

NEWINGTON TOWN PLAN AND ZONING COMMISSION

December 10, 2008

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 Ganley  
Chairman Hall  
Commissioner Pruet  
Commissioner Schatz  
Commissioner Camerota  
Commissioner Casasanta  
Commissioners Absent

Commissioner Kornichuk  
Commissioner Pane  
Commissioner Niro

Staff Present

Ed Meehan, Town Planner

Commissioner Camerota was seated for Commissioner Kornichuk.

**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.**

Chairman Hall: Ed, are you going to present.....

Ed Meehan: I can give the Commission and the public an overview of the proposal, if you would like me to do that. Should I begin?

Chairman Hall: Yes.

Ed Meehan: These are proposed zoning amendments to re-institute to the zoning regulations, by Special Exception standards and a procedure for accessory apartments. The standards address the locations where accessory apartments would be permitted and as proposed, they would only be permitted in the R-20, which is the single family 20,000 square foot lot zone, or the R-12 single family 12,000 square foot lot zone. The other standards have to do with the occupancy during the time that the accessory is in place, the owner of the property has to reside at the residence, either the principal single family section of the home or in the accessory. There are requirements for the procedures in the sense of what the Commission expects as far as documentation, a class A-2 survey, verifying that it meets all of the zoning requirements, also standards for the size of the Newington TPZ Commission

December 10, 2008

accessory and how much of the principal unit can be expanded, and how much of the remaining living area has to be in place to continue the single family home. Basement and garages cannot be used for accessory living units, so there can be no units below grade. A split level walkout because it is a full walkout would qualify but you can't have a residence in a basement. The Commission is not proposing to permit garages, you know, a two garage that you drive into to be converted for an accessory. You might be able to do something over the garage but you can't just take the doors out and make it into a residence.

Other controls being proposed in the way of standards are the means of access and egress into the accessory. One of the things that the Commission is proposing, there has to be an internal connection between the accessory and the principal unit, so there is some control through the principal unit into that accessory, and that could be through a breezeway, it could be through a hall way, but it has to come through the principal residence. Architectural style is being addressed in these standards. Single family appearance must be maintained as the house faces the street, you can't have exterior open stairs leading to an accessory on a second level, and the applicant would have to submit photos and drawings of what proposals are being made to the existing home.

There are also requirements that address the bedrooms, and the key thing that makes this an accessory is that it has its own kitchen, the second kitchen in the unit. As far as utilities, the proposal is to have common utilities and not have separate utilities. That means common utilities as far as metering devices. We would like to see a floor plan of how the layout is going to be addressed and this would also make sure that the internal connections and the location of egress doors are shown. Parking was also a concern, and the suggestion here is that we limit the parking to not more than three spaces on the lot. On smaller lots, R-12 lots particularly in town, we have problems with cars being parked everywhere now, just with single family homes so this is an attempt, if you are going to have an accessory unit to control the number of cars parked out front. The last standard would be an affidavit as far as ownership and occupancy.

The procedure that is being suggested is by the Special Exception procedure, and that under the General Statutes requires a public hearing with notice in the newspaper, we now put our notices on the web page, at least fifteen days in advance, and notice to the abutters. Public hearings would then be held by the Commission, normally in this room, and neighbors and the applicant would have a chance to present and comment on the proposal. That is pretty much a thumbnail sketch of the accessory apartments as proposed. The Commission has been working on this since early last March. It has been shared with the Town Attorney and also a special Attorney at the request of the Commission, looked at this.

It has been referred to the Capital Region Council of Governments and the Central Connecticut RPA, and by statute I can acknowledge their comments and put this into the record if it's okay with you?

Chairman Hall: Yes, please.

Ed Meehan: The Capital Region Council of Governments reported on November 17<sup>th</sup>, and I'll just paraphrase their comments, they do not find any problems with inter-town concerns as far as zoning, and they note that it is the goal of the Capital Region Plans to provide a diverse range of housing types in the capital region, and we commend the town on these regulations which will aid in accomplishing this goal.

The Central Connecticut Regional Planning Agency, their report is dated December 8<sup>th</sup>, it arrived today, they find that the proposal is not in conflict with the regional plan of development. There is also a letter, if you want to read this, or I can read it, from the Newington Housing Authority from Chairman Steve Karp. That is the correspondence that we have to date on this.

Chairman Hall: "Dear Mr. Meehan: On behalf of the Newington Housing Authority I write you to request that you share this letter with the Town Planning and Zoning Commission, TPZ at it's December, 2008 meeting where I understand that the issue of accessory apartments as a special Newington TPZ Commission  
December 10, 2008

exception use will be revisited. The Newington Housing Authority supports the return to the policy of allowing accessory apartments in Newington. We request that the TPZ take action to once again allow exemptions for accessory apartments. Affordable housing and alternative housing options are in short supply in Newington. We at the Housing Authority see this on a regular basis, as numerous inquiries are received by our director from seniors and persons with disabilities seeking housing with the authority. Currently the Authority has a waiting list of up to fifty applicants, a list that would be three to four times longer were it not for our decision to close the waiting list. As for those persons fortunate enough to have had their applications submitted to the Authority, it may be years before an apartment can be offered. Private senior housing within the town is no different. This alone speaks to the need for accessory apartments to be allowed within the town. Besides the shortage of appropriate housing, allowing accessory apartments is a family friendly policy that provides options for older adults who want to maintain their independence yet may not be able to, or desire to maintain an entire single family home. These adults include long time residents of Newington who prefer to remain in their community. Furthermore, accessory apartments provide for pro-family option for adult children who want to assist their parents in staying within the community. Newington has always been a family oriented town, and the previous TPZ decision on accessory apartments runs counter to that tradition. We urge the members of the TPZ to act in a positive manner at the December 10<sup>th</sup> meeting by voting to allow accessory apartments. Stephen A. Karp, Chairman, Newington Housing Authority.”  
Now, is that all the.....

Ed Meehan: That is all the correspondence that we have at this point.

Chairman Hall: At this point, we will open this up for the public. Anyone wishing to speak in favor of Petition 48-08, and if you wish to speak, please come forward and stand at the podium and speak clearly into the microphone. Make sure that you state your name and address.

Patricia Hanbury, 133 Southwood Road: A long time resident of Newington, and I'm speaking in favor of the amendment. My husband was on the board when it was put in originally, and I think built some houses that had those apartments put in and were successful for the people who at the time were living there, and I feel strongly that we, you know, perhaps personally it won't be something that I'll be able to use, but I know that there are, probably by the time that my children reach the age, in another ten or fifteen years, it might be something that they would want to do and to find a rent for another place to live in Newington for a senior, that would be affordable is out of the question and so that the only way that they could really stay with their family would be if arrangements could be made for building on, or changing the house. Thank you.

Chairman Hall: Anyone else wishing to speak in favor? Please come forward and speak in into the microphone, state your name and address.

Diane Stone, Disabled and Senior Center, 120 Cedar Street: I too want to speak in favor of this proposal. I don't want to repeat everything that my friend Stephen Karp from the Housing Authority told you, but accessory apartments are very important options for housing for older adults and sometimes for younger adults. I don't know if anybody has heard the term "boomerang children", children that are adults that want to come back to live at home. Accessory apartments are very important options. Newington has one of the highest concentrations of older adults in this region, it's an aging community. There are 8800 people over the age of 55 in this community. There are more households with somebody 65 and older than there are with somebody 18 or younger. As a result, we have a lot of older adults living in Newington that are vastly over housed. You have one person living in a four or five, well, probably not five, bedroom home. We have a lot of people that are over housed. Often what we hear is that those people do not want to leave their home. Most people want to age in place, that's not an option for  
Newington TPZ Commission  
December 10, 2008

everybody because they cannot maintain the home, maybe can't pay all of the property taxes, can't manage the maintenance on the home. So being able to have an accessory apartment is a very, very important option. I understand that not many people have applied for accessory apartments. I'm sure that there are more of them than you have ever issued permits for. If this regulation is not put back in, there probably will continue to be accessory apartments that you really never hear of. I don't know of any personally that are operating without a permit, but that is something that is possible.

The regulations that you came up with, I think are solid. I think they address the common concerns, being owner occupied, having the permission not conveyed with the property, having the shared utility. You are going to be very hesitant who you let come into your accessory apartment if you are responsible for their utilities, so I think I covers a lot of bases. The only area that I would have any objection to, but I understand is necessary, is having it go through the Special Exception process versus having it go by right, because it does require people to come forward and publicly state that they have a need. There is a privacy issue there that some people will not want to cross that threshold, but I do understand that that's something that is necessary to make this palatable, so, again I would encourage you to put this regulation back in to again make this an option for Newington. Thank you.

Chairman Hall: Thank you, Diane. Anyone else wishing to speak in favor of the accessory apartments.

Karen Brecker, 120 Stage Coach Lane: I think I was here last month, was it last month and I've read the special regulations, I'm pleased with them, and I would just like to encourage all of you to vote for it, I think it's a great option. I don't want to repeat what Mr. Karp said, but I think it's an important option for seniors to have, and be able to age in place and be able to have some autonomy. Thank you very much.

Chairman Hall: Thank you Karen. Anyone else wishing to speak in favor? Okay, come on back. We'll make a special exception.

Diane Stone: Thank you very much. I did mean to also mention, the question had come up about, why can't people just move in with their relatives? That, why can't we just create space for Grandma or for Mom to come in and live, and the issue of independence is really, a key issue there. That people do not want to go and live with Mom and Dad and most kids don't want Mom and Dad to come in and live with them. It truly changes the whole family dynamics. The issue of a separate kitchen, as well. We just came from the dinner tonight and one of the complaints about the dinner was they had these wonderful green beans that were a nice al dente, nobody liked them because they were hard. People like different food. We had a long time Commission member who wanted to go with her family, and she ended up getting all kinds of gastro-intestinal illnesses because they had different eating patterns than she did, different eating habits than she did. She wanted to eat her food, when she wanted to eat it. By living with the family she got put on their schedule, their diet and it really didn't work out for her. That separate kitchen is really key to an independent life style, so I wanted to add that in. Thank you.

Chairman Hall: Anyone else wishing to speak in favor of the petition? Anyone wishing to speak in opposition?

Jim Stawski, 84 Partridge Drive: We live in a neighborhood of three hundred thousand dollar homes, or thereabouts. It's zoned for single family homes. We have an apartment added onto one of the homes in our neighborhood. Now, it was fine when the owners of the home brought in their mother to live with them, and we all agreed that it was fine at the time. After a few years, the mother has passed away, and now, it's a two family house, which I think is not appropriate for our neighborhood, a two family house. It's got a separate entrance, it's got a quasi-kitchen, they

have a hot plate, they have a refrigerator, and a microwave. They have closed off the door into the living, into the living part of the house, and it's being rented out at \$800.00 per month. Now, if you want to bring in your mother or father or cousin, or something like that, that's fine, but what happens after a couple of years they pass on? I think there shouldn't be a separate entrance, this is your family that you are bringing into your house. I know if my mother, or my mother-in-law came into our house, they would have a bedroom down the hallway, and they would eat with us, as a family, not as a separate entity. There shouldn't be a separate entrance, I don't think there should be a separate kitchen. You are bringing in a person who is part of the family and shouldn't be able to be converted into a two family house, and that's my opinion and I think the zoning laws should take this into consideration because sooner or later, that is what is going to happen. What happens when the house is sold? New people come in, new owners come in, what are they going to do? They have a two family house now. Thank you.

Chairman Hall: Thank you. Anyone else wishing to speak in opposition? Anyone else wishing just to speak, not for or against but just to state their opinion?

Patricia Hanbury, Southwood Road: It seems to me that the issue that he brought up is more of an enforcement issue for the Town, I mean, this Commission should have some authority to be able to police this and be able to find out whether the persons are family or whether it is being abused. I don't think we can drop something and not put it in because we haven't built in someway to be able to police it, and be sure that it is used for the right purposes.

Chairman Hall: Thank you. Anyone else just wishing to speak, seeing none, at this time, do the Commissioners have any questions or discussion that you want to.....

Commissioner Ganley: I listened to all of the speakers both aye and nay, and in each instance there seemed to be a focus on the issue of seniors. You have to really read this regulation very carefully, there is no prohibition against age or blood relatives, it's simply an apartment apartment. A person builds this apartment and from the get go, can put in anybody that they want, if you just read this thing literally. The sidebar affect might be as was stated that it is certain that there may be instances where you initially move in a blood relative, but the fact of the matter is, the apartment, once built, is up for grabs. It's an apartment. So the issue of anybody being prohibited from going in there, or allowed to go in there by virtue of their age, or blood relative, is just not part of the regulations. It's just a simple apartment. That's what is being brought back, I don't want anybody to ever believe that what is coming back is something akin to what we had prior. We've had two opinions on that and both, the Town Attorney and then it was out posted to another attorney and they both agreed you can't do that. So what we are bringing back is just an apartment, to simplify the whole thing. Thank you.

Chairman Hall: Other discussion?

Commissioner Schatz: This is going to be on the agenda again, right?

Chairman Hall: I'm not closing it tonight, couple of reasons and I'll go into that in a minute.

Commissioner Schatz: Just wanted to make sure.

Chairman Hall: Not that we answer questions, that is not what the purpose of this hearing is, but I know that someone had brought up the fact that, what happens when somebody else comes in, the last sentence of 6.13.9 pretty much addresses that, where a request to renew the accessory apartment or transfer it to another party shall require the approval of a new Special Exception. In other words, they would still have to come back to us, if somebody bought the house and wanted

to continue with the accessory apartment. It's not automatic, they would have to come back and apply for their situation as well, so we are not giving it blank, according to this, we are not giving it blank privilege.

Commissioner Pruett: If I could just maybe address this to Ed, what about the apartments that were built, as Mrs. Hanbury said, in the '40's or '50's, how would this play if we passed this as such?

Ed Meehan: Well, I wouldn't say they would be grandfathered, because I don't know the situation on those, there are probably a lot of unique different situations, but if you have an existing use situation or the structure is over a setback line, a building line, normally it's grandfathered going forward. I can't say that would be true for accessory situations, something that we could talk to the Town Attorney about, because they could be somewhat of a unique situation. They may not have full kitchens, a full second kitchen, and to make a broad statement and say if you have a pre-existing accessory you are automatically legally conforming now, and grandfathered I think would be a little bit too broad of a statement. It's a lot different than a hard and fast measurable line, like a setback line or something. We know that there are a lot of situations in Newington where these are done without zoning and building permits. Those we pick up through the re-evaluation process, or when there is a transfer and someone comes in and checks the building cards and the zoning cards. We don't certify those because they haven't gone through this Commission. That would be the checks and balances, but apartments that were done in the past, if they weren't approved under a set of regulations that were in place, and came before this Commission, they would still be illegal. If they were approved back in the '90's when you had regulations before, they would be legal.

Commissioner Pruett: Right, thank you.

Chairman Hall: Any other discussion around the table?

Commissioner Schatz: I think there is a need for this, I mean, I don't think you are going to have, if you approve this, I don't think you are going to have a line out the door, that kind of thing, but you will have the ones that really need it, and if somebody passes away, and the neighbor knows that something has happened in that apartment, they could come in and register a complaint, couldn't they?

Ed Meehan: Before someone passes away, Commissioner Ganley made the point, you could rent this to someone who, yes, it's a one bedroom, but there could be two people occupied, they have a couple of cars, they could be persons who don't respect other people's property. We get complaints now from single family neighborhoods that don't have accessory apartments because of the way that they keep their property and so forth, so that is always a vehicle. Sometimes it's a zoning complaint, sometimes it's a health code complaint, sometimes it's a complaint that we have no regulations for, it's a lifestyle situation. So, government is not always the answer, but that's a remedy, it's a possible remedy.

Commissioner Casasanta: Just a question to follow through on the comment the gentleman made, if someone were to come through and design the apartment the way it is supposed to be designed, you know, with the internal entrance, the ability to enter the accessory apartment from inside the existing home, but after they did all that stuff they were to modify that, so they closed off that entrance, if we were to find out about that, would we be able to do anything about that?

Ed Meehan: Well, it would be a violation of the standards, and a violation of the Special Exception. The operable word though, is how do you find out? They come in with a plan, it's a nice floor plan and it shows internal connections. They build it that way, it's inspected, they get Newington TPZ Commission  
December 10, 2008

their certificate of occupancy, and two weeks later they nail the door shut. It's pretty hard to find out about these things.

Commissioner Casasanta: But if we did find out.....

Ed Meehan: It would be grounds to issue a zoning citation. It might also be a building code issue because you really should have two means of egress out of these separate living units, and that is what we look at when we see a floor plan.

Chairman Hall: Egress, the opposite of egress is entrance.

Ed Meehan: Goes both ways.

Chairman Hall: You can't just say this is the way out.

Other discussion? Seeing none, I would like to keep this open, several reasons. First of all, not all the Commissioners are here tonight. We did have a conflict around town this time of year, there are lots of things going on. The publication that Ed tried to do, he actually wrote things up and submitted them to various publications. The only thing that may have gotten through was Newington Life, and again, for instance, I didn't get mine. We usually don't get ours until Thursday or Friday, and they would have to read it today and be available tonight, so I am going to prevail upon you again to try to get the word out.

Ed Meehan: We'll do that and will re-advertise it according to the law.

Chairman Hall: At least this was a start tonight, and we appreciate all those who did come out and we will keep this open. Thank you.

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

None

**IV. MINUTES**

November 24, 2008 Regular Meeting

Commissioner Pruett moved to accept the minutes of the November 24, 2008 Regular Meeting. The motion was seconded by Commissioner Schatz. The vote was unanimously in favor of the motion, with six voting YES.

**V. COMMUNICATIONS AND REPORTS**

Ed Meehan: I have some items I can go over briefly under Staff Report when we get to that. Some meetings going on around town.

**VI. NEW BUSINESS**

None

**VII. OLD BUSINESS**

None.

**VIII. PETITIONS FOR SCHEDULING** (TPZ January 14, 2009 and January 28, 2009)

- A. PETITION 49-08- Lot 5 Costello Road, Raymond Gagnon applicant, 3287 Berlin Turnpike, Newington, Amigo Corporation, 209 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, Schedule for presentation January 14, 2009. Inland Wetlands Report required.
  
- 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, 80, 476 sq. ft. (multi-buildings) PD Zone District. Schedule for presentation January 14, 2009

Ed Meehan: Both of these are site plan applications for vacant parcels, nothing too much to say about 5 Costello Road. We are waiting for some drainage and building elevation information to come in to get that all together to have it presented to the Commission.

Petition B, down on the corner of Maselli and Pane, we learned today there is going to be a substitution in site plans. Rather than coming in with a plan that is going to propose 80,476 square feet, a phased plan will be presented which will have less of an impact on the property and they will be able to provide us at that time, with this phase plan the required drainage information and building elevations, which we didn't have when this was put on the agenda. It's going to be a scaled back project, I think what we have sort of is what is the desired goal for a master plan, so on the 14<sup>th</sup>, they will present that modified version. There is no Inland Wetlands on the second one, so there is no coordination with the Conservation Commission. That's pretty much it. The only one that I know I talked about at a prior meeting that we may see between now and the 14<sup>th</sup>, I think it's going to go forward, is the kiosk that Bank of America was looking at down at Lowe's. They have done their engineering, and now they probably have to make the deal with Lowe's before they submit it, or get somebody in Lowe's organization to sign it, sign the application as property owners. Other than that, things are very quiet.

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

None.

**X. REMARKS BY COMMISSIONERS**

Commissioner Schatz: Bank of America, the gentleman that was here, that one night, he said they were going to do that in most of the Lowe's throughout the country, so they might have the green light already. When he was here, we had a light agenda, and I asked, what are you here for? He said, he was the Bank of America representative.

Commissioner Pruet: Can you keep us informed about that Plaza, Northwood Plaza, a potential....

Ed Meehan: Yeah, a couple of weeks now, we had indications a store out of Long Island called Best Yet markets were going to proceed to get at least some closing documents, not closing documents, sale documents I guess underway, through one of the attorneys in town, and we had a meeting scheduled with them on Thursday, the Town Manager, myself and the Mayor, and at the eleventh hour they called to cancel. They said they would reschedule, but as of this time, I don't have a rescheduled date.

Newington TPZ Commission

December 10, 2008

Commissioner Ganley: What is the name?

Chairman Hall: Best Yet, Y-E-T, they have a wonderful web site.

Ed Meehan: They have eight or nine stores in the mid-section of Long Island about the size of what we have here, thirty, thirty-four thousand square feet and as the Chairman said, if you get a change, Google it because they have an interesting web page, and you will see nice pictures of their store and their menu and coupons and everything. It's pretty well done.

Commissioner Pruet: Something like West Side?

Chairman Hall: Very similar. IGA, that kind of thing.

Commissioner Pruet: That would be great.

Chairman Hall: We need it. Any other remarks by Commissioners? Seeing none, we'll move on.

#### **XI. STAFF REPORT**

- A. 1995-2005 PODC Review of Policies, Strategies and Actions Completed.
- B. RFP No. 4, Plan of Conservation and Development, 2006-2016 Consultant Services.

Ed Meehan: I'll be brief. The last couple of meetings we provided you with sort of a status of actions that were taken over the last ten years to implement various planned strategies. I've got one more section to write for you, transportation section, and that will be like a good benchmark as we go forward to look at what has been accomplished and what hasn't been accomplished and we can start talking about policies and strategies for the new plan. Request for Proposal, number 4, which was issued on November 13<sup>th</sup>, a brief memo on the table for you tonight, responses came back on the 3<sup>rd</sup>, we got seven responses and we have a grant of \$20,000.00 to do this, so the request for proposal was very tightly written, it was very narrow in scope as far as focusing on data collection of critical elements like demographics, the housing and the economics so we could start drawing some conclusions from that baseline information. When the fourth component that we asked the consultants to look at was to work with the Commission in three workshops and do some what we call visioning of what they see for future long range land use in Newington from an outside perspective, and as a result of those workshops they were asked to generate a future land use map, a concept future land use map. These are all in draft forms so the Commission can take that information and work it in any direction that you want to. Long story short is, we got these seven proposals, four of them were well over the top as to what we have in money and the scope of work, and I think, it goes from \$46,000 to well over \$80,000.00. Basically it looked like they were giving us, if not a full plan of development, about ninety percent of what you would normally get from a consultant for a Plan of Development, in other words, you turn the whole process over to them and they take it, they work on it for five or six months. Given the characteristics of Newington, what we have for baseline information, what we have done already, and what we have for funding, it's not something that we need. So three of the firms that responded, they are all Connecticut firms, in fact that responded, kept it under \$20,000 because all they have to do is go on OPM's web page and see that is all we have. They got it right. They also know that they are working with other communities with this grant, so I would suggest, through the Chair, or if you want to do it as a full Commission is we look at those three proposals, I have copies here tonight, and pick one of them. We could bring them in for an interview, or we could just pick one and ask the Town Manager to sign a contract with them, and we would bring them in and work up a schedule that you want to do in the new year, and I will sit down with them and go through everything we've done so far. If you go back over the past year, we've done, we've got a lot done, and have them start rolling out the baseline

Newington TPZ Commission  
December 10, 2008

information so we can have workshops. The concept was to have some workshops in March, March, April and get this thing into shape before summer season comes around, you can have a good document you can share with other Boards and Commissions as a draft, make your referral to the Town Council, they are now required to have input to this, and get it adopted before the end of 2009. That's the goal.

Chairman Hall: You would want us to look at them tonight and vote on them?

Ed Meehan: No, no, not tonight Just take a look at them.

Chairman Hall: Can we take them home?

Ed Meehan: Yes. And if you want to see the other proposals, you are certainly welcome. If you want to.....

Chairman Hall: Let's see what the \$87,500.00 looks like.

Ed Meehan: I was surprised at that one because one of the principles in that firm used to be the Town Planner in Berlin, so.....but you will find these interesting, and all these firms are good. They all know Connecticut statutes, they know the geography of the region, and they have been around for a fairly long time. So, I would appreciate if you would give me some feedback on it and this is a process that you control and it's a process that we want to have a good communication and good conversation about. This is your chance to talk and direct where you want to put the town over the next ten years. The last thing I'll say is going through that list of policies and strategies, a lot of the strategies have been accomplished, one way or the other. Some significant ones have been accomplished in the way of zoning changes by reducing the height of buildings and the density, town center design guide lines, the two farms that were acquired, some open space from the State of Connecticut, so I was impressed with the check list myself. Some things we didn't accomplish, we haven't done the senior housing yet, affordable senior housing and some of the traffic improvements, in quotes. We haven't been able to accomplish those, but for the most part, the things that were in the town's control or your control as policy makers or working with the Town Council or the Conservation Commission in open space areas were achieved.

I was just going to tell you, there were a couple of meetings that I attended that will be important for you to know about. The first is, a public hearing was held on December 2<sup>nd</sup> over at the VA. They are rolling out a proposal, this is a nationwide proposal, it's for all the VA campuses around the country that have what they are calling surplus land. Permanent housing for homeless vets, assisted living. The concept in some of these areas is to take part of their campus and put it out for request for proposal for private non-profit sponsors or limited profit developers to come in and give them proposals to build housing for homeless vets. They would use HUD funding programs, or Connecticut Housing Finance Authority low and modern income housing bonds to build this. In Newington they picked two sections of their campus, one is the five acre southwest corner that abuts the Old Farms neighborhood and the back of the football field, they are talking about assisted living geriatric facility in that corner, that would be more of an institutional building. On the other side of their campus that abuts the high school baseball field where there are some buildings now, about eight acres for some sort of cottages or structures that may have four or five units in them. They are very early in the process but they tell us at the hearing that these types of developments would go through local zoning. The developer who responds to the RFP and gets selected by the VA, they sign a seventy-five year lease, but they then take the project and they carry it through the local approval process. So there are still a lot of unanswered questions, but it's something that we will probably see in a year.

The other night, Monday night we had a meeting at Conference Room B and C, the Helen Nelson room, with the busway operations people. It was advertised to talk about service plan and Newington TPZ Commission

December 10, 2008

service areas and schedules, they did a little of that, but the people who were there were more interested in is the busway really coming, is it going to really be built. They gave a very good overview of where they are with the engineering and again, they have committed publicly that they are going to have this up and running with people riding on it by 2013. So, they talked a little bit about the Newington stations, and they have the funding and they have to keep going back to the federal highway and federal transit administration for additional funding, so there are benchmarks that they have to meet on that.

Also, we had, Town Engineer and I met a week and a half ago with Department of Transportation, Hayes-Kaufmann about Cedar and Fenn. We had a very good meeting, a very positive meeting about design options to introduce the traffic signal on Fenn Road between the existing signal at Stop and Shop and the signal at Cedar and Fenn, which would convert that right turn in and the right turn out that we had on the Hayes project to a traffic signal which would be shared by the busway and whatever developer we can get to go into National Welding, the property we own, and Hayes-Kaufmann. The traffic engineers are taking the concepts that were developed as part of the Newington Busway Advisory Committee, the Fuss and O'Neil study, the short range five year traffic improvement plan. They have looked at that and if Hayes agrees, and he has said this a couple of times to donate or to share land to widen the right of way they can make the lane arrangement fit, along with a sidewalk on the west side. So it replicates very much the concepts that we talked about two years ago. It's a big move on the Department of Transportations part to consider another traffic signal.

Commissioner Ganley: Excuse me, the west side of Fenn, or the west side of the property on the east side of the street.

Ed Meehan: They are talking about the west side of Fenn a sidewalk.....

Commissioner Ganley: Along where that cabling is right now?

Ed Meehan: Yeah, in back of the guard rail. It would come out underneath Route 9, it's to get Central kids back and forth. The bottom of the hill where the commuter lot is right now, you are going to see, that is where Central is going to put their new police station. They have a temporary one now. They are going to build that, when they build that, they want to put the sidewalks under Route 9. The long range plan would be to either wrap the sidewalks around the back of their, Welcome to Central sign or around the front, bring it up to Fenn Road to the point where the traffic signal would be proposed, so on a push button phase the kids could cross on a protected phase. That's okay, but if they push the button on peak hours, you get a thirty, forty-five second crossing, you are just going to blow the traffic, and I could see the traffic engineers, the guys that we work with were cringing at that, but on the other hand they are saying, it's the only safe way to get kids across five lanes of traffic.

Chairman Hall: Unless they go over or under.

Ed Meehan: Well, that may happen. It may come to that, depending on the land uses on that side. We're going to be back down there on December 18<sup>th</sup>, it's sort of a list of questions of who is going to be responsible for what part of this plan, who is going to pay for it, who is going to donate land. The town is sort of riding on these coat tails because we don't have a developer for National Welding and we're not like a private developer where we can commit funds or, we could probably commit some land, share some land out of the National Welding site, and we may be the last development in, which is always a good situation when all the work is done before you, so that may work.

Commissioner Schatz: That was two years ago? Wow, time flies. They had talked at that time about going over, right?

Newington TPZ Commission

December 10, 2008

Ed Meehan: Yeah, and the other party that is now sitting in on these meetings is CCSU. We have just been sitting with Rich Hayes and his engineers and ConnDot and we're going to bring CCSU in because they have such an ambitious plan for their east campus which affects the south side of Cedar Street in Newington and is a tremendous opportunity for economic development, but it is also a very big traffic generator. They are talking about a thousand car parking garage and dorms and magnet school, so again, it's a fantastic location when you look at the trips and the interchange and the access to the University and Route 9 but it's also, the other side of the sword is all these cars cause gridlock. So, that is what is going on there.

Commissioner Pruet: Now they are talking about having more money too for the New Haven-Hartford-Springfield rail line, that's back on the table with funding. But I wanted to ask you too Ed, you answered most of my questions, how is that fourteen points at the top of Cedar Mountain to the State Traffic Commission? Any feedback on that?

Ed Meehan: The Hunter Development is still trying to respond to the STC comments. They were supposed to meet with us last week, myself and the Town Manager, and that got delayed. He says his hotel is hanging in, but he's not sure he still has a hotel, and I was telling Cathy yesterday that he wants to meet and I think he sort of wants to dangle in front us revisiting the court settlement, which ordered the process of what got built first, the hotel being the first component, and we'll wait and see what he has to say, and that will have to come back to this Commission to discuss it and decide what to do. It may have to go back to Superior Court if there is any decision on that, I'm not sure, I'd have to talk to Ben Ancona on that. Mr. Hayes says that his hotel is not in the picture anymore, for now. They have withdrawn their offers to build it, the economy again.

Commissioner Ganley: Could he at least do the, I believe it is the branch bank and there was.....

Commissioner Pruet: Starbucks is out.

Commissioner Ganley: How about the vacant lot that was on the other side of his proposal? The whole lot is going to remain vacant for a while?

Ed Meehan: Yeah, I think what the strategy is, and I don't know where he is coming from on his side of the table, but what I detect is given the sort of positive movement with ConnDot is that he would like to get the right of way set and the driveway set, and that would determine the template for where he can put development. The busway driveway as far as it's grade and how it gets down to the lower level may require the town to swap some land with the state to make that grade, and Hayes has already asked us about giving him temporary construction rights for that steep slope that runs downhill, so those are some of the things that could happen later. But right now I think he realizes that he hasn't got a tenant at this point, but if he can get the table set, so to speak, then he will be ready to go.

Commissioner Pruet: Do you think he might be interested in that National Welding, too? It would be a natural extension to develop that with Crest Pontiac property, and that, and the right of way down there. Would he be interested in that, do you think?

Ed Meehan: He's very interested that the town get the development to compliment what he wants to do, and get it cleaned up, because it's probably one of the first things any tenant looking at his space says, well, what is going on with this 90,000, 100,000 square foot rusty building.

Commissioner Ganley: Is that a four acre parcel?

Ed Meehan: Yes.  
Newington TPZ Commission

December 10, 2008

Commissioner Ganley: That's a nice piece of property.

Ed Meehan: It's got great opportunities for low grade parking with associated mixed use on top, more of an urban scale, but you are so close to the interstate.....

The last thing that I want to mention, the New Meadow project across the street, we are sort of in a partnership with New Samaritan Corporation, they still haven't heard from the Department of Housing and Urban Development on the status of their HUD loan, that was supposed to be decided in early November, and as of this point, they still haven't got a decision. We do understand that it has moved from the regional office which is the Boston office, down to Washington, they say that is a good indication, but now they are saying the first of the year before we hear. They are going to come up next week and talk about that project with us.

Chairman Hall: Any other questions of Ed?

Commissioner Schatz: Can we do anything about those mailboxes, can we request the police department to take a look at them?

Ed Meehan: Over at the post office?

Commissioner Schatz: Some people are just pulling in and stopping, stacking up coming out of the driveway, and then some are coming in, some are pulling over to the left.

Commissioner Ganley: I pull in, and then I go about six or seven car lengths down, and I walk back.

Ed Meehan: That is probably where the mail boxes should be, six or seven spaces down. I had talked to her about the long range plan, to put the snorkel boxes over where People's Bank was going to, so I was surprised to see that they landed where they landed. I can find out who is next in command, and see if they will slide them down.

Commissioner Pruet: That's a major accident waiting to happen. It's crazy.

Chairman Hall: They couldn't be closer to the corner, it's ridiculous.

Ed Meehan: So she's out, Patricia is out of there?

Commissioner Pruet: Yes, she should be back pretty soon, but they have somebody in charge.

Ed Meehan: That came up at Economic Development at their last meeting too. They asked the same thing.

Commissioner Pruet: I've been trying to get that for five years, the Town Manager, Chapman asked me, Featherston, and you mentioned it too, I just gave up. You need to threaten this with the police action, then they will move.

Ed Meehan: I think we have a plan if they ever build People's Bank, put the mail boxes right at the beginning of the driveway.

Commissioner Pruet: That would be a nice snorkel location.

Chairman Hall: Any other questions for Ed? At this point, do we want to add the Hoffman thing, that was on the table, because otherwise we are going to hang him out until January.

We had this presented to us tonight in our little packet, and Ed, do you want to explain what this is?

Ed Meehan: The \$28,000.00 is for their external parking lot, they redid the whole front, OFI had a very small parking lot, they had to increase it because they have a firing range in there which necessitated more parking, and getting the utilities underground and the landscaping, so it was not a big deal but, this work was all done back in August, and then Scott opened up this fall, but they forgot to take the overhead wires down, and I kept going by thinking that they didn't comply. I found out that the overhead wires were just, they weren't functional, they were just there. So last week they finally took them down and I called the engineer and said, send me verification that they aren't needed, and we will put it on the agenda, so that is why you have it tonight. They put in new concrete curbing, new landscaping, new drainage, couple of new lights, handicapped parking, it came out pretty well for the reuse of the building.

Commissioner Ganley moved to add Hoffman Gun Center Site Development Bond to the agenda. The motion was seconded by Commissioner Pruet. The vote was unanimously in favor of the motion, with six voting YES.

**2686 Berlin Turnpike – Hoffman Gun Center  
Site Development Bond  
Request for Release**

Commissioner Schatz moved that the site bond held for the exterior improvements at 2686 Berlin Turnpike Hoffman Gun Center be released, all work having been completed.

The bond amount of \$28,000 shall be returned to the property owner, Mr. Joseph Sullo, acting on behalf of 2686 Berlin Turnpike, LLC.

The vote was unanimously in favor of the motion, with six voting YES.

Chairman Hall: I guess that is it, unless anyone has any questions at this point, we won't be meeting again until January 14<sup>th</sup>, and I hope everyone has a nice holiday, and a safe one, and that we have very little snow in January.

Ed Meehan: Can I, with your permission talk to Commission members about their feedback on these three proposals, that's like four or five weeks away.

Chairman Hall: It's five weeks, five weeks from tonight. You want feedback tonight?

Ed Meehan: No, not tonight.

Chairman Hall: In between now, so that will be our assignment, get back to Ed, review this, give him some feedback, either e-mail or call him, leave a message, pop in if you are around, just so that he has some kind of an idea of what we think about this, and then it will be on the 14<sup>th</sup>, you will have an item on this.

Ed Meehan: I know that the other firms will be calling, have we selected anyone, and I will say, we are working on it.

**XII. ADJOURNMENT**

Commissioner Pruett moved to adjourn the meeting. The motion was seconded by Commissioner Schatz. The meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary