want, they go in at least once a month. We didn't want that type of vehicle activity in there, so we recommended to Omnipoint that they segregate it.

Chairman Hall: What are these little circles?

Ed Meehan: That's a GPS points. We have like points out there, engineering plotter did that one.

Chairman Hall: Any other questions?

VI. NEW BUSINESS**A. PETITION 49-08- Lot 5 Costello Road, Raymond Gagnon applicant, 3287 Berlin Turnpike, Newington, Amigo Corporation, 299 John Downey Drive, New Britain, CT 06053 owner, represented by Alan Bongiovanni, BGI Lane Surveyors, 170 Pane Road, Newington, CT 06111, request for Site Plan Development, Section 5.3, 8,000 sq. ft. building, PD Zone district, Inland Wetlands Report required.**

Alan Bongiovanni: Good evening, for the record, my name is Alan Bongiovanni, representing Raymond Gagnon, on the application before you this evening. The subject property is Lot #5, Costello Industrial Park, it is at the northeast corner of the park. It is the last lot on the right. It's about 1.7 acres in the PD Zone. The applicant is proposing to construct an 8,000 square foot facility for his business. He is an electrical contractor by trade, but he has a specialty business. He does borings and footings for cellular towers and sports lighting. He has a special drill rig that drills up to eight foot in diameter up to one hundred feet deep into rock to accommodate footings for tall structures. Quite often his equipment is on the road for months at a time. He comes back on weekends because it is expensive to transport, and he works all over the northeast, so they line it up almost a year in advance and they travel from job to job to job. Right now he's working out at West Point and from there he goes to Manhattan, doing some sports athletic fields in Manhattan, and may not come back to the Town of Newington for a couple of months. But there are times he prefers to have some slow time in the winter so he can maintain his equipment. He has a crane, typical crane like you might see, over the road crane, solid boom that Northeast Utilities has comes to mind, not a sky scraper crane, but something that might have a seventy-five foot boom reach that is an over the road truck. He has his drill rig truck, as large a vehicle, as big as any tractor trailer that you could imagine that travels the highways. Along with that he has a flatbed truck. All of these vehicles are proposed to be stored inside the shop. There are occasions when these vehicles and some of his smaller vehicles, pick up trucks, rack body trucks, things like that, may be parked outside, but while the equipment is here, in town, and like I say, it's really occasional, for the most part it will be stored inside and all the maintenance will be inside of this building. The building has been designed to accommodate his largest vehicles that he owns today, or any that he may purchase in the future. He'll make a great neighbor to the Industrial Park, it's a nice facility. He's proposing a pre-engineered steel building, masonry from the ground, up to about six foot, or ten foot in the front, and it drops along the sides and the back, overhead doors, a band of steel siding on the top, and then a little office area in the right front corner of the building, minimal parking, minimal paving, just to accommodate the use of the property. He has no proposed outside storage of equipment, when he does a job the equipment, light poles, whatever may be, are delivered from the manufacturer directly to the job site so he doesn't store the equipment there. Any small supplies and things might be stored inside, but the parking area is to accommodate access to the building, and we have a proposed gravel area for his vehicles, should they be parked outside. If a crew comes in from out of town, at late hours, he's not in the facility, they may be parked there over night. The gravel yard is for the equipment, it's not for outside storage of materials.

We have an application before the Inland Wetlands Commission, there are wetlands to the north of the site, so we will be proposing some work within the regulated area, hopefully at the next meeting we can receive an approval for that. It's going to be sewer by MDC, water service supplied by the MDC, we designed the drainage system to capture the flow from the roof of the building underground, as well as our proposed side area, into the storm drain system, which then it outletted to a Town of Newington detention basin that was designed as part of the industrial park. The utilities would be underground, we have really proposed to clean up the area. The light green is the area of work that we are proposing. This lot has been sitting there for about twenty plus years, and it's been used as a dumping ground for fill. It's not bad material, but there are all kinds of different construction debris and things like that, that are dumped on the site. In order to clean up the site, he has to affect that much of the land. He doesn't need to use that

much, but he's going to build a facility, he's wants to clean up the property, so that is why we are going to do the amount of grading that was proposed. We believe this is permitted as a right within the regulation, within the zone.

There is a comment from Mr. Meehan in his staff report about required buffer plantings. There is a twenty-five foot buffer required when you abut a residential zone. To the east is the Cobblestone Development. If anyone on the Commission is familiar with it, it is accessed off of Culver Street. It is some seventy-five feet in elevation above this site. It was at one point a sheer face when the condominiums were developed, they softened that slope, but none the less, it's still about seventy-five feet in height. Anything that we plant along this back here will never grow tall enough to buffer from the elevated condominiums above, so we hadn't proposed anything, because we don't believe it will be of any benefit to that. With that, if you have any questions, I'd be happy to answer them.

Chairman Hall: Any questions from anyone at the moment? Ed, what do you have at this point?

Ed Meehan: Well, I just had a chance to review this sort of schematically, because I didn't have the advantage of having the elevations when I did my staff report, but I think, as you see, a twenty-five foot landscaped buffer is not really practical here, given the topography between the two properties, it's going to be pretty much useless. That's why I was interested in looking at the building elevations because the folks who live up in Cobblestone will be looking right down on top of this, and so the question is if there is any rooftop equipment on this building, any mechanicals, any exhausting equipment that would be a nuisance to the neighbors, and that is also true for the proposed outside storage yard. There is a standard in the PD Zone that says that you cannot store within a hundred feet from a residential zone boundary. It's outside storage, maintenance area, etc., not limited to is the language. This proposed gravel area is about forty-five, fifty feet from the residential zone boundary, so I think that has to be taken into consideration. I talked to Alan on the phone this afternoon, if you can visualize the size of this equipment, when it comes into the yard, I'm visualizing something about the size of a Manero crane.

Alan Bongiovanni: Probably not as big as the big Marino, with the big lattice, where they extend, not that big, but it's a good sized piece of equipment, it's over the road equipment, so it's not, it doesn't travel as a wide load type of thing, but it's a big bulky piece of equipment, probably like the really big box tractor trailer.

Ed Meehan: Okay. This is permitted by right because it is a commercial use, light industrial use in a PD Zone so the neighbors won't have the benefit of a public hearing notice for anything, so what I am trying to do is get a good understanding and get this right, so if this is approved, a year and a half from now, when they are looking off of their decks, they're not looking into the booms of cranes, and outside storage that becomes offensive.

Commissioner Pane: Excuse me, isn't there planting on top of that hill now.

Ed Meehan: There is some planting yes, and there is also a fence up there. I think it is probably eight feet, ten feet. The unique thing about Cobblestone, I haven't been down there for a couple of years, it has fantastic views if you look straight out. You can see down to Meriden tower. If you look straight down is where you look into this parcel and over towards Costello and the corner site where the tree company is located, so the view is not as pleasing. So, I think we need to know a little bit more about what is going on, on the roof of this building, and where the mechanicals are, and if Mr. Gagnon has any pictures of his equipment, you could bring them in. This is going to be open, you see in my staff report I suggested that you keep it under New Business, to get the elevations but also, it needs to go before wetlands, so you probably have at least one or two more meetings with this before wetlands and you get in the same sync with this. It might be an opportunity to get more information if he's got pictures of his equipment, or similar

equipment so you have a sense of what could be out in the yard there. That would be my suggestion.

Commissioner Ganley: It's that sheer cliff, if you will, the sheer escarpment at the end of Costello.....

Ed Meehan: It's not quite as sheer as it was about ten years ago.

Commissioner Ganley: This is down below on the lower level and the condos are up on the top.

Alan Bongiovanni: If I may Madam Chairman, address a couple of Mr. Meehan's comments. First of all in regards to mechanical equipment, this is proposed to have a very small, couple hundred foot office area, the rest is going to be a bathroom and storage, and then bays for the equipment. One of them would be to clean the equipment, that's why I proposed the oil/water separator. This would be heated with like a Cul-Rayvac system, where it is suspended from the ceiling, it's natural gas and maybe a little venting, I'm not sure if they even vent them any more. As far as the office, it would probably be a little wall unit to cool that for air conditioning. There will be no roof top units, there may be a vent stack for a bathroom, but not proposed to be year round air conditioned spaces. Really a maintenance shop warehouse for his equipment, when it's in town. This is not, as I said, a daily occurrence. They will make very good neighbors, in that they may not come back to town once a month, once every other month, depending on how the business is, and for the last two years it's been very, very good. Again, if it's here in town, it's going to be stored inside, it's not like the guy that installs basketball courts at houses or fences. These are big projects. They don't go in and out for a couple of jobs a day. They go to a site for a while, and they stay there, so I think it will make a very good neighbor. The sloping, or what was once a rock face, the excess material that came from Cobblestone when they built that development was used to fill the slope in here, similar to what is going to happen behind the Dunkin Donuts near Wendy's. To soften some of that slope they used some of the excess material, then they established a fence and plantings. You would actually have to stand at that fence, not look out of the units, or look out of the deck, to see down into this development. You would have to stand at the fence and purposely look down. Beautiful views out to the west from the units and those would be maintained, so much above this development. I would be happy to get some photographs of the equipment, maybe a little bit more description for the next meeting.

Chairman Hall: And they will fit through those overhead doors?

Alan Bongiovanni: Yes, his father is Perley Gagnon, his father has been on the Berlin Turnpike for years, just north of 3333 Berlin Turnpike, the CL&P property. He does work on this equipment or store it occasionally, in those garages when it is here. He's kind of outgrown that site, that's why he's looking for another facility.

Ed Meehan: Is there a need for that, to back in, because if they come in with a WV.....

Alan Bongiovanni: They designed this to the width. They can come in, they can pull in, this depth here, I'm sure if the Commission feels to protect the neighbors they don't want us to have this gravel yard so far over, I'm sure we can cut that back, but we've designed it so that any size truck that he has can come in here and back into each one of those bays.

Chairman Hall: Any other questions from the Commissioners? Now, all of that, that is green will be grass?

Alan Bongiovanni: Yes, all of the disturbed area where there has been piles of material dropped over the years will be removed and will be mowed grass, maintained.

Chairman Hall: Any other questions?

Commissioner Ganley: Just an observation. If that gravel lot stays where it is, the perception is that if people are on their decks will be able to look down and see this equipment in there. That's my understanding, is that correct?

Alan Bongiovanni: I don't think so. I think you are going to have to walk to the fence, walk to the edge of the cliff to physically look down, I don't think you are going to sit on your deck, or sit like you are sitting in a chair and be able to see that.

Commissioner Ganley: Ed, your observation was, at the edge of the gravel lot, is too close to the property line that is the, that slope which is part of the property. If I were standing there, and look to the east, I would be looking actually at the face of this escarpment.

Ed Meehan: I don't know from a view line, from zoning standards, if you classify this as outside storage area, maintenance area, it's supposed to be one hundred feet away from the zone boundary.

Commissioner Ganley: Because if it were further out, then in fact you could see without going to the fence.

Ed Meehan: The further away you get from the toe of the slope the more visible.....

Commissioner Ganley: Yeah, the more visible it's going to become, so I don't know what problem that presents to the petitioner. Just an observation.

Ed Meehan: Well, I don't think you want to go too much farther west with that because you're chasing a slope, and Inland Wetlands is going to, may have some questions for you too, so this is probably the optimum location. Make it a little shorter, that might help, on the east side shorter.

Chairman Hall: Anyone have questions on this. Seeing none, I think we can thank you for your time.

Alan Bongiovanni: Thank you very much.

B. PETITION 50-08 – Corner of Pane and Maselli Roads, (west side) White Birch Crossing, LLC, owner and applicant, 638 Church Street, Newington, CT 06111, represented by Alan Bongiovanni, BGI Land Surveyors, 170 Pane Road, Newington, CT 06111, request for Site Plan Development, Section 5.3, 23,340 sq. ft. single story building PD Zone District.

Commissioner Pane recused himself from Petition 50-08 as an owner of White Birch Crossing.

Alan Bongiovanni: Good evening again, for the record, Alan Bongiovanni, Bongiovanni Group, 170 Pane Road in Newington representing the applicant, White Birch Crossing. A five acre parcel located in the PD zone at the southwest corner of Pane Road and Maselli Road. Currently the property is vacant, you may have seen some clearing take place of the brush, and scrub trees have been cut. This dark shaded area represents the tree line that is there now, the lighter area is of course will be, when weather permits stabilized to prevent erosion. We are proposing Phase I of an industrial business type condominium similar to a couple of projects that were built on the

north side of the road in the Newington Industrial Park. We are asking for approval for the first building, it's 23,340 square feet. On the right hand side I have, I'm going to call it a conceptual plan in that we designed the entire site for a maximum build out. It's conceptual in that, as the market demands, as people come to the developers and say, I need this size space, or this size space, that may change. The goal is to accommodate the end user so we have designed something that we think works with the demand that they have today. This is about seventy-five percent spoken for, this first building, they have prospective tenants, customers for this first building, and as sales go, will come back to you for additional phases, and we think this is a good likelihood of what would happen.

The plan on the right represents the maximum build out with the green space, the maximum parking, so on and so forth. I don't want to get too far into that, and would just as soon discuss Phase I, but I think that lends to some of the Town Planner's comments.

The property is serviced by MDC sewer and water, there is an existing drainage system on the property as well as on the neighboring property, that our storm water will go into. We have designed a detention system, this sheet doesn't show it, we've got an above ground detention basin at this time to accommodate the increase in run-off so that at the point where the two systems merge you don't have an increase for all the required storm events.

As part of this development this property is also owned by the principals of White Birch Crossing, and are proposing to use the existing driveway which is an excessive width as an accessible, as access to this first building. Part of this development would require drainage rights, sewer connection rights as well as a reciprocal easement agreement to maintain that driveway. Beyond that, this driveway would service the south side of the building, you have an elevation here, and I have with me tonight Michael Pane, part of the development team, that will talk about the architecture and the construction, but the doors, customer entrance, overhead doors, would be all along the south side of the building, and that would be the access. If you look at what we have proposed along the back, we have additional parking along the back with emergency access doors or means of egress doors along the back of the building. If our concept plan comes to fruition, this would be the same part of the driveway, stopping at the drainage that we show, and if we go further in the next phase, you know, we just continue as we've shown here. We're asking for approval on the first phase, and we understand that each subsequent phase will come before this Commission, so what you act on with this application is always subject to, the property is always subject to further review by this Commission.

The proposed uses for the building, we'll talk about parking a little bit, there is two machine shops at about 4100 square feet apiece proposed for this location, there is a 6300 square foot architectural millwork shop proposed for this, and two contractors at 2100 square feet apiece. It's a little over 18,000 square, I'm sorry, 19,000 square feet of the 23, 340 square feet that the applicant has sincere interest, upon approval if this is successful with this Commission, they believe that they have a very good likelihood of going to contract with those people. Of those tenants that they have, the parking for this type of use is either done by largest numeric count, or three spaces per thousand for generic industrial use. We weighed this out, the entire site at three spaces per thousand, the first phase, I think we are a little liberal in achieving the three spaces per thousand and I think Mr. Meehan clearly points that out that realistically we have about fifty-one spaces, but given the tenant mix that we have, of those five uses, there are less than fifteen employees for those five uses. If you take the additional 4,400 square feet that is unspoken for and you use the three spaces per thousand, you're still under thirty spaces, probably about twenty-seven spaces that will be required for this building, and that is within your regulations. We have fifty-one spaces, so we know that we have more spaces than are required. In the ultimate build-out, we will adhere to three spaces per thousand. For us to achieve the actual three spaces per thousand now would just require us to put a little more paving in here. The reason why we are reluctant to do that, because when the next building is constructed, most of that will get wasted, and that may happen because interest has been so strong in this building, that may happen in the near future, so we don't want to put something in the ground that has to be torn up

in the very short term, as well as we don't believe, or the applicant does not believe that there is a need for three spaces per thousand parking per space.

We will have to come back before the Commission with a separate application for a business sign. It is proposed to have eventually a pylon or monument sign at the corner, maybe some directory signs by each building as we go, and then, within the zoning regulations, some identifiers at each unit. With that, I'd like to have Mike Pane come up and talk a little bit about the building and the architecture and then we would be happy to answer any questions that you might have.

Michael Pane: Michael Pane, representing White Birch Crossing. I'm just going to talk a little bit about the building. As Alan said, 23,000 square feet, it's going to be frost wall construction with pre-cast wall panels for the exterior. I have some information on pre-cast wall panels. Basically what they are is that they are twelve inch thick, they go the full height, and they come in a wide array of colors. I'll give you, this is the basic look, style of this building. I have a couple of copies that you can pass around. I also have a pamphlet. The benefits to pre-cast, which I will get into a little bit, not only are they structurally, they have a, provide a value of R-20 which is much higher than masonry, and they also benefit, from being pre-cast the speed of construction, so there is a lot of benefits to pre-cast. The exterior will have white gravel, I mean green gravel (inaudible), I apologize, with green aluminum windows and glass, I have some samples here for you as well, and in the front will have a green standing seam above the top as a canopy. A little bit about the building, we are going to utilize and maximize as many green building techniques as we can, which in this day is very good. Pre-cast, not only being as green as you can be, being organic, the roof is going to be EPM, it's going to be white or gray which will minimize your UV reflection, which will bring down energy costs in the summer months. Sensors for lighting controls, compact florescent or T-18 lamps, electric ballasts, also gas fired units for heating and cooling as well as low flow water fixtures, plumbing fixtures, so as many green techniques as we can use on this will be better, and really helps.

The back is going to have man doors which are hollow metal, and these are going to be some type of decorative medallion here, aluminum green and overhead doors with a canopy with some sort of name on it for each unit.

Alan Bongiovanni: If I could Mike, just add a couple of things here. This is a brochure, it gives you an idea of what these finishes look like. The building that I'm located in this Commission approved a large expansion for it, 170 Pane Road, that is a, the front part of that building is a pre-cast type building that has a smooth finish. Since that was built some twenty years ago, they have made great strides in the finishing techniques and the appearance of the materials, and this book displays those. I think for the next meeting Michael can have the actual swatch of what that building is going to look like to go with the trim. When he spoke about frost wall construction, these are pre-cast concrete panels, you pour the footing in the ground, there is no foundation at all, these panels sit on the footing and then they extend above grade to the building height, so it's really a neat method of construction in that the prepared control environment is brought to the site, your foundation and wall are installed at the same time. It's a very quick and efficient method of construction. The green band along the top is actually a parapet. There is going to be a twelve to eighteen inch parapet around the building. It is proposed that there will only be air conditioning in the office spaces as the other parts are warehouse, light manufacturing. So you will have small condensing units on the roof. They will be split systems for heat and cool for the office spaces, but you will have a minimum condenser which will be hidden for the most part by the parapet. We don't expect any of them to extend over twenty-four inches in height from the building because they are going to be relatively small units. The module for these condominiums, about 2100 square feet apiece, so they are going to go at 21 or 42 or 6300 square feet and those are the spaces that I talked about for the tenants, so it's going to be a nice, durable building. It's going to be something that is going to stand the test of time for the appearance as well as maintenance of the building, and they are proposing to do it highly energy efficient which is

beyond, a number of people needing space, I know the economy is not that great and you may question, are there really people, these are people that they have worked with for a long time and are willing to make the move at this time and are looking for not just nice space, but energy efficient and environmentally conscious space.

With that, if you have any questions, we'd be happy to answer them.

Commissioner Schatz: What is the green area in the middle of that one?

Alan Bongiovanni: That is the existing trees that are there now, Ed and I had some discussion about the area that has been started to be cleared around and I said well, I might as well show it. We are going to notate on the plan that all that tree, the felled trees and the stumps will be cleaned and removed and cleared.

Commissioner Schatz: I was just wondering, and the other thing, that is a flat roof building?

Alan Bongiovanni: Yes.

Commissioner Schatz: Really! Okay, that's it.

Chairman Hall: Ed, do you have anything?

Ed Meehan: Just relative to staff report, so I understand how you arrived at the need for thirty, thirty-three parking spaces so are you proposing that you would build the site plan as shown but you're not going to be able to use five or six spaces on the north side of the building.

Alan Bongiovanni: I agree with you.

Ed Meehan: Okay.

Alan Bongiovanni: Where the doors are at the back of the building, where the exits are, we will have to do that, that pavement will be flush. We may have to put a shim there because we are only proposing a binder there until the next building is built.

Ed Meehan: Okay, so you should have ADA.....

Alan Bongiovanni: Actually, the parking spaces in front of the doors, in talking with the prospective tenants they just as soon park their vehicle there. This isn't a warehouse, these people aren't using this as a warehouse or a showroom, they may have a delivery, like the architectural mill work shop, once, twice a week, bring the materials in, once, twice a week shipping things out, he'd park his own vehicle right in front of the door.

Ed Meehan: Well, that may be true, but to stripe them and count them, is not something we've normally done, so....

Alan Bongiovanni: You're right, I agree with that, but again, and I'll give you copies of the overall, and our intent is to match of course all the zoning requirements of the Town of Newington for this use and for this zone, as well as the three space per thousand for the entire development because as a condominium I may want a unit today and I may only need two spaces but for future marketability if I need to sell it, it has to have parking for whatever is permitted.....

Ed Meehan: Okay, now I see what you are saying, so that is going to go in your condo documents, okay.

Alan Bongiovanni: Yes.

Ed Meehan: Is this the type of walls where you tilt them up, tilt up and bolt them into a metal frame?

Michael Pane: They come pre, they get tilted up, right, and then the steel joists and beams attach to them.

Ed Meehan: At the end of Maselli, is that parapet, is that a vertical or a mansard, or what is the look of that going to be?

Michael Pane: In the front, you mean?

Ed Meehan: Yes, the Maselli Road side.

Michael Pane: That would probably either have a slight pitch, or be flat. It will be a standing seam technique crimp, going straight across.

Ed Meehan: One of the things that we do need as you go forward is your elevation sketches coordinated with the site plan, the scale, and we will need those on mylar eventually. That is the one thing that I wanted to point out to the Commission, and the parking count, the green space, the master plan concept begins to address that, and I think the other comments Alan addressed as far as, well, we need to know the mechanicals, you mentioned that, the sign and so forth, and the drainage is still being reviewed by the Town Engineer, the drainage calculations.

Alan Bongiovanni: Madam Chairman, if it is to the Commission's benefit, I can talk a little bit more about the master plan, how we designed this. I just caution that if there is a tenant that comes in and says, you know what, I need this building, push it together, it's going to change but our overall plan was to have circulation in and out for most customers, truck traffic could come in through the site, deliver all these turns to get out, this would be one way, this would be one way, two way round the front, nicely landscaped, this is intended to be a professional business park, a professional industrial park.

Chairman Hall: No retail?

Alan Bongiovanni: As permitted in the zone, there is the potential for that. Whatever is permitted in the zone, that is what this is going to be available for. You know, I don't remember off the top of my head if retail is permitted over here, I guess it is.

Ed Meehan: Yes.

Alan Bongiovanni: That may affect the parking count. There are no tenants, no prospect at this point for retail, but I'm not going to say, maybe we have to lose some square footage to put a retail tenant in the last phase, I don't know. It's not proposed at this time.

Ed Meehan: The issue in this part of town, any development on Pane Road has always been drainage. How you control storm water drainage eventually going out to Pane Road, eventually getting into that system that goes in back of Sam's, so any site like this gets developed, the impervious surface and zero runoff becomes critical. So, as you go into the next phases, that is going to become more critical.

Alan Bongiovanni: There is an existing pipe here, this drainage goes up this way. Existing pipe that we are going to tie into goes this way. By doing the work that we are doing today, in this

phase, I think the Town Engineer will agree with our findings, we actually improve the system over here. We are going to retain more to the south side, which is not problematic, and put less into, with just this space, it goes into the undersized Pane Road system.

Ed Meehan: Well, the first phase is really pretty simple as far as drainage is, when you start putting more roofs and pavement on, as you go further north on the site, so, that's for another chapter I guess.

Chairman Hall: Any other questions?

Commissioner Pruet: Just a clarification, the tenants will be business condo owners, is that the concept?

Alan Bongiovanni: Yes. There is another Industrial Park, Raymond Fortier built the one on the corner of Progress and Pane Road and then there are one or two inside the park that are the same thing.

Commissioner Schatz: They go up pretty quick.

Alan Bongiovanni: Oh yeah.

Chairman Hall: Now it looks as if you are having all the doors facing south, so that from the street you are going to see essentially the back of the building.

Alan Bongiovanni: This is the front of the building, this is from the street.

Chairman Hall: No, that is from Maselli Road. I'm talking Pane Road.

Alan Bongiovanni: Oh, that's why this total has not been cleared at this point. This, the remainder of this will probably get cleared when the next phase is done. There's been a lot of, there's all second growth that is there now, there have been a lot of things that have been blow downs, things like that, and had the fall held on a little longer, this probably all would have been done already, but the idea was, kind of clean the site up to give people some idea of what this is going to look like, and that is back here, but not necessarily clear cut the site. This is what you are going to see from Pane Road, with a little bit of obscurity.

Michael Pane: It won't be long before Phase Two comes along and then you won't see that.

Alan Bongiovanni: One of the things we did to, the developer's idea, was to put a little bit of a hammerhead and a T on the end of these, so it helps shield some of the parking, so the appearance, as you drive by it, it's more of a campus like setting instead of the strict industrial building, and, oh look, between them there is all this parking and all this blacktop, we tried to hide that as best as possible.

Chairman Hall: They look like driveways from Maselli.

Alan Bongiovanni: Exactly. Yes.

Chairman Hall: Any other questions?

Ed Meehan: When you come back, are you going to have a decision on which one of these.....

Michael Pane: Yes, I can actually give it to you now, the number is 4071, but I'll give you bigger pictures of these, and 4090 which is, this is more of a pinkish color here, which is going to be the field, and the brownish red as the accent. So it's kind of a color scheme where we mix it up at the entries and the color brings it out a little bit, also with those medallions, so instead of a plain building, it kind of breaks it up and gives it a pretty nice look.

Chairman Hall: Any other questions, this is your time while they are still here. Ed, are you all set?

Ed Meehan: I'm all set. Did you get my staff comments?

Alan Bongiovanni: Yes.

Ed Meehan: Work with the Town Engineer.....

Alan Bongiovanni: And we will get back to you hopefully at the next meeting with at least all of the technical things ironed out.

Chairman Hall: Great. Thank you.

Alan Bongiovanni: Thank you.

Commissioner Pane returned to the table.

C. Hunter Development Company, LLC – Shoppes at East Cedar Street: Joint motion and stipulation for approval of Settlement Agreement, May 14, 2007, request to discuss modification, Michael Friesbie, P.O. Box 366 East Long Meadow, MA 01208.

Michael Friesbie: Good evening, for the record, my name is Michael Friesbie, from Hunter Development Company and I'm also the property owner at 751 Russell Road. It's nice to see some familiar faces on the board, but there also some new faces that probably aren't familiar with this project, so for the benefit of the whole board, I will just briefly discuss what we had approved back in May of 2007.

The property at 751 Russell Road is located at the off ramp of the Berlin Turnpike on Route 175, East Cedar Street. It's a 8.94 acre piece of property which we have approved a gas station, a convenience store, a bank pad, a sit down restaurant pad, 9,000 square feet of retail, as well as a 100 room hotel. As you can see from the rendering, this is what the proposed development will look like, and it was approved back in May of 2007 and we do have a Settlement Agreement with the Town of Newington with regard to our development. Today we wanted to come in and thank you for having us, but we wanted to come in and talk to you about the possibility of amending that Settlement Agreement. As everyone has recognized and understands, the economic times, which we are all impacted, has also had an affect on commercial real estate development. We have a hotel group, we have an agreement with a hotel group to build this hotel under the Marriott Springhill Suites brand. We've had an agreement for quite a long period of time, they have done all of their due diligence, their feasibility studies and all their branding, but they have since come to us and told us that financing has been impossible for them to move forward with the project at this time, and they want to push us off for a period of time. As some of you are probably aware, but for the benefit of the board, under our Settlement Agreement in order for us to move forward, there are certain obligations that we must meet in order for us to get our Certificate of Occupancy for the gas station/convenience store. One of those requirements is for the, a good portion of the hotel needs to be finished, and I believe it is the foundation and some fees need to be paid with regard to the hotel itself.

As I mentioned, due to the economic circumstances with the hotel, but I wanted to come before the board to see if the board was receptive to amending that Settlement Agreement to move forward and let us start the development and, the good news for us is that we already have our financing to do the balance of the project, including infrastructure, on and off site, and would like to move forward with that, and I would like to address that with the board and see if there is any way that we may be able to work together and try to start our project so this can move forward. I also have with my tonight my real estate attorney from Massachusetts, Paul Macard, and he's very familiar with the project, he helped us go through the acquisition and did all of the closing of that, so he may be able to address any comments that you may have as well.

Commissioner Pane: Madam Chairman, why was that restriction placed on this developer through the courts?

Ed Meehan: Maybe I can answer. It was an agreement that was arrived at between Hunter Development, Mr. Friesbie, and the Planning and Zoning Commission over the issue of their special permit site plan for the gas station component of this project. The Commission members at that time did not approve the gas station, they did not feel that they wanted to take their gateway site and have a gas station on it. So that was not part of the original approval. Through the court process, the parties got together and as Mr. Friesbie said, the ultimate agreement was, the gas station came back in, but only under certain procedures or the order of how the site would be developed. It hinges on the retail, I think there is a bank, components being done, almost to completion or pretty substantially done and then for the hotel, the footings and foundation in place, and the building permit paid before a c.o. for the gas station/convenience store could be issued. So that is how the parties set it up, the Town agreed, the developer agreed, and it was approved by Superior Court. So anything that is changed has to go back through that process.

Michael Friesbie: If I could elaborate on that, I think at the time the board was just concerned about having just the gas station and not the balance of the project done, and this was a way, for us, since we had pieces in place, to agree to that, and say, you are going to have a first class development there, not just one piece of the puzzle.

Commissioner Pane: It looks like you have the retail piece in the front, which is more the gateway, the food establishment, and some of the other stuff. I think some of that might be some undue hardships on the developer and I would be all right with not requiring the hotel to be constructed at this time.

Michael Friesbie: Also for the benefit of the board, we have had meetings with Mr. Meehan and the Town Manager, and I actually brought the hotel group down, and sat with them and went through their plans, and they are genuine. Mr. Meehan can elaborate on the fact of that meeting, that they are committed to the project, and they are looking for a few months to find their financing and they want to move forward, and we'll be happy to have them once that happens, but what we are looking for is to move forward with the balance of the project and we will still have that pad ready for them once they are ready.

Commissioner Ganley: What do you mean more specifically by pad?

Michael Friesbie: The way that I describe a pad site, is that you have a pad site in general, and if you were to differentiate, and basically these are going to be leased areas, so I would say that this gas station area here would be a pad, the bank here would be a pad, the restaurant area would be a pad, so these would be developed all together, but in back here, what I call the hotel pad, or the hotel property, is going to be this section back here which we will refer back to the hotel itself, I would consider that the hotel pad. Does that answer your question? As far as the

infrastructure is concerned, I have the financing in place to put in all of the infrastructure in place, so then they would just come in and build the hotel, so, does that answer your question?

Commissioner Ganley: Yes, something else occurred to me, I recall that this was a minor little technicality which helped the development by the way, I had suggested that, if someone wants to go from the hotel, which you are saying eventually will be built, to the restaurant, as opposed to having them going between a bunch of parked cars, that you might consider a walkway with lights, give up a couple of parking spaces, and just walk right through.

Michael Friesbie: There are two of them here, we took your comments, there will be a slight grade down into that area.

Ed Meehan: I would suggest that there is a bigger picture here than these micro things. You could end up with what the other, prior Commission members didn't want with all of this not being built, and have a gas station for two or three years. That's what this agreement was trying to avoid. So I think that you need some assurances, with respect to the prior Commission's position, as how that is going to work.

Commissioner Ganley: I recall the discussion, that we were very concerned about the gas station as a stand alone, because quite frankly, that is a money maker, and the traffic it would generate, since that would be the only use, as opposed to different kinds of use where you park and go to the restaurant, park and go for retail, but the gas station is going to generate a lot of traffic on Cedar Street so we are very concerned about the fact that they would build a gas station, and just kind of write off the rest.

Ed Meehan: There might be a way of re-ordering this that satisfies those issues and addresses the economic concern, the near term economic concern. I don't know if Mr. Friesbie has got anything drafted that you can digest. There was one thing that I was hoping might come forward tonight, and the other thing that I think is important here, because it has been an on-going effort by the developer and his traffic engineer, over the last two years now, with the State Traffic Commission.....

Commissioner Ganley: That was my next question, where are they?

Ed Meehan: Well, he can maybe tell us where they are, because there has been a strong effort and that is one of the reasons that we met with the Town Manager, because the Town, as far as this development, and adjacent economic projects in the neighborhood may feel that it is time to go and talk to the State Traffic Commission. We're always a partner with the State on these State roads, and to see where we could put some of these pieces together. So maybe you could take a minute and, the latest was last week, I guess, or two weeks ago, on where you stand with STC.

Michael Friesbie: Sure. Let me step back for just a moment and address your first comment. We are committed to building the balance of the project. From an economic standpoint we need to build the balance of the project to make it work. In order for us to do all the infrastructure it doesn't make sense just to build a gas station, and that's from the beginning, you know, we've talked about that, but I know that the town wants some assurances. Under the current settlement agreement, we need to build a portion of the restaurant, a portion of the bank, and the balance of the retail. What I'm suggesting is that we will build the infrastructure, we'll build the 9,000 square feet of retail, and make sure that those pad sites are ready for the bank and the restaurant, build the gas station in phase one. Then in phase two we'll build the bank and the restaurant, a portion

of that, and while we're up and running, generate some income, and then hopefully the hotel will come in shortly thereafter and by the time we build this, the hotel may be ready to go. That's our hope, so we are committed to doing at least the gas station and the 9,000 square feet of retail, right away, with all the infrastructure and then whatever off site improvements are required. Let's talk about the off site improvements with the STC. We have been working with them for over two years, we have our traffic engineer, as well as the town peer traffic engineer and have agreed on some modifications to the off site, including a traffic signal at the western portion of our project. Also we are going to improve the off ramp so it won't back up onto the Berlin Turnpike any longer as well as make some modifications to a left hand turn lane going northbound under the ramp. We thought we were very close to the STC in that regard. We have also been working with our neighbors to try and coordinate the integration of that signal for the benefit of all parties. We're a little bit farther along than they are, but our hope is that we would be able to work with them to accommodate all of that, and I think we can get there. The STC has continued to ask for more and more roadway improvements out there, and our last submission, we were at about 1.6 million in off site costs associated with fixing that corridor. We sat with them, and we thought we were close to an agreement and then they came back just two weeks ago, they want us to fix the southbound ramp now and make that almost a four leaf clover interchange at a cost of an additional half a million dollars. That's when we reached out to the Town Manager and Ed and said maybe we need to work together to try and make the STC be a little more realistic in what we can make for changes out there versus, you know, the mitigation based on our traffic generation doesn't require that much work out there. So we are working through that now, and it has been over two years since we made our first application to the STC.

Ed Meehan: I have your traffic engineer's e-mail, for the benefit of the Commission, if I understand where STC is on this, now they are talking about a new intersection in Wethersfield east of this project for the on and off ramp to 5 and 15, the Berlin Turnpike, with a traffic signal. A double right off the Berlin Turnpike onto Russell Road, controlled by a traffic signal at East Cedar Street.

Michael Friesbie: Right.

Ed Meehan: That's the corner where the Lowe building was and a traffic signal at the proposed site drive.

Michael Friesbie: Correct. In addition, they would like us to widen and create dedicated left hand turn lanes to go southbound, I mean westbound on the pike.

Ed Meehan: So left into Health-trax....

Michael Friesbie: No, that is already part of the plan, before you get to Health-trax, a left onto, they want us to fix that ramp as well, so basically you are creating a four way clover.

Ed Meehan: Oh, this is over in Wethersfield.

Michael Friesbie: This is on the Wethersfield line, but the Siesta Motel, you're heading westbound under the bridge, they want to create a dedicated left turn lane up onto the southbound ramp.

Ed Meehan: Oh, okay.

Michael Friesbie: Instead of making the loop on Russell Road.....

Ed Meehan: So essentially what they want to be putting in place is the concept of a diamond interchange, the ramps in as close as possible to the bridge structure, without building a bridge structure, which was the original CCROG corridor study plan. I think, I know that the Town Manager and I sat with you, and we are in conversation with other developers up in that neighborhood, you know, the Callahan piece we know has been discussed. Mar-Cap development, CCMC piece is being discussed, I think the important thing for the Commission if the Town reaches out to the STC and folks at ConnDot is to know that there's this traffic signal at this site driveway, is going to become a reality with you and your neighbor because that is really the venue that we have to go to the State Traffic Commission is to say we have developers who are going to share, how you guys decide to share the cost is between you, but we have a logical location for a traffic signal that takes care of everybody around that intersection. If we can't go to the State Traffic Commission knowing that you and your neighbor are together on this, they may say, well, we'll take the first guy in, and you know what happens to the first guy in with STC. So I think.....

Michael Friesbie: We're finding that out.

Ed Meehan: So if, the Commission has to make it's decision on re-ordering the stipulated agreement, and that's probably another conversation that they can pursue, but conversation as far as around the traffic, the Town Manager told me today that he is ready to set that meeting up, but he needs to know that you and your neighbor to the west are closer in your discussions. We want to be able to go down there and say, we'd like to do this as a package. I think there are some issues about what they want to do over in Wethersfield, but both developments don't seem to make a lot of sense to us and that is what we want to talk about. That third light is questionable in our mind.

Michael Friesbie: Well, it is in ours, our traffic consultant says it's not a requirement, we can make some timing adjustments and based on our development, it doesn't merit those type of changes, but to answer your other question. There are two separate issues, one is our settlement agreement with the Town, moving forward because in our settlement agreement the access is specific about whatever the DOT allows us to do should be okay. We need to get that squared away on a separate note, but we are working with our neighbors. As I said, we are further along than they are right now, but the intent right now is to have a common driveway, where ever it ends up being, to the benefit of both those parcels.

Commissioner Casasanta: How critical is, if the hotel doesn't come to fruition, or does not come to fruition for a very long time, how will that impact the other structures that you are looking to build?

Michael Friesbie: It's not going to affect it at all. The hotel is a piece of the puzzle but it's not going to keep someone from coming in, and the retail folks are going to be there, you know, the bank is going to be there, the restaurant is still going to be there, and those things will still live on their own regardless of the hotel. Our intent is to have that development because I think the hotel will add a lot of benefit, not only to that site but to the neighborhood. In the feasibility study they have done, it came back pretty strong for the type of offering that they are going to provide for the neighborhood.

Commissioner Pruet: Just a clarification, you are looking for revision to put in Phase One the gas station, and the restaurant and the bank, as part of Phase One, or are you saying Phase One is the gas station.

Michael Friesbie: Phase One, and this is why we're here today to informally discuss this. What I propose is to build the gas station and the 9,000 square feet of retail and all of the infrastructure.

I mean, all the parking, all the underground storage, all of the retention, everything as far as, and the landscaping as well. And then come in as part of Phase Two, the restaurant and the bank, and then, hopefully right behind that, or at the same time, the hotel group will come in and build the hotel. That was my thought. If the board has some suggestions, and the Settlement Agreement says you know, that we need to have the bank and the restaurant up to a certain level of finish, I would be happy to talk about that.

Commissioner Ganley: My question is then, what is the time line? What is the roll out between Phase One and Phase Two? Once Phase One begins, when would it roll into Phase Two? Two months after, three months, six months, a year, when would there be a Phase Two?

Michael Friesbie: I can't really answer that question right now. My question is it's going to take us close to nine months to build the project.

Commissioner Ganley: Is that Phase One and Two, nine months?

Michael Friesbie: No, well, it would be Phase One and hopefully Phase Two. I can't tell you, hopefully we could roll it all out at the same time, by that time, but right now, we're looking, if we were to, let me back up, if we were to come to some sort of amended Settlement Agreement, my plan would be, assuming that we can work with the DOT to get our excess permit, my plan would be to start construction sometime in early spring. So it is going to take us about nine months to build the infrastructure, as well as off site improvements, to go through all that. So we would have the retail built and the gas station built, in that time frame. Hopefully we will have the bank and the restaurant squared away and start construction there as well, but the pad sites, the infrastructure, all the site work will be complete so all we would have to do is build to the structure of the buildings.

Commissioner Pane: Which you are waiting for a customer. So you will be marketing this thing while you are building the gas station and the 9,000 square foot retail and then you will probably have signs out there for the bank and the restaurant, correct?

Michael Friesbie: Yes.

Commissioner Pane: So it could go right away, or it could take a little bit of time.

Michael Friesbie: It could be, we're in discussions with several groups now, and in this economic climate, the banks aren't doing anything. Sit down restaurants aren't doing anything, they aren't committed to any projects right now. Once they are ready to start committing, we're going to be close and be able to do it. They aren't going to commit now because this is nine to twelve months away. So they are worried about ones that they can get opened in the first quarter of '09. This isn't a project that they are going to get open in the first quarter of '09. That will certainly help us, but the retail building and exactly what that picture shows is what it is going to look like, regardless if we have it full, and we have tenants ready to go in there, again, they are looking to do it now, they are not looking to do it a year from now.

Commissioner Schatz: My question, so you start with Phase One, so we are back with the gas station, okay, the Hunter Company, when you first came in, I looked at that company personally as a company up here somewhere, now if you put the gas station in and you put all the underground stuff in on the whole site, how do we know that we're not going to be dealing with AJAX development, other than Hunter. You might say, well, we got the gas station, now we will market the site the way it is.

Michael Friesbie: Well, first of all, it's not going to be just the gas station....

Commissioner Schatz: I'm looking at you as being up here somewhere, and this has happened to us before.

Michael Friesbie: Again, let me go back. It's not just going to be the gas station, you are going to have the 9,000 square feet of retail, you are going to have the infrastructure, you are going to have the landscaping, so it's not just the gas station, but there are no sureties, no guarantees that you are going to be dealing with someone else, other than the fact that I am committed to the project. I bought this property a year and a half ago, and have been paying the mortgage on it since then, waiting to develop it, as well as knock down that beautiful building that you had there on the corner to begin with, I wouldn't continue to be paying on the mortgage if I wasn't committed to the project. But at some point, if we didn't get relief, we may have to do something different and we did change the zone from Industrial to Berlin Turnpike Commercial Zone, so there are other allowed uses if somebody wanted to come in and do something different.

Commissioner Schatz: I think we all want to see the project go forward, I don't think that is the problem here. Just a matter that we don't want to get skunked in the meantime on something else. I'm not sure, you are going to put a lot of money in the ground, I understand that.....

Michael Friesbie: Both on and off site.

Commissioner Schatz: I understand.

Ed Meehan: If I could interrupt, that is just another reason why you and your neighbor getting together and we're going to ConnDot, maybe some of that, your off site costs are somewhat mitigated by sharing costs with abutting property owners, and if that light in Wethersfield can go away, you know, if we can convince STC that there is another way of doing that.

Michael Friesbie: We'd be happy I'm sure, the neighbor would be happy to come in and have that conversation, you and the Town Manager's support for DOT and be sure that we have a good plan.

Ed Meehan: We won't, the Town, at the Town level, Mr. Friesbie has to get his STC certificate filed on the land records before we can even issue a building permit, no matter what the order is and there would probably be some bonding requirements with the State for off-site work that he would deal with separately. We would have our own bonding requirements, as you have in your site plan procedures for unfinished phases. We can chose to bond them and so you have some checks and balances on issuing a c.o. until you get bonding for the finished courses, you are not going to put those in, you want to put in lighting, a lot of things that you wouldn't do in some of these subsequent phases. You are not going to have the public driving around in there, but my recommendation would be, let's see this reordered in writing, and talk to your Town Attorney about this.

Commissioner Schatz: The only other thing, from what I am hearing from this gentleman here, and Ed, the State of Connecticut seems like hard people to deal with, I mean, I have never dealt with them, but it seems that they are very difficult. It's a wonder that they didn't want you to build a new bridge. That's the way that it seems.

Michael Friesbie: Well, we have put in a good faith effort forward trying to mitigate the off-site issues and our challenge now is to come to an agreement with them that makes sense for everybody.

Chairman Hall: Other questions?

Commissioner Pane: Well let's face it, there are other developers in the area that are going to benefit from this off site improvements and the State has to realize that some of the responsibility is theirs too.

Commissioner Schatz: That's true.

Chairman Hall: Do you have a committed tenant for the gas station at this time?

Michael Friesbie: Yes.

Chairman Hall: But not for the bank, not for the restaurant, not for the retail?

Michael Friesbie: The retail we have some commitments, yes, and actually the gas station itself, I'm going to be the owner/operator of the gas station.

Chairman Hall: And as far as SpringHill, what are they thinking as far as timing? Are they just waiting for some bank to decide to loosen up some money?

Michael Friesbie: Exactly, it's a commitment from Marriott, it's a franchisee, they have a commitment from Marriott, and it's going to be the later prototypical SpringHill. They went ahead and showed us all of the pamphlets when we came in and met with the Town Manager. They are excited about the project, they are just looking for the money, and there aren't any lenders out there now that are funding this type of project, hotels, they just not spending that money, even though they have it.

Chairman Hall: And as far as the Health-trax entrance, that is before you get to this proposed light for the gas station, right?

Ed Meehan: Yes.

Michael Friesbie: If you will, I'll just show that on the board. As you are coming westbound we've created a dedicated left hand turn lane into the Health-trax and as you continue forward, the signal will be at this entrance.

Chairman Hall: Pretty much at the rise, the top of the rise.

Ed Meehan: We've had conversations, again, this is just planning talk of making that light serve Redan, Gospel Hall, and back feed into Health-trax.

Michael Friesbie: We have plans shared with our neighbor, moving the signal farther to the west for the benefit of a dedicated road that would be built, constructed to town standards and then deeded back to the town for the benefit of our parcel as well as the potential development, proposed development next door. There are two site driveways, Redan and the Gospel Hall. If that signal was in here, we would make some changes to allow for common driveway for all parties.

Chairman Hall: Redan and Gospel Hall?

Michael Friesbie: This is the Redan driveway, this is the Gospel Hall driveway, so we designed our signal in this area here, and based on our last submission was actually shifted this way just a little bit for the benefit of just Redan, because the number of trips out of here didn't generate.....

Chairman Hall: Well, the question is, getting closer to the downward slope the farther west you go.

Michael Friesbie: We've taken that into consideration, on the proposed plans with our neighbor we've taken that into account.

Chairman Hall: You could have a problem with a winter like this, stopping on that hill.

Michael Friesbie: It would still meet the design criteria, but we have taken that into account.

Chairman Hall: And as far as moving the driveway farther down, and making more of a central, further down here?

Michael Friesbie: This one here, this is not accurate actually, this is just a right in now, is this the driveway that you are referring to?

Chairman Hall: Right.

Michael Friesbie: Yeah, this is just a right in, there is no right out here.

Chairman Hall: Yeah, right, we've seen those before.
Okay, any other questions?

Michael Friesbie: If it behooves the board, based on Mr. Meehan's comment, we would be happy to draft something for the board's review, as well as the town attorney's review based on you know, our discussion tonight.

Chairman Hall: I think we would like to see something more concrete, so I think that is probably a good idea, to get something in writing for us so that we can evaluate it. Any other questions at this time, now is your time to.....

Michael Friesbie: Thank you for giving us a few minutes, I appreciate it.

Chairman Hall: Thank you for the information.

D. Linda L. Aieta and Michael Roche and Kathleen Roche vs Planning and Zoning Commission, Town of Newington and Three Angels Seventh Day Adventist Church – Attorney Justin Clark, Special Counsel, Pepe & Hazard, LLP, 225 Asylum Street, Hartford, CT 06103.

Ed Meehan: There is no, as you can see, Attorney Clark is not here tonight, he represents the Planning and Zoning Commission in this appeal. At this point they are working on a settlement agreement between the property owners and the Three Angels Church and they had hoped to have it ready by today, it's not quite ready so Attorney Clark has asked if you could put it on for the 28th, and if you could do it at 6:30, he would probably come in and have a special meeting, go into executive session, and if it is ready he will go through the proposed settlement and then you can decide if you want to abide by the settlement. It's really a lot of give and take between Three Angels Church on the location of their mechanicals and this issue with the kitchen vent and the abutting property owners. The Town is sitting on the side lines.

Commissioner Ganley: This would occur on the 28th? He would have it ready?

Ed Meehan: He hopes to have it ready on the 28th.

Commissioner Ganley: I see. Can we tentatively put it down?

Chairman Hall: Well, that's what he's asking.

Ed Meehan: If it is ready we could do it at 6:30, do it as a special meeting, you would convene, recess into executive session, meet with your attorney, discuss it in executive session because it is a litigation matter, come back out, and then you could put it on the agenda for the regular meeting and vote if you felt that you wanted to vote that night, or you could postpone it to another meeting.

Commissioner Kornichuk: I just can't understand, why are we involved in it, if it doesn't concern us? If it's between the property owners and Three Angels Church?

Ed Meehan: The settlement is between them, but we're the party that has been appealed, Planning and Zoning Commission made the decision on the site plan.

Commissioner Kornichuk: I thought we were all done, I thought it was.....

Ed Meehan: No, and Three Angels entered as a party in this, to help resolve it.

Chairman Hall: So is that acceptable, anybody who is not going to be here on the 28th.

Commissioner Pane: I will be here, but I would excuse myself from that since Pepe and Hazard is my attorney, so I won't be here for that discussion, but I will be here for the 7:00.

Chairman Hall: Okay, anybody else know that they are going to be away? All right, then we will plan on 6:30 and we'll get it in our packet, I will try to make a phone call ahead, because sometimes we forget. I'll try to call you head just to remind you that it is at 6:30. Helps me remember too.

Ed Meehan: If it implodes, for some reason it implodes, we will contact you, but I didn't know that this wasn't going to happen until about 1:30 yesterday, or so.

VII. OLD BUSINESS

None

VIII. PETITIONS FOR SCHEDULING (TPZ January 28, 2009 and February 11, 2009)

- A. PETITION 01-09 – Deming Street (west side) former Peckham Farm parcel, Deming Street Associates, LLC owner and applicant, 145 Dividend Road, Rocky Hill, CT 06067 represented by James P. Cassidy, Hallisey, Pearson & Cassidy, 35 Cold Spring Road, Unit #511, Rocky Hill, CT 06067, request amendment of Petition 74-06 Special Exception, approved April 25, 2007, for single family age restrictive homes, fifty-five or over. Section 3.19.2 PD Zone District. Schedule for Public Hearing January 28, 2009.

- B. PETITION 02-09 - Deming Street (west side) former Peckham Farm parcel, Deming Street Associates, LLC owner and applicant, 145 Dividend Road, Rocky Hill, CT 06067 represented by James P. Cassidy, Hallisey, Pearson & Cassidy, 35 Cold Spring Road, Unit #511, Rocky Hill, CT 06067, request amendment of Petition 75-06 Site Plan Development, approved April 25, 2007, for single family age restricted homes, fifty-five or over, Section 5.3 PD Zone District. Schedule for presentation January 28, 2009.

Chairman Hall: Besides the thing that we just talked about for the 28th, anything else?

Ed Meehan: This, the Commission members will recognize as the age restricted project on Deming, that has been bought, it's under new ownership, they're coming back, revising the site plan layout and I think they are only reducing one or two units, but basically they have to start over, I mean, it's not going back to square one, but they need to bring in a site plan for the benefit of the Commission, as well as the Inland Wetlands Agency, so that is why it is scheduled here.

Commissioner Ganley: Carpio sold the property?

Chairman Hall: Yeah, very early on.

Commissioner Ganley: Gee, we worked so hard, we actually worked with them to make it happen. Now they're coming back with a whole new, start from scratch.

Commissioner Pruet: Ed, are they going to have the same concept in housing, are they going to come with a completely different thing?

Ed Meehan: No, same concept, age restricted, fifty-five or over. The architecture is different....

Commissioner Pruet: Basements and.....

Chairman Hall: Yes, single family type....

Commissioner Pruet: I'm looking at the drainage problem over there, it's like a regular ice skating rink, or geyser, one or the other.

Ed Meehan: They have made some changes to the layout that are very practical in some respect and saves the developer money, and they addressed some of the site plan issues, and they feel that they have a better product as far as the design of the homes, the floor plans and so forth, that his what they wanted to bring back to you.

Commissioner Pruet: That house will go down too, correct?

Ed Meehan: The red house is supposed to be removed, becomes open space.

Chairman Hall: So, so far that is it for the 28th?

Ed Meehan: Yes.

IX. PUBLIC PARTICIPATION
(For items not listed on agenda)

None

X. REMARKS BY COMMISSIONERS

- A. RFP No. 4 2008-09 Plan of Conservation and Development consultant selection and recommendation to the Town Manager.

Commissioner Kornichuk: I just have one question. Originally when they came before us for the Police Department and everything, you know, and then it went to referendum for the monies, wasn't there supposed to be enough money put aside to finish the downstairs part of this building?

Ed Meehan: There is. There is money, there are funds that were set aside for Phase Two, about \$160,000.00 I think that is left. The downstairs has been remediated, sealed off, a lot of the electrical conduits and stuff have been gutted out of there, and the concept is, as part of the total facilities of this building, that that might be treated as interim swing space to move departments into while other parts of town hall are being renovated. The facilities manager, Bob Kopec is looking at some scheduling for that as part of the overall improvements to this building.

Commissioner Kornichuk: Okay, because I have had people tell me that the money is all gone, it's been used for the remediation and the electrical part that has been done.

Ed Meehan: I believe that there is money left. I'm not deeply involved any more....

Commissioner Schatz: Just for information, when the gentleman was talking about the apartments okay, the land across the street, on the right hand side, I was on the Housing Authority at that time, we were doing that project at the old New Meadow School, and then when we finished that, we were going to take on, we had gone to the Council to get an extension so we could use that property and then we were going to put some more senior housing in there, and the State of Connecticut said that you had to have a, housing that would give people, you know, help them, and the reason that we didn't go with that, we didn't want to have a payroll. We would have to employ people to take care of, like assisted living, that is what the State was looking for, so that is why that land was never really developed over there.

Ed Meehan: The land now is under lease option to New Samaritan Corporation and they are waiting to hear on their HUD 202 project....

Chairman Hall: Should they hear in March on that?

Ed Meehan: They think late February. It could happen any day, or it could happen late February and the Town then would help facilitate by getting small cities grant to do the extension of Mill Street and do the site infrastructure. We want the project to be moved to the north end of the site, we don't want it plunked down in the middle of the field, want to keep some green space over there.

Commissioner Schatz: They wanted a two story building at that time, and assisted living facility, and we said no. As a Housing Authority we didn't want payroll, and the Town would have to employ people to take care of the seniors that would be going in there. That's why it never was built.

Chairman Hall: Other comments?

Commissioner Pruet: We have that other business, Garlic Joe's where Green Tea was, any other new businesses coming into town that you can.....

Ed Meehan: That's the only one that I am aware of, that have actually come in and gotten building permits to do the mechanicals for the kitchen, and start renovating the inside. Development on the whole is very slow. There are routine renovations, rehabilitation work going on, single family, owner occupied stuff, but other than Holiday Inn Express, Pulte Homes continues, Toll Brothers is pretty much done. Global Granite, I haven't seen them working down there for a while, they are pretty much finished with what they were doing. Sam's is somewhat on hold, L.A. Fitness is pushing to get done, probably another month to six weeks.

Chairman Hall: How about that gas station?

Ed Meehan: That gas station is essentially done, but it's tied into Sam's, so they can't open the gas station until Sam's gets open.

Commissioner Pruet: Any other bites beside the one from Long Island on that FoodMart plaza?

Ed Meehan: Best Yet Market did not show up for meetings that we invited them to, to meet with the Mayor and the Town Manager just before the Christmas holidays, they backed out of meeting with us. I don't know if that means the deal is not going to get done, but they didn't come up to Newington.

Commissioner Schatz: I heard that somebody is going into Green Tea?

Ed Meehan: That's that Garlic Joe's.

Commissioner Schatz: That's what you were just talking about.

Commissioner Kornichuk: Actually, that is supposed to be terrific.

Chairman Hall: Any other questions or comments? Seeing none, RFP Plan of Conservation?

Ed Meehan: Need some consensus on your selected consultants that we can bring to the Town Manager and negotiate a contract with. Anyone of these three firms, they are all good, they have been around, they all knew the number that we had, they came right in. I don't think that the work that we want to get done requires that, so I would hope to negotiate with them and back them down a little bit, you know to be fair, but we are looking at boiler plate data base information here.

Commissioner Pane: Madam Chairman, I would suggest through the Chair that we have our Town Planner talk to the three that are on, are within the range, and try to negotiate something at a lesser fee and see which one is going to do, perform, since not all of that information is needed as the Town Planner suggested and I'm sure anyone of those three would be able to do the project, but depending on what kind of jobs that they have, maybe one will come down more than others, so that's what I'm suggesting.

Commissioner Pruet: I sent some comments in about the three of them, and I kind of concur with what Domenic says, but if I was asked to pick right now, they are all highly qualified, but I do like that Planmetrics for one reason, the fact that they are local and they both have town planning background in Avon. The CEO and the Vice-President all have that background, which I like, and

their education is very impressive too. So if I had to pick, that is who I would, but I would like to get that negotiated a little lower.

Chairman Hall: I certainly think we can, if for no other reason than this didn't cost them that much.

Commissioner Ganley: I may have some ammunition for you. I read this thing extensively. Planmetrics by the way, was rather thin, there wasn't too much in there for me to kind of analyze. What I did was I compared our own Plan of Conservation and Development, I'll refer to it as the POCD, with the other two, this TPA Design Group, and Harold Makolowski Associates, that I will refer to as TPA and HMA.

This particular document here which we have developed is a result of studies that we have already done and there are comments on the various studies, so we have this information available to us already. The TPA in the section, tasks to be performed, item three, it says market (inaudible), etc., we have that information on our POCD on pages 1,2,6,7,8, and 9. HMA, under their heading, service to be provided, pages one through four, we have that information on pages 1,2,6,7,8, 9,10,and 11, they allude to open space. On 9,10,and 11 of the POCD we have an extensive coverage of open space and what we ought to do. Then they throw in, on page 14, this is HMA, in contrast they talk about community facilities. They have, HMA, on page three, economic and employment characteristics. I can't find this report, but I know that it exists because I know that I heard the thing, and I just can't find it. Patterns of household mobility and journey to work analysis, we already have some that says there are so many people from Newington who work outside, and so many people come from outside to work in Newington, I just know there is that report, I've heard it, I just can't find it.

Then TPA is going to review documents that we have in house that tell us what we kind of already know. They have a list here, Conservation and Development Review, Capital Region Council of Governments, the CCROG Transportation Study is the busway. I have a briefcase, I'm not kidding, I have a briefcase of materials, because I was on the sub committee so we have that information about the busway, and it may not even be a go. So just, now I have this letter here that I got from CCROG, they are talking about updating our maps, CCROG has the presentation of final draft land use policy guidemap. They just developed it. That's for free. I just got the letter saying that they completed it. You can just pick that up, so you don't have to have them to go get it and then charge us for going to get it. You can just pick up the phone, and say, give me a copy. Just for fun, I went on Zip-skinny, just for fun, punched in our zip code, and what does it tell us? It tells us demographics, educational achievement, marital status, household income, Hispanic, Latino, the demographics of the town, it goes into education levels, they are going to tell us that. We put information out there, we are going to pay them to go get in, bring it back and tell us what it says, so, it seems that we can get the price down because we already know a lot of what they say they are going to tell us. I went over this thing a couple of times, and I kept saying to myself, first of all I said why are we doing this, the next thing is, full disclosure. I've done consulting work for a rather tidy sum, I must tell you, and we do have a tendency to waste some paper on our qualifications and so on and so on, and then finally get into what we are going to do. We submit a report with the methodology which takes up a lot of the front, and then we tell them what we're going to tell them, tell them and then we tell them what we just told them, and that's our report. I'd like to see a report which the whole front end is kind of condensed into maybe like one page and then they just tell us what it is, all these documents mean, and I don't think that is going to be very hard since they can almost go to Ed's drawer and pull out most of them, spread them out on the conference desk and look them over, so I think the price can be reduced by quite a bit, based on what I have looked at.

Chairman Hall: And which one do you like?

Commissioner Ganley: Actually, I did happen to like HMA because they touch on a couple of areas that the other guy didn't, the open space and the recreational facilities and so on. I didn't go into, I didn't do anything on our POCD on the turnpike, or the center of town, because those are separate and distinct items, akin to just Newington. I just wanted to see what else was in there as a general presentation unfolded, so that is kind of where I'm at.

Ed Meehan: Well you are very right, all this information is out there, either at U.S. Census, CCROG, Connecticut Development Authority, Department of Labor, Department of Transportation....

Chairman Hall: The Warren Group.

Ed Meehan: The Warren Group is very good for real estate, residential comparison, but what we want to do is get the price down a little bit but the purpose of updating the Plan, not only is it just telling us what we know right now, but it's doing some comparative analysis, historically, comparing say 1998, excuse me 2000 to the current demographic information we have and then projecting forward. What is happening with the population cohorts in town, what's the age group, and all that information is there, but what they should do is, they should as planning professionals draft some observations as how that impacts this Commission making land use decisions, as policy makers. We're not going to do a lot with land use, we're built out so we know, that maybe if they say the population is going average medium age is going to be 44, maybe we've got to do more for smaller households that have different types of needs, so we want them to give us some planning observations. I don't think there is twenty thousand dollars worth of work there, I'd like to back it off a little bit to have some money so we can do a nice publication. The meat and potatoes of any Plan of Development are the strategies and policies that this Commission decides that you want to do. You pick your priorities, you say, here is what we want, these are our priorities, here's our policies, here are our strategies, and that becomes your working agenda. That becomes your Plan of Development. As far as what CCROG has done as your guide plan, I just got that PD up to me this afternoon. I've got it already and I mean, it doesn't mean that you have to agree with it.....

Commissioner Ganley: No, but that's a document that.....

Ed Meehan: You can reflect on it.

Commissioner Ganley: We can reflect on it.

Ed Meehan: But it doesn't mean, because you still control land use, I wouldn't turn that over to the region, and you can say whether you like it or not, but there is a lot of good things in it, so I understand what Domenic is saying, we have three that we could go back and work with, and try to get one to do that job and do it within 120 days because I don't want to prolong this any longer than we've been doing.

Commissioner Pruet: I think they all said they could do it in 120 days.

Commissioner Pane: That's what I recollect also.

Ed Meehan: Do some workshops for you, see if we can get the public involved, and get this adopted before the end of 2009. That's really I think, this is a window of opportunity to do it.

Commissioner Ganley: Do you have a figure in mind, just ball park? Fifteen, sixteen thousand?

Ed Meehan: Without committing to anything, yeah, between ten and fifteen.

Ed Meehan: We've been carrying a number, the Town Council has been good, we've been carrying a number for the last two fiscal years, but this fiscal year coming up is going to be different, so I don't know that that number is going to be available.

Commissioner Pane: Ed, when we did the, let's see, the '95 to 2005, we did that in house with you, correct? We had no consultants on it, but we sent it out for printing, we did everything.

Ed Meehan: We did everything, we had one of our IT guys at the time help with the layout and we did photography out to one of the print houses in town, George Masiol helped us with that, but we did everything else. It took about two years to do it, but it can be done. I mean, one of the numbers that you have seen, \$87,000.00, you don't need that for Newington's size and character.

Commissioner Pruet: Maybe to expedite this, maybe you could, make a decision tonight, what one you would like to go through, contact them, see if we could do this, rather than fishing out all three of them, can you do this, do that, do you know what I mean? If you could get an agreement with one of these companies that you would like to work with.....

Commissioner Pane: I agree with Commissioner Pruet, I would want it to be somebody that you felt comfortable working with, that you had a good relationship with, so I think it should be, I think you should talk to all three and see what you can do with the number on them, and I would leave it up to Ed.

Chairman Hall: Do you want to give a recommendation to Ed? Do you want to have him decide what he thinks is the best, how do you want to do this?

Commissioner Kornichuk: Let Ed decide, he's going to be the one who deals with them.

Chairman Hall: Okay, I agree with that, but from what you have read.....

Commissioner Pane: Take into consideration the local personnel, that, where are they out of?

Chairman Hall: They are out of Avon.

Commissioner Pane: They are out of Avon, the other two companies are out of.....

Chairman Hall: One was Hamden I think.....

Ed Meehan: New Haven and Branford.

Commissioner Pane: Well, they are all out of towners, but I would say the one that he feels most comfortable with, and the one that we are going to get a bargain with.

Chairman Hall: Everyone feel comfortable with that?

Commissioner Kornichuk: I do.

Commissioner Camerota: Yes.

Ed Meehan: Okay. We'll get this going, thank you.

XI STAFF REPORT

A. Bond Reduction – Newington Ridge, Toll Brothers

Chairman Hall: The bond reduction, there is going to be no action on, right?

Ed Meehan: Toll Brothers decided to stay with, they have a million two letter of credit in place, and they are going to do all their work early spring as soon as the pavement plants open up, and with this letter of credit, it's easier for them just to keep it in place than to start changing paper work, so they are going to be done with that project by late April, early May.

Chairman Hall: Any other questions for Ed? Are you all set?

Ed Meehan: Yes, as soon as I get something from Hunter Development I'll put that out, I won't wait for the agenda, I'll get it out to you as soon as possible.

XII. ADJOURNMENT

Commissioner Pruettt moved to adjourn the meeting. The motion was seconded by Commissioner Kornichuk. The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary