

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

April 9, 2008

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:10 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

I. ROLL CALL

Commissioners Present

Commissioner Fox
Chairman Hall
Commissioner Kornichuk
Commissioner Pane
Commissioner Pruet
Commissioner Schatz
Commissioner Camerota
Commissioner Niro

Commissioners Absent

Commissioner Ganley

Staff Present

Ed Meehan, Town Planner

Commissioner Niro was seated for Commissioner Correll

II. PUBLIC HEARINGS

None Scheduled

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

None.

IV. MINUTES

March 26, 2008

Commissioner Pruet moved to accept the minutes of the March 26, 2008 regular meeting. The motion was seconded by Commissioner Kornichuk. The vote was unanimously in favor of the motion, with seven voting YES.

V. COMMUNICATIONS AND REPORTS

A. Accessory Apartments – Opinion Letter – Town Attorney Ben Ancona, March 28, 2008.

Ed Meehan: Town Attorney Ben Ancona has provided you with his opinion letter for accessory apartments. I think you all have copies, I would suggest that you review them and share your comments with the Chair and then Attorney Ancona will be available at a future meeting to discuss these with you.

Chairman Hall: Everybody have a copy?

VI. NEW BUSINESS

- A. **PETITION 02-08 418 Willard Avenue Udolf Properties owner and applicant attention Mr. Leonard Udolf, 2475 Albany Avenue, West Hartford, CT 06117, represented by HRP Associates, Inc., 197 Scott Swamp Road, Farmington, CT 06032, attention Frank Sova, PLS, request for site plan modification to construct a 31 space parking lot. PR Planned Residential Zone District. Continued from March 26, 2008. Sixty five day decision period ends April 18, 2008.**

Frank Sova: Good evening, I'm Frank Sova with HRP Associates, I'm a land surveyor and project engineer for the firm. Our client, Mr. Udolf is trying to build a parking lot in between a couple of buildings that he owns, this being the apartment building, and this being a single family residence that he owns and will probably rent. The general shape has not changed, of the parking lot, still 31 cars. We have made some grading changes per the engineering department's comments, we have flattened this out a little bit to accommodate the handicapped spaces. We have changed the flow of water from the sidewalk toward the street, everything used to go into the parking lot. We changed this, everything drains to a catch basin that was put over here in the corner of the parking lot, that used to be in this corner. Everything that you see in green, well from the sidewalk over will drain to this catch basin. New sidewalks are going to be put in to accommodate all this work in here. New drainage, the existing drainage system in here that we are going to completely replace, we're going to put bigger pipes in at a steeper grade, we're going to intercept, there's a roof drain leader pipe that enters in here, we are going to put a manhole in here, and at the end of the line we are going to put one of these storm septer systems in to keep the water clean. All this has been an issue with the engineering department and we finally hammered out a decision that we can both live with, unfortunately it was yesterday and I know that you can't make a decision on this tonight until you actually look at the plans, but that is essentially what we have. We adhered to all the engineering department's comments. There were a couple of comments at the last meeting, we changed the tree caliper to, from three inch to three, three and a half inch and we changed the pound per thousand square feet of grass seed from one to seven I think it is, so I think we have accommodated everyone's concern. If you have any questions?

Chairman Hall: Ed, we'll start with you.

Ed Meehan: There has been quite a bit of conversation back and forth since the Commission last saw this, my understanding from the Town Engineer this afternoon who had a quick glance at the plans, the plans were submitted in the morning, is that they are headed in the right direction, and they look like they addressed his staff concerns. One of the things that the project engineer is proposing is double eight inch pipes, on Willard which will certainly accommodate the additional flow that the impervious surface is expected to pick up. As the applicant says, the grading for the handicapped spaces have been adjusted, the Town Engineer would just ask that you do accept the extension of time so that they can look at this, and be prepared to formally recommend it to you at your meeting on the 23rd. Other than that, they didn't have a chance to get into the real details, but certainly the storm septers is the right thing to do here for cleaning the water from the sediments getting into the Willard Avenue system, double pipes are the right thing to do, and in general the grading, which will keep some of the water away from the sidewalks and prevent icing

problems is a step in the right direction, so they, they being the Town Engineer, our engineering staff feels that this is the right plan at this time, they just need another, they need some time to look at it.

Chairman Hall: Questions from the Commissioners? I just have one. I know that there is a lot of water at the back of that parking lot. This plan addresses that by taking it and bringing it down to the front? Do they have to change the elevation, or how are they going to do that?

Ed Meehan: I'll let the applicant explain.

Frank Sova: We have graded it from the garage and from the property line all into the parking lot. I know there's a ponding problem now, we are going to fill this in a little bit, and grade it so that it all goes into the parking lot which goes into this catch basin.

Ed Meehan: The water is coming over from the back yards of Michael Lane. There is like a depression in there where the water settles, and that is one of the things that the Town Engineer wanted to look at in that northeast corner, there is, I think it says grade to drain.

Frank Sova: Grade to drain through the parking lot.

Ed Meehan: That is the right thing to do, and it may be something that they actually may have to adjust in the field as they get the equipment out there to make sure it blends. There is also a fence in the backyard there, so they can't go through that fence onto private property, so they have to touch it up in the field to make sure that water is going to move over the curb line, into the parking lot, into the catch basin. That's been recognized in this plan.

Frank Sova: If they build it correctly, it should work.

Chairman Hall: Any other questions? We do have a letter from HRP Associates asking for an extension past the date of April 18, 2008, signed by Frank Sova, project manager.

Ed Meehan: If I may, it's really the applicant granting you an extension, if that is what you meant to say.....

Frank Sova: Absolutely.

Chairman Hall: And we have to vote on that, or do it by consensus?

Ed Meehan: You could take it by consensus that you are going to hold this over to Old Business on the 23rd.

Chairman Hall: Does anybody have any objection to that, otherwise we won't have a chance to see the plans. All right, then I would say that the Commission has agreed to the extension past the date of April 18th, our next meeting I believe is the 23rd. We will revisit it on the 23rd, and in the mean time, hopefully have a view of the plan, so that we can study it. Thank you very much.

B. PETITION 15-08 – 25 Holly Drive, United Technologies Corporation applicant, GRI Newington, LLC owner represented by Attorney Edward Hill, Robinson & Cole, LLP, 280 Trumbull Street, Hartford, CT 06103 request for site plan modification, I Zone District.

Attorney Edward Hill: Good evening. For the record, Edward Hill from Robinson and Cole, 280 Trumbull Street, Hartford, Connecticut, and I represent the applicant, United Technologies. We are here tonight, let me just introduce who is here with me tonight. I have Chuck Puckhaver, who is a professional engineer, he works for the Carrier Corporation, and he is the operations manager there, he's working on this project which we will explain in a minute; the gentleman putting up the drawings is Dan Bellini, who is project engineer from Fuss and O'Neil; we also have Charlie Bauman, who works for United Technologies, and he is the facilities manager; and with me is Lynnanne Caffrey, a land use analyst from Robinson and Cole, she has been working with me on this application.

What we are here tonight to talk about is the United Technologies Computer Center which is located at 25 Holly Drive. They have been there eighteen or nineteen years, and that is the location at which United Technologies manages their computer network that extends to something on the order of 180 countries and thousand of locations. What we are seeking approval for tonight is a site plan modification to allow installation of carrier produced cogeneration system that will serve United Technology Data Center. I will note for the record that the consent of the owner of the property was included as part of the application. The applicant is United Technology. Maybe I can just walk you through what this application will consist of. If I can direct your attention to this drawing, L-1.1 that you may have in front of you, you probably can work off of the plan that this gentleman has in front of him, that's similar. The plan is for eighteen micro-turbines that would be run by natural gas delivered to the site, and those turbines would produce electricity, about a mega watt of electricity for the operation for the computer systems at the data center, and then, this may sound like magic, the heat produced by the micro-turbines is then used to produce chilled water which is then used to air condition the building. These gentlemen here will explain that.

The units are located right next to the building, they are on concrete pads. In between the turbine units and the gas compressor, because the gas comes in at a low pressure off the street, and the pressure needs to be boosted to run the turbines, is crushed stone and gravel and what we are proposing to do is to add a screening wall around the installation. In this area, it's about 115 feet along the side of the building, and extends out from the building just under thirty-three feet. So that is what the proposal is. The reason for the proposal is that United Technologies has announced a corporate wide program to reduce their greenhouse gas emissions and this installation is a win-win, win-win situation because it will provide for redundancy and reliable power to run what is obviously a very important computer system, and it will reduce the carbon dioxide emissions by about eleven hundred tons per year and the nitrous oxide emissions by about 3.2 tons per year. The noise of these turbines is estimated inside this enclosure at about fifty decibels, which is well below your regulatory maximum and represents about what you would hear from a car driving at forty-five miles per hour. We're not producing any new occupied space, and so the parking is not affected, and we are not reducing any of the parking. As a matter of fact, one of the reasons why this location was chosen was so that all of the parking could be kept intact. As I said the proposal includes some enhanced landscaping, and I'll get to that in just a moment. We were able to have a meeting with Mr. Meehan and he suggested that we do a couple of things. One is that we provide an erosion and sedimentation control plan, and I don't believe that he has seen that, but Dan has got that here tonight, Dan if you want to just take a minute and talk about what that does.

Dan Bellini: For the record, Dan Bellini, I'm a project engineer for Fuss and O'Neil in Manchester, Connecticut. The plan in the lower right hand corner is the erosion control plan. We created a separate plan. Basically it's very simple from the erosion control standpoint and from a site standpoint. The only disturbed area is limited to construction of this enclosure adjacent to the building. What we did do was go from the building out and around along the back of the concrete wall and come back in to the building and surround the work area with silt fence. It is a very flat area, we don't anticipate, even in a heavy rainstorm a lot of velocity but it definitely, with that in place, there should be any sediment travel off site. In case there is, we did propose in this

existing catch basin on Holly Drive and on the existing catch basin in the loading dock area of the existing building, we are proposing the use of a silt sack, it's proprietary sedimentation control measure for already constructed catch basins. You are limited, you can't stake hay bales around it because it's in the road, so we are proposing to install a silt sack there, if you are not familiar with them, it is what it sounds like, it's like a basically a sack made out of the same stuff that silt fences are made out of, that is attached to the basin and hangs inside the basin and as the water comes into the basin it filters itself through, and the silt is left inside the sack and you can visually inspect it and after a rain storm, if it starts to fill up, you can lift it out. Either two men can do it, if there is a lot of sediment, you can use a small fork lift, to lift it out, dispose of the sediment and reinstall it. That is the extent of the erosion control measures for the site. It's very straight forward, there's not a lot of potential, given the grades and the amount of work for sediment travel outside of the work area.

There is also one change from the plan that you received before this meeting, that is that there were two transformers located on the southwest corner of the building. On the original landscaping plan they are actually shown, I left them on here, there are two transformers shown down on what would be the east side of the far end of the building and as you can see in here they have been removed, they are no longer necessary so they have been removed from the most recent set of plans.

Attorney Hill: There was some concern about whether that would present an access issue for firemen, but they are not there anymore, so, it doesn't.

We received a variance from the Zoning Board of Appeals for a sideline setback. Under your regulations for this corner lot, the setback from the property line is 25 feet and I think it is shown in this area. As I said, this extends just under 33 feet and so the Zoning Board of Appeals recognizing that this is a very narrow lot granted a variance to reduce the setback from 25 feet down to 10.5 feet. As a matter of fact, our plans are at 10.7 feet but this is rounded to 10.5 so that we would have a slight margin for error. With that variance, this proposal meets every one of your dimensional and bulk requirements in your regulations and that is demonstrated by the zoning table that is on the cover sheet of the plans that you received.

Let's talk about what I think is the real concern here, and that's the landscaping. If you could look at your package, what we did is we took photographs of the building. Those white stakes show the approximate location of the screening wall as it runs along Holly Drive. The one on top is looking westerly and then the one on the bottom is looking at the site from across the street, from the northerly side. What we are proposing is a significant enhancement and improvement in the landscaping. As I said, if I could just direct your attention to this drawing, the landscaping plan is also reproduced there, this wall is about ten feet, this is the west wall elevation, east wall elevation, standing at the rear of the lot looking out toward Fenn Road and this is on Fenn Road looking towards the building. This wall, this screening wall is going to be made of material that is the same as, the same texture and the same color as the existing wall so that it would blend. It's ten feet high, and the plan is to put, let me make sure that I have this right, maples on the corner, and rhododendron in that location. On the rear, there is no landscaping, screening proposed because it is the rear of the lot. On the north side, looking down at the north wall, you see the same maple trees, these are Celebration maples, they are a cross between red maples and silver maples, and then here is holly, larger ones and then smaller ones in here, and grasses on that crest, right next to that wall. We are talking about installing, you can see it here, a two foot berm so that even though the wall is ten feet from the ground up, if you look at it from the north side, you will only see, if the plants weren't there you would only see eight feet, but with the plants there, there will be screening. I'll talk a little bit more about what those plants are. The Celebration maples, with design that when they are installed they would be fifteen feet high, their full height that would be anticipated would be about forty-five feet and would take ten to fifteen years to get them to forty feet which would be I guess, roughly the height of the building. The holly at the end is a little bit faster growing, the plan is that those would be five to six feet in height when installed. They grow more than six inches a year, and they grow to a full height of about

fifteen feet so, at the end of the day, at least fifteen years from now, those holly bushes will be above, well above the level of that wall. The holly in the middle, these holly plants grow a little bit slower, less than six inches a year, the plan is that those would be installed at a four to five foot height, and their full height is about fifteen feet, again, at a slower rate, and eight feet wide, so that over time the plants will mature and provide more of a screening.

The one thing that we couldn't show on this plan is that there will be approximately six pipes that lead from the equipment in here, that carry the chilled water into the building. They are about six to eight inches in diameter and they'll be constructed of a material that is dyed on the outside to look like the building, not painted, but actually dyed so that they would camouflage into the building. I think that is our summary of the landscaping. What we are trying to do is improve it and enhance what is already there. As you can see that this would be an improvement over what is shown. With that, if there are questions, I'd be happy to answer them, or have my colleagues answer them.

Chairman Hall: Ed?

Ed Meehan: I don't have any comments, I met with the applicant on a couple of occasions, also the Town Engineer and the Building Department officials have been present, and the plan before you is the result of those meetings. I think it addresses, now with the variance in hand, all the questions that the staff raised. Certainly the landscaping on the berm will soften this screen wall, and just the fact that they are building a screen wall and actually if you go over there now, and the picture shows it, they are removing the chain link fence where the HVAC's are, which the screen wall may actually be an enhancement. The only questions that we raised during staff was how are you going to build this because you have large equipment and you probably have to be coordinating that and we have worked with the applicant this past winter in their temporary power needs, it successfully worked with the trailer trucks that they have there, it wasn't a problem on Holly Drive because it's a dead end street, so there is no through traffic obviously. During construction we would also recommend that we do some posting on Holly Drive so that they have a secure work area to stage their equipment. It's, in my opinion a very nice embellishment to the building, and it's the type of development that doesn't increase traffic, doesn't increase parking but increases your grand list, so it's good.

Chairman Hall: Any questions from the Commissioners?

Commissioner Pruett: Yes, the project engineer from Fuss and O'Neil mentioned about disposal of sediment. I'm just curious, how do you dispose of that sediment? What do you do with it?

Dan Bellini: Depending on what makes up the sediment, probably we could use that as part of the screen wall, but the amount of sediment that would be transported off site, if there is any, would be very small, and you would be using some of that more, finer material for the berm along the front of the wall, so I would imagine that you would dispose as part of that, worse comes to worse, you would just, as they leave, imagine with the two catch basins, even if you had to clean both of them out, I think that would amount to probably two or three yards. The project is only going to go on for two months, so I would imagine, if worse comes to worse, when they clean up and they left, they would just throw it in the back of the pick-up truck and remove it from the site entirely.

Commissioner Kornichuk: I have a question on the pipes. Are the pipes going to be higher than this wall?

Chairman Hall: They aren't higher than the building, isn't that right?

Charles Puckhaver: I'm the operations manager for Carrier and basically, I don't know which bay it is, but as discussed a six to eight inch pipe that will go outside of the building, it will be in an aluminum jacket, and it will be died to match the color of the building, it will then drop down on the building roof and will travel through a parapet on the roof, the others will go down probably a hundred feet and then drop back down into the building providing the connection for the chilled water system.

Chairman Hall: But the roof line here is higher than the equipment so that the equipment would be below that? So that when it goes through, it goes through and then comes back again? The top part, you are not going to be able to see things over the top of the roof there?

Charles Puckhaver: No.

Chairman Hall: The roof is higher than what.....

Charles Puckhaver: And there is a parapet on the roof as well.

Chairman Hall: Other questions? I assume that these trees that are currently on the picture will be removed and then you will replace with those Celebration maples at the end, so that is not anything that we see here. Those trees will all be gone.

Attorney Hill: Those trees have to be removed, I understand that one of them is just a really big weed.

Chairman Hall: As far as parking, do you routinely have to park on the street, is that

Charles Puckhaver: Yes, we've reserved the parking on the street from STC for our, the duration of the project so that we have access to the area and also for the material people.

Ed Meehan: I think the applicant was going to, the timing on this....

Attorney Hill: There is one more thing, it came as a bit of a surprise that a variance was needed and so we're under a little bit of time pressure to get this completed. I understand that your usual practice is not to vote the same night that you hear a presentation but if you feel comfortable enough based upon this presentation, we would much appreciate it if we could get this approved this evening so that we could proceed but that is of course, entirely up to your board.

Chairman Hall: Anyone else have anything? Thank you very much.

C. PETITION 17-08 170 Pane Road, Reno Properties, LLC applicant and owner represented by Alan Bongiovanni, BGI Lane Surveyors, 170 Pane Road, Newington, CT 06111 request for Site Plan Modification Section 5.3 for 60,000 sq. ft. addition to the back of the existing Reno Machine building per Site Development master plan approved January 28, 2004, Petition 51-03 PD Zone District.

Alan Bongiovanni: Thank you. For the record, my name is Alan Bongiovanni, 170 Pane Road, Newington representing the applicant, Reno Properties LLC for a site plan modification at the same address, 170 Pane Road. I'm sure many of you are aware, we have about a 7.1 acre parcel located in the PD Zone. It is a current manufacturing facility, about 60,000 square feet with a two story office in the front, which houses my company as well as the main offices for Reno Properties and the Reno Machine Company. They have an opportunity to sign a government contract that will require basically the doubling, or up to the doubling of their manufacturing

space, from 60,000 to 120,000 square feet for one contract. The contract is large assemblies, military, that would be brought to the site by a tractor trailer, housed and worked on in this addition, very large equipment. One of the nice things, it doesn't require additional personnel or staff from the Reno Machine Company who will actually do the work within this contract, but it requires storage as well as large floor area for large pieces of equipment. I took Mr. Meehan through the shop, there are some very, very large pieces of equipment and that is what they are proposing to add to this addition is large equipment as well, to handle this contract.

A couple of years ago, we did a master plan when the CBS Bloom building was built at 50 Rockwell Road, and at that time we showed the future expansion of 60,000 square feet. As a matter of fact, in 1984 when this was developed they had always hoped for the opportunity to double the size of the building. Well, now is that time. We are proposing just to push that back wall back 200 feet, 300 feet east to west, with a loading dock in this area, and then the rest of it being a solid building. It's a pre-cast concrete tilt up wall system. These are pictures of the existing building, the architect wasn't able to get me the actual construction elevations but this is the side of the building, the western side, this concrete panel would continue the additional 200 foot length and then the same type of construction around the building. It's a very attractive, durable building and it's very, very well maintained. All the utility services for this building will be done internally so the site work is really limited to some small paving area here, the excavation for the foundation and then some storm drainage and tie the roof leaders into the existing system that was contemplated for this expansion. One of the things that I have shown on this plan that was, that we did not have the opportunity to have on the plans that we submitted is some deferred parking. This is basically the ultimate build-out of the site, so my client had said to me, Alan, we don't need parking, we're not adding employees, but if at some point in the future we may have to add employees, can we show some deferred spaces, so we have done that. We've done about 25 spaces shown there, that since we are here we might as well ask for them instead of coming back just for a few parking spaces. As I said, it's a very basic application, it is something that has been before this Commission before in a conceptual format. The overall master plan for these properties included this development and the drainage design that comes up from the north, through the east and southeast of the site, and handles the drainage. It has been designed to compensate for any increase in run-off for the additional impervious area. As I said, there is no anticipated need for additional parking at this time, as there are no additional employees required to perform the contract which will facilitate the construction of this building. I think this is a good opportunity for the Town. As the last application, this is something that increases the tax rolls but doesn't demand additional services from the Town. Having said that, I need to ask the Commission to consider acting on this at their earliest possible convenience because there is a contract predicated on this building being able to be built. The client, Reno Properties and Reno Machine needs an approval from this Commission before a contract can be signed. Having said that, if you have any questions, I'd be happy to answer them.

Chairman Hall: Ed?

Ed Meehan: This master plan went through Planning and Zoning Commission approval as Alan said back in 2004. Just two questions that we had at staff level, we looked at this recently, was there was an intention to combine 156 and 170 Pane Road into one fourteen acre lot. I believe that was supposed to be done as part of the CBS Bloom parcel, to extinguish the property line. That should be confirmed that that was done because that is going to affect your sideyard setback lines.

Alan Bongiovanni: The property line has been changed, this was back in 2004, this was the rear lot line. It had been moved and it is legally in this position here. We do meet or exceed all the setbacks.

Ed Meehan: The second item that we need to verify is the actual status of the drainage, because that was thoroughly worked out with various certification letters going back and forth, as you remember from former Town Engineer Mike Mancini and I think it was WMC.

Alan Bongiovanni: Yes.

Ed Meehan: So we need to verify that and the last thing that I would suggest, that we be able to report, both to the applicant and the Commission on is the fire equipment apparatus to get around the building. There was, one of the plans had loading docks or access from the north side on your master plan.

Alan Bongiovanni: This is, there are two large overhead doors on the north wall of the building now. There is paved area here. Actually, they don't use that for access, they have on-grade access in this area through a controlled location. These doors will occasionally be opened up for ventilation. The intent is to expand that, eliminate that paved area because it is just really additional impervious area that isn't being used. Our plan here shows taking that same configuration and adding it to the north side of the building. Giving the experience that it is not used, they don't want to put that additional pavement back there. It will be of a grade that equipment could go around it, though this is a fully sprinklered building, the addition would be fully sprinklered and if there were to be a fire in here, I guarantee you that the Fire Department would not traverse around that building to fight that fire, they would stay as far away on the perimeter as they were coming in from Rockwell Road, or Pane Road, but they are not going to get close to that building with equipment.

Ed Meehan: I think maybe at staff level we should get together with Chris Schroeder and yourself or one of the building inspectors just to verify the access requirements under the fire and building code. As you said, they could come off of Rockwell Road, the driveway going to CBS Bloom, that would get them to the back of the building, if they had to, but I think the Fire Marshal should have input into that. Those are the three items that we had, pretty straightforward.

Chairman Hall: Any questions from the Commissioners? And you did say, even though you are doubling the size of the building your staff would be essentially the same?

Alan Bongiovanni: Yes.

Chairman Hall: And how long would it take to construct that building, most of it being pre-cast?

Alan Bongiovanni: Well what they do, it's cast in place. They pour the slab, then they use forms and they actually pour the wall panels in place, let them cure for a few days, then tilt them up, so they are pre-cast on site, and then put up. The original building took about twelve months to construct, that was complete site and everything, I would imagine that this would be in the order of six to nine months, at least that is what the contractors tell us.

Chairman Hall: Any other questions?

Ed Meehan: This has already gone to Conservation Commission.

Alan Bongiovanni: I'm sorry, yes this has gone to Conservation Commission as part of the master plan. Thank you very much.

D. PETITION 18-08 3320 Berlin Turnpike, GGM Properties, LLC, 239 Shunpike Road, Cromwell, CT 06416, attention Mr. Rocco Christiana, owner and applicant, request for site development approval for 3,240 sq. ft. retail use, 1,300 sq. ft. office area and 8,637 sq. ft. warehouse storage redevelopment of former EPPCO property, PD Zone District.

Alan Bongiovanni: Good evening again for the record, my name is Alan Bongiovanni, 170 Pane Road, Newington. The application before you is the proposed Global Granite and Marble Headquarters, if you will. We have a principle of the company, Rocco Christiana in the back and along with Rocco we have the architect Dante Baffi who has done the architecture for the building.

It's about 1.7 acres in the PD Zone, it's on the east side of the Berlin Turnpike, just north of Costello Road. This for many years was the original EPPCO building, 3240 square foot block, this is actually a photograph of that building. It's been in disrepair for some time and the applicants have purchased to it accommodate first and foremost their marble/granite business. Their desire is to create a show room in the front building, a sales showroom, and then a fabrication of warehouse area, about 5500 square feet in the back allowing for basically enclosed storage of granite slabs behind those two buildings and then creating some additional space to create a home center, design center type atmosphere. They have, again they manufacture granite, marble top countertops and the like, and they are working with people who do kitchens, floor coverings, plumbing fixtures, things like that, so if you are in the market to build a house, or rehab your house, renovate your house, you could go to a place like this and cover a lot of your bases at once, select or purchase the services and materials to do a lot of that work. The proposal is to utilize and renovate the existing building, of which here is a photograph of the work that they have already done. Because this is an existing building, they were able to get building permits to start construction on this through the winter with the thought and the knowledge of the town that we would be coming in for the ultimate site plan. We have frontage both on the Berlin Turnpike and on Costello Road. Currently this site is one hundred plus percent paved. Everything within the property lines is paved, including several feet of Town property over here. The applicant has agreed to remove all of that pavement. Their proposal is to grind up and reuse all the existing blacktop and configure it so that we have access from Costello Road for truck deliveries where they come into the site, drop off the granite and marble, and be able to exit, or come around the other way, and come out here. They probably get two deliveries a week, on busy weeks, so it is not a high traffic volume. Then the additional spaces over here for tenants for the other home uses. The access from the Berlin Turnpike provides for plenty of customer parking, and handicapped parking along the front of the site with employee parking in the rear of both of the buildings and the corner of the parking lot of the storage yard.

The property will be served by MDC sewer, there will be MDC water service coming from Costello Road into both buildings. There is an existing well on the site, they are proposing to utilize that for landscape irrigation and some of their manufacturing where they have to wet cut material, they can utilize the water that is available on the site.

Because we are reducing the amount of paved area on the site, we are basically improving the drainage. There is no need to create on site detention, from the sheer fact that we are putting more green area in there we're slowing down the rate of water that comes across this property. To the north, and most of the east is the Budney Industrial Park. This section here, now or formerly the Town of Newington is the retention basin for that park. Prior to the town acquiring that land and creating the Budney Industrial Park there was storm drainage installed here, a large, I think forty-eight inch pipe that actually comes from the Newington property, crossing our property and exiting underneath the bowling alley out to the Berlin Turnpike. Our proposal is to tie into that, since all the water does go there today, to that location today, and provide the structural integrity and the foundation so that we don't jeopardize the integrity of that pipe. The parking for this site we have worked with the Town Planner on, because this is not a typical use, we weighed it out so that we can get the maximum amount of parking and given that,

although it could be considered retail space, it's like a furniture store. If you've got a fifty thousand square foot furniture store you don't typically apply six parking spaces per thousand square feet. The types of uses here where you may, at a busy time for the granite sales may have two or three customers in there, in a 3,000 square foot showroom. It doesn't meet the retail requirements for parking, but the client, myself and Mr. Meehan were comfortable that there is more than adequate parking on site for the intended use. Having said that, I'd like to introduce Dante Boffi to talk a little bit about the design of the building. We have a model at the end of your table that shows the scale the proportion of the building.

Dante Boffi: Thank you. For the record, Dante Boffi of Dante J. Boffi Design and as Alan said, handling the architectural aspects of the building. I'd like to pass around some photos, just some before and afters of the original block building on the site. To the owner's credit, he has done a very nice job in rehabbing this building as evident from the photos on the wall, and in the packet, and one of the reasons for showing these is that, that palate of materials that you see there, the stucco, the built up cornices, the stone accents, as well as the colors, the creams, taupe, beiges we'll be taking that palate of colors and materials to this building. The existing building that we have on site is sort of the centerpiece for what is sort of a campus for Global Granite and Marble Home Center. As Mr. Bongiovanni had alluded to, he wants this to be sort of one stop shopping, home renovation, new home construction, etc. This building that we are proposing is really a complimentary back drop to the building that is closer to the Berlin Turnpike. As you can sort of see from the model how the existing building splits the new building into two halves. On the left you see the two store fronts, that are visible if you are looking down the entry into sort of that courtyard parking area, and on the back side, as was already alluded to, that's really the granite yard and access to the warehouse portion of Global Granite showroom, which is that existing building. So it is set up so that the building is sort of split into a public and private, the more private side is the granite warehouse, that feeds the showroom, and these three tenants again act as a campus along with that existing building. I know, at the owners request, he is going to take great care in making sure that the local landscaping around the building footprints is quite floral and hardy, because he wants this to be as appealing a site as it can be after all is said and done, and I think as is evident by the work that it did on the initial building. The building will be a steel structure, block walls, the front as stated to match the existing building will be stucco on steel stud backup, with stone accents and some precast cornice material. With that, I'm free to answer any questions.

Alan Bongiovanni: A couple of other things, Dante talked about the landscaping, I think we have done a nice job landscaping the site, especially around the buildings if you will, the campus and courtyard areas with appropriate shade trees in the parking lot. It is Mr. Christiana's desire to actually enhance some of the other lawn areas beyond what we have shown here, we don't believe it is necessary along the back of the muffler shop, to put landscaping. He would like to continue to beautify beyond what was specified on the plan, so I think this is a great starting point. I think it's equal to, or better than what is typically shown on a site plan and will continue to get better if allowed to build this.

Site lighting as well, we have the typical seventeen foot high poles, we have spotted around the location, so that any customer parking here is well lit up, as well as a lot of fixtures on the building, and then just for security for the back will be building mounted wall pack lights. With that, I'd be happy to answer any questions you may have.

Chairman Hall: Mr. Meehan?

Ed Meehan: Thank you. I've had several meetings, at least two or three meetings with the applicant, Mr. Bongiovanni and his client, and the plans represent changes that have occurred through those meetings. One of the things that I think the Commission should know Alan, if you

talk about, is that shared parking, or what is the easement arrangement with the Kitchen Express area?

Alan Bongiovanni: The back of this is owned by MKU, Kitchen Express is on the upper floor and I think there is going to be a sign company possibly renting this spot. The property line splits the parking lot. This is their own parking, it doesn't come into our calculations. This lot has an easement across our front driveway so that they can access....

Ed Meehan: There is an easement in place.

Alan Bongiovanni: And an agreement to maintain these areas.

Ed Meehan: It's been mentioned the encroachment onto Town property is going to be removed and refurbished, that's to the east of the property, that green area in there, to reestablish that. The last thing that we talked about, I'm not quite sure how to deal with this, I need some further discussion with the Town Engineer, this forty-eight inch pipe that runs through this site would be very close to the proposed foundation of the warehouse. There is no drainage easement of record....

Alan Bongiovanni: There is no easement of record, there is at least a prescriptive easement across that property....

Ed Meehan: To the Town.

Alan Bongiovanni: Yes.

Ed Meehan: So we need to look into that, because you know, during the course of constructing that building or in the future, if there is a problem with that drainage line, it has to be serviced, the building being that close could be a problem. The Town could be liable since we have prescription drainage rights, we may need to have the Town Attorney look into this. One of the things that we talked about late today was well, if we can't get a drainage easement, that would affect the placement of the building, could we get a hold harmless agreement, something to that respect, I'm just putting that out on the table real quick tonight to talk about. That drainage line is important to Budney Road, the end of Costello Road and it goes under another building which is always precarious. It ends up under the Berlin Turnpike, comes out somewhere behind Sam's on Pane Road, that's where this water ends up. So it's forty inch pipe, that's a lot of water so we want to be careful as this site is redeveloped that we protect the Town's interest going forward. I think we have to talk about that.

I haven't seen the elevations. They weren't part of your packet, so I need to get those drawings.

Alan Bongiovanni: We submitted those with the site plan.

Ed Meehan: Did you? They may have separated, I don't remember seeing A-1, but I'll look. I could be mistaken. You are going to keep the existing well?

Alan Bongiovanni: Yeah, we think it makes perfect sense to use it for irrigation and for the manufacturing process. Water, as we all know, is getting more and more expensive, you have it on site. It's already there, the well is functioning. It's probably potable water, since it has been used for that facility for drinking historically but we are proposing to tie it to MDC water as part of the requirements, but since the well is there for those uses, that, as we stated is a good purpose.

Ed Meehan: The last thing, I know it's not part of this application, I know we talked about it with your client. This building is back off the Berlin Turnpike. There's a muffler shop that may screen a little bit, are you going to be able to use that sign, reface the existing sign?

Alan Bongiovanni: The existing sign is located here, it is our intention to renovate that sign, put it, new sign faces on that.

Ed Meehan: I think that is going to be important for people to find this site, going northbound, so other than the question on the drainage, how we will handle that pipe, I don't know the whole history of that. We will have to look into that.

Alan Bongiovanni: That pipe predates my years in the Town of Newington, predates the Budney Industrial Park. You know, my clients realize the importance and the need for that pipe and will be willing for whatever the Town deems necessary, easement and/or hold harmless agreement.

Chairman Hall: Questions from the Commissioners? I assume that's a new driveway, that driveway does not exist.

Ed Meehan: It exists.

Chairman Hall: It does, in back of the bowling alley?

Ed Meehan: Oh yeah, it's a service drive now.

Chairman Hall: It's all paved?

Alan Bongiovanni: It's paved wider than what we are showing, we're cutting some of that pavement out. We're not going to separate it here because the bowling alley access to the back of that has enjoyed the use of part of this for a number of years, and if we cut it at the property line it would have less than the required width for a driveway.

Ed Meehan: Everything is paved, and as the pictures show, the grass is growing up through the pavement.

Alan Bongiovanni: Page two of our set of plans is the demolition plan that clearly shows how much pavement is out there.

Chairman Hall: Any other questions? Thank you.

Ed Meehan: Just for the record, there is no Inland Wetland review, there is no companion application for this site.

I. OLD BUSINESS

- A. PETITION 56-07 16 Fenn Road and 712 Cedar Street, owned by Fenn Road Associates, LLC and 22 Fenn Road, Stop and Shop Plaza owned by Hayes-Kaufman Newington Associates, LLC, 1481 Pleasant Valley Road, Manchester, CT 06042 and Fenn Road Associates, LLC, applicants represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for zone map amendment, I Industrial to PD Planned Development Zone. Hearing closed February 13, 2008. Sixty five day decision period ends April 18, 2008.**

Commissioner Pruettt moved that PETITION 56-07 16 Fenn Road and 712 Cedar Street, owned by Fenn Road Associates, LLC and 22 Fenn Road, Stop and Shop Plaza owned by Hayes-Kaufman Newington Associates, LLC, 1481 Pleasant Valley Road, Manchester, CT 06042 and Fenn Road Associates, LLC, applicants represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for zone map amendment, I Industrial to PD Planned Development Zone be approved the Commission finding that the reclassification of this area of the Cedar-Fenn intersection is consistent with the Plan of Conservation and Development's Transportation and Future Land Use component strategies.

The Commission notes that over the past decade the Town of Newington has participated in the Cedar Street Corridor Study; the New Britain-Hartford Busway Federal Transit Environmental Impact Study; the CRCOG Station Area Plan for Transit Oriented Development (TOD); and the Traffic Circulation and Accessibility Study for Route 9, 175, Fenn Road and Ella Grasso Boulevard. These studies indicate that the highest and best uses for the vicinity of the Route 9, and the Cedar-Fenn intersection are mixed commercial uses normally associated with transit development and a highway interchange. In addition, the rezoning of 16-22 Fenn Road, Stop & Shop Plaza, to the PD District will maintain the conforming status of these retail uses.

The effective date of this map amendment shall be May 1, 2008.

The motion was seconded by Commissioner Fox.

Chairman Hall: Discussion? You must have some thoughts on this, we've been talking about this for a couple of weeks, we really haven't gone around the table and had any discourse on it, so this is the time, if you have any comments or.....

Commissioner Fox: Well, this motion is for a zone change and as stated in the motion, changing it from the Industrial to the PD Zone, is just making everything consistent up there, in addition to any new projects that are there.

Chairman Hall: Makes sense if it helps them to get started on their project, this is something that we have had our eye on for quite a period of time. At this point, it doesn't really make a lot of sense to keep it in the Industrial zone and this allows the developer to move forward with planning something that hopefully will be a very nice gateway to Newington from that area. Any other comments, questions?

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

Chairman Hall: The motion was carried.

- B. PETITION 57-07 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for Special Exception Section 3.19.1 and 3.15.4 Restaurant with Drive Through Window Service, PD Zone District (Proposed.) Hearing closed February 13, 2008. Sixty five day decision period ends April 18, 2008.**

Commissioner Niro moved that PETITION 57-07 – 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for Special Exception Section 3.19.1 and 3.15.4 Restaurant with Drive Through Window Service, PD Zone District (Proposed) be approved the Commission finding that standards for location of the drive through have been met as shown on plan entitled "Proposed Retail Development Fenn Road and Cedar Street" Sheet C-3 Layout and

Materials Plan prepared by VHB revised dated January 7, 2008. The proposed 1800 sq. ft. restaurant shall be constructed as shown on the architectural elevations prepared by FLB Architecture and Planning, Sheet Z-101 dated November 13, 2007. The location of the dumpster pad shall be modified to provide for a screen wall enclosure with materials matching the building façade.

The seasonal outside seating as shown adjacent to the front entrance to the restaurant (Fenn Road side) is approved.

The motion was seconded by Commissioner Pruett.

Chairman Hall: Questions, comments? Ed, do you have anything to add?

Ed Meehan: No, I have nothing to add. It's your motion.

Commissioner Pane: There was a meeting last time that our Town Planner went to on this, we didn't get any update on that, or anything.

Ed Meehan: You are talking about the meeting with ConnDot?

Commissioner Pane: Yes.

Ed Meehan: Want to do that? Okay, we did have a meeting a week ago Friday now, of myself, the Town Manager, Town Engineer, Tony Ferrera, and Mayor Wright. We were able to speak with Acting Commission Boise who recently took over from Acting Commissioner Frankel. We met with his staff, the transit people, two busway leaders, Mike Sanders and another engineer named Mark Ralph, and Robin Cabales from the State Traffic Commission. We had a couple of hours with them. We talked about this project and the sense that we had was that they are supportive of what we are trying to do there and what they are trying to do which is transit oriented development, and looking at the traffic around this intersection. They wouldn't come out and commit to the proposal to relocate the traffic signal even distance between the existing signal and Cedar and Fenn, but they think the concept has merit. They want some additional study to be done of the traffic aspect of that. The question is who is going to be burdened with all that additional traffic design, and expenses going forward with that. The busway people are supportive of moving the driveway to the middle of the Hayes Kaufman site with the traffic signal because it provides safer access for what they are trying to do. We are supportive, I say we, the Town in the respect that it provides us good access to National Welding if we are able to get that site and remediate it, bring it back on the tax rolls. The meeting on the whole was a positive meeting, but we did leave with the sense that if this project goes forward as it is before this Commission, the applicant Mr. Hayes is going to need to apply for an amendment to his existing Stop and Shop STC Certificate, which goes back to the mid-nineties because he is connecting the driveway in between the sites, he's going to have to ask for an amendment to do that. That is going to move the issue of how you manage the traffic at this intersection and we have had discussions with the applicant subsequent to that meeting, myself and the Town Manager, and it's going to require I think a partnership between the Town, the private sector, the Department of Transportation and the other big player here is CCSU, is to sit down and figure out who has what part of the puzzle down there, who is responsible for what. One of the things that we think might work was a suggestion made by the transit people in an effort to come to some understanding that there is some surety in relocating the driveway is that the private sector, the developer Mr. Hayes begin to consider a memorandum of understanding with ConnDot transit on how the relocation of the driveway, seventy feet from the north end switching to the middle of the site would work. ConnDot is doing this now in other parts of the busway, they use the analogy of their working effort with Aetna up in Hartford as a good example. I think that was a positive indication

that that part of ConnDot will work with us on this. The issue of just what the traffic complexion is going to be there long range, they like to look fifteen, twenty years out, that is their planning horizon and what is the traffic demand for that area, based on the highest and best use around that intersection. From a planning point of view, the northeast quadrant of this intersection, which is the Hayes parcel, National Welding, Mercury Fuel, and Stop and Shop, up to Holly Drive is pretty much built out. You're not going to get any more land use in there. You've got the railroad and you've got wetlands, so what is there now with this development and what may happen with National Welding is pretty much the design build for the traffic that would come out of this part of the intersection. The big question on Cedar and Fenn is what happens five, ten years down the road when Central Connecticut moves forward with their plans. That could generate a lot of traffic onto Fenn Road and Cedar or they could try to figure out how to get out onto Route 9, back into New Britain to the campus, and that's under their nickel to figure out how to do it, in fact they are actively trying to hire consultants to help them design that. To answer your question relative to where this goes with this Commission, I would leave you with this impression that I had. The concept of relocating the traffic signal is meritable and it has positive support from the department. The traffic engineering side, the guys who really design the signals and the queue lines still have not been convinced, because they haven't seen all the numbers yet, that it should be done. That could take some more time, and that's where that partnership comes in, working with all of the parties, and ConnDot is moving forward with the busway, they reiterated that, that the busway is going forward, and this is their station location. We also talked about the bridge project over Cedar Street for the busway, that's a definite project. That's the bridge that has sort of a hump in it now, and that has been given a project number and has federal funding and will probably be done 2009, 2010 they will start finishing up their design plan and put it out to bid. They have a schedule to get that built without trying to interrupt the traffic on Cedar Street, they are actually going to try to build it from underneath the bridge using maybe part of National Welding as a staging area to fabricate the cement supports for it, slide them under and then take the deck down, so there are various pieces of this puzzle that are going forward. That's how the meeting ended. We agreed that we would continue to work together and each part has a responsibility. The private sector has a responsibility to get their certificate amended, and to be responsible for the traffic that their site plan is going to generate on Fenn Road, at this point in time. The state has a responsibility because of the busway and the two state roads. The town has a responsibility because we could be a player in National Welding. We don't know what land use may be proposed for National Welding in the future, that's up to this Commission because you are the land use policy makers, that is the last piece of the Industrial zone on the north side of Cedar Street. Putting it in the Planned Development Zone opens up opportunities for marketing that site and doing that, re-zoning and timing that in conjunction with a RFP that the Town Council would initiate and direct the Town Manager to do would be how you would control the reuse of National Welding through the policy police power you have in making the zoning decisions. So it's a very exciting area, I think for the town, to try to make this happen. There are some engineers at ConnDot, the traffic engineers that know this area very well, and they know that they are never going to be able to solve all the traffic problems. They are never going to make this level of service A or B at peak hour, but the other, you know, eighteen hours a day, we have to try to make it safe and that is the role that we should direct ourselves to. That was a roundabout answer to your question, but that's how the meeting went. There were no real specifics other than, we are going to be working together.

Chairman Hall: And a good feeling.

Ed Meehan: Yeah, they didn't shut the door on anything.

Chairman Hall: Any other questions?

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

C. PETITION 58-07 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for site plan approval for development of 1,800 sq. ft. restaurant and 3,600 sq. ft. bank, PD District (Proposed.) Sixty-five day decision period ends April 18, 2008.

Commissioner Kornichuk moved that PETITION 58-07 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for site plan approval for development of 1,800 sq. ft. restaurant and 3,600 sq. ft. bank, PD District (Proposed) be approved based on plans entitled "Proposed Retail Development – Fenn Road and Cedar Street" prepared by VHB, revised dated January 7, 2008, scale 1"=40'. This approval is limited to plan sheets showing the Phase I development of this project, including a 30 foot private driveway connection to the existing Stop and Shop Plaza to the north.

The 5,400 sq. ft. building's architectural plans prepared by FLB Architecture and Planning, Inc. dated November 13, 2007 prepared for Fenn Road Associates are made a part of this site plan approval.

This site plan approval is based on the development of this project with zero lot line, with the abutting proposed 124 unit hotel and cross easements for shared parking and internal driveways. Prior to the signing of the mylars by the Chairman the following modifications shall be addressed:

1. Provide documentation for "zero" lot line and cross easements for shared off site parking and internal travelways.
2. Show landscape table plant number, size and variety. Identify irrigation system locations.
3. Provide light standard and fixture detail, maximum height from ground not to exceed 17 feet. All lighting throughout the development project, hotel and commercial area should be uniform.
4. Final location of fire hydrant placement and connection to the hotel building shall be made by the Fire Marshal and shown on the plan.
5. The project engineer shall certify to the Town Engineer (prior to the issuance of the Certificate of Occupancy for the 5,400 sq. ft. building) that the storm drainage system has been constructed in accordance with the approved plan.
6. The staff comments submitted to VHB dated January 2, 2008 and responses back to the Town Engineer, dated January 7, 2008 shall be reviewed with Town staff and where necessary incorporated into the final site plan drawings.
7. The Newington Conservation Commission's Inland Wetlands Permit No. 2007-08 is acknowledged and its requirements shall be incorporated into the final site plan drawings.

The motion was seconded by Commissioner Fox.

Chairman Hall: Discussion? Ed, do you have anything to add to this?

Ed Meehan: I would only add, just to give you some insight into what the response and comment remark is, Item number 6, VHB provided extensive written comments back to our staff report, many, well, they are all technical, engineering design issues, pipe grades and slopes and rather than trying to put all of that into this motion, that was the intent of that comment. That basically will clean up the plan drawings. There are no substantial chances to parking or grading or layout, just making sure that some of those t's and i's are dotted and crossed.

Chairman Hall: No other questions?

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

D. PETITION 61-07 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for site plan approval for development of 124 room hotel, PD District. (Proposed.) Sixty-five day decision period ends April 18, 2008.

Commissioner Schatz moved that PETITION 61-07 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for site plan approval for development of 124 room hotel, PD District. (Proposed) be approved with the following modifications to the site plan and building elevations prior to signing of the mylars by the Chairman:

- A. Building Elevations – Sheet A3 Value Place 124 Unit, prepared by BSW International Architect, P.C.
 1. Provide “watermark” around the entire base of the building using split face CMU veneer “Gray Cinderstone” by Nichihi or equal product.
 2. Brick veneer façade shall be red brick Newport Brick “Red Buff” by Nichiha or equal product.
 3. In addition to the black window shutters within the gable bump outs add shutters to all windows where placement is feasible.
 4. To break up roof expanse on east side of building add bump out with roof gable centered at mid point of building. This bump out and gable to match west side entry gable.
 5. Add porticos to all four sides of building at doorways. Portico on east elevation to replicate the entry portico on the west elevation. All porticos shall have brick column support and gable roofs.
 6. Use architectural roof shingle to match shingle selected for adjacent Commercial building proposed by Fenn Road Associates
 7. Thru wall HVAC shall be painted to match adjacent wall colors.
 8. Change north and south gable wall bump outs to all brick veneer façade.
 9. The siding fascia and trim shall be a Hardie product or equal “Navajo Beige” color or close as possible to match siding color on adjacent commercial building proposed by Fenn Road Associates.
 10. The request for Height Modification, Section 4.4.3 is denied the Commission finding that the proposed roof feature is not functionally needed, not compatible with the building design or suitable for a sign display.

- B. Site Plan entitled “Proposed Retail Development Fenn and Cedar Street”, prepared by VHB, revised dated January 7, 2008, Phase 1 scale 1”=40’.
 1. Show footprint of all four portico at hotel doorways.
 2. Change chain line fence along Cedar Street frontage and 200 foot easterly section of fence line closest to Cedar Street to decorative fence detail to be provided to Town Planner. Balance of fence along top of retaining wall to have black coating.
 3. Relocate hotel dumpster to within proposed adjusted lot line area and provide enclosure detail on plans.
 4. Provide documentation for “zero” lot line and cross easements for shared off site parking and internal travelways.

5. Show landscape table plant number, size and variety. Identify irrigation system locations.
6. Provide light standard and fixture detail, maximum height from ground not to exceed 17 feet. All lighting throughout the development project hotel and commercial area should be uniform.
7. Final location of fire hydrant placement and connection to the hotel building shall be made by the Fire Marshal and shown on the plan.
8. Proposed parking area retaining walls shall require engineer plan submittal to the Building Department prior to construction.
9. The project engineer shall certify to the Town Engineer (prior to the issuance of the Certificate of Occupancy for the hotel) that the storm drainage system has been constructed in accordance with the approved plan.
10. The staff comments submitted to VHB dated January 2, 2008 and responses back to Town Engineer, dated January 7, 2008 shall be reviewed with Town staff and where necessary incorporated into the final site plan drawings.
11. The Newington Conservation Commission's Inland Wetlands Permit No. 2007-08 is acknowledged and its requirements shall be incorporated into the final site plan drawings.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Discussion? Ed?

Ed Meehan: This is you can see when Bob was reading this, a lot of the site plan revisions are similar to the commercial buildings but because the Commission was petitioned with two different applications, one for the hotel and one for the commercial building with the restaurant, I just wanted to repeat them to make sure to include them for the whole project, not miss anything, and on the building elevations I was trying to keep a list as the Commission members were talking about the changes, I hope I got all of them. Certainly number ten I think speaks for itself. I could find nothing in the regulations that would support that type of a feature on a building as far as sticking a sign up there. The building is going to be over forty-five feet high at the peak, you don't really need that. The other references for consistency of architectural design have to do with some of the siding materials and the shingle selected for the adjacent building.

Commissioner Pane: I thought when we were talking about the cupola that we were talking about having it reduced down to a normal size, that is what we requested originally and they came back with this oversized one with the sign, but, I might be mistaken but I thought that the Commission asked for one, and they came in with an oversized one with a sign, and I thought we all said we would like something that was reasonable in size and without signage on it.

Commissioner Fox: Well, I don't mind that it is not there at all.

Chairman Hall: I don't either.

Ed Meehan: They came back with that thing at the south end of the building.

Commissioner Kornichuk: What I remember out of the conversation is when we asked for the porticos over all the doors, that was something that they threw in, that cupola, the only thing I can think of, is their trump card.

Ed Meehan: Well I know that they did what they call a line of sight survey from east of this property in the vicinity of Crest Pontiac looking west towards this site. It was as if you were

driving a vehicle from the photos, and they felt that you couldn't clearly see this building. I don't believe that I would come to that same conclusion given the placement of this building, at that height, the ground height, being up about another thirty-five, thirty-eight feet above that. They had talked to me about a pylon sign, a fifty foot pylon that would be visible from Fenn Road and Route 9, and I think this may have been a way to get that height visibility.

Commissioner Pane: I thought we asked for it, the traditional one to break up the roof lines a little bit is what we asked for.

Commissioner Camerota: That's how I recall it too.

Commissioner Pane: And then they came back with this oversized one with the signage on it and we, I thought that the board said no, we want just the traditional ones to break up the roof line, and nothing the size that they presented with signage on it.

Ed Meehan: I know that extra gable on the east side, that definitely was something that at midpoint would break up the roof line, but it's your pleasure, this is your chance to get the elevations the way that you would like to have them. Cupolas traditionally are in the middle of the building, you know, usually it is there for a purpose, ventilation, more recently it's decorative, light, air, ventilation.

Commissioner Pane: Sometimes there is more than one on a building.

Ed Meehan: There can be multiple ones.

Chairman Hall: I recall that when we questioned that he said that he would have to do it that way because his corporate office required that. That is not something that we are interested in having, so I think that number 10 addresses that, that he says that he has to have it, we're saying we don't want it.

Commissioner Fox: I think that Ed or Domenic that stated, they might have been using that as a trump card, you know, with all the new gables in there, and break up the roof line, and they couldn't get a fifty foot sign, they put the cupola in there in an advantageous position for advertising. The way that it is set up now with the gables and I think the roof line is broken up a little bit, in two sections, I don't think we need that at all.

Chairman Hall: Other comments?

Ed Meehan: I'm just going to take another look at this section of the regulations that talks about modification to the height of the building. The Commission can offer that but it has to have some functional attachment, or some functional reality to it. I just wanted to make sure what I was thinking when I wrote the motion, the draft reflects what came out, I think it does, I mean, if they didn't say that they had to have it for say ventilation purposes, they didn't say they had to have it certainly, they claimed it was an architectural feature, I agree with Domenic, this is not your traditional cupola, either in size, location or anything else. I would call it an architectural feature, so.....

Chairman Hall: It's a corporate logo.

Ed Meehan: So, I think, they only thing here is, if you take that off, do you want traditional cupolas in lieu of that someplace on the roof, or are you satisfied with just the gable, it's your call.

Chairman Hall: I don't think it needs it.

Commissioner Pane: Well, you have a roof line that is what, probably 300 feet long?

Commissioner Niro: 230.

Commissioner Pane: 230 feet long. Traditional cupola is nothing like what they presented. We asked for a traditional cupola and that is what they presented, with signage. We knew that we didn't want that, but it's up to the Commission. If they think that it's not needed then....

Commissioner Fox: You have three gables there and the roof seems to be broken up into three sections here.

Commissioner Pane: You would normally put one in line with the peak here, in line with the peak here, in line with the peak over here, so you would have three small cupolas on it just to break up the roof line.

Commissioner Fox: If you were going to do it.

Chairman Hall: What is your pleasure?

Commissioner Pruet: We don't need it.

Commissioner Schatz: Seems to be more harassment for them.

Chairman Hall: Well, that's my feeling, but if there is anybody that wants to amend that, now is the time to bring it up and get consensus on it, but it seems that at this point it's been moved, seconded, doesn't seem to be any amendments at this time.

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

Chairman Hall: Motion carries.

E. PETITION 07-08 Faye H. Karanian, 179 Meadow Street, Newington, CT 06111 applicant request for Zone Regulation Amendment "to restore Section 6.7" formerly Interior Lots and Single Family Homes, deleted effective August 15, 2008.

Commissioner Pane moved that PETITION 07-08 Faye H. Karanian, 179 Meadow Street, Newington, CT 06111 applicant request for Zone Regulation Amendment "to restore Section 6.7" formerly Interior Lots and Single Family Homes, deleted effective August 15, 2008, (Public Hearing closed March 26, 2008) be postponed to April 23, 2008.

The motion was seconded by Commissioner Fox.

Chairman Hall: Any discussion on this? Moved to postpone and seconded, do you have any comment?

Ed Meehan: This is a classic policy decision of being petitioned to ask to reinstate a section in your zoning regulations. I just encourage you, if not tonight, at a future meeting, you have sixty-five days to decide this, is to discuss it, the pros and cons, and so your reasons are clearly part of the record before you vote on it, and there is the rationale of the Commission, the majority will prevail. Where you would start with something like this is to review the public hearing presentation, the comments that were offered by the applicant, as well as comments from the public, and the applicant is responsible to provide you with reasons why the zone change has

merit, and it's not just related to the subject property at 179 Meadow Street, it's a generic change that is going to affect you know, all residential zones. You have to keep that in mind and decide whether you want to re-introduce this as a land use option in the residential zones in Newington. Going back to what was in the regulations three or four months ago, those design standards, the former Section 6.7, or if you are going to put it back in, maybe you want to change those standards, something else, or you don't want to put it back in at all. Those are your options. Do nothing, change it as it was before, or deny this and do something on your own that puts it back in. But make sure you have everything in the record.

Chairman Hall: We can open this for discussion at this point if you want to discuss it this evening, or think about it, do your research on 6.7 so that when we do bring it up the next time we'll have a discussion at that point.

Commissioner Fox: Plus as Ed said, going through the minutes of the last meetings.

Ed Meehan: I don't have any real factual information to give you, we could provide you with maps, well we have the map here, the vacant land use map, again these parcels tend to be very small, so we would have to go individually. That was not offered by the applicant, the number of lots that might benefit by this, so to speak. You could do those queries with the GIS, with that computer system, but there are different issues, you have to figure out the frontage, you would have to figure out the placement of the principal building, whether the one and a half times the area is there, so you know, it's not going to be a push of a couple of buttons to give you that raw information. I'm not sure what purpose that would serve you in making a policy decision anyway, but if there are things that you need me to research, as you talk about this, I'm more than willing to research them.

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

Chairman Hall: Motion carries for postponement.

F. PETITION 08-08 Faye H. Karanian, owner and applicant, 179 Meadow Street, Newington, CT 06111 request for interior lot at 179 Meadow Street Section 6.7 (proposed) R-12 Zone District.

Commissioner Fox moved that PETITION 08-08 Faye H. Karanian, owner and applicant, 179 Meadow Street, Newington, CT 06111 request for interior lot at 179 Meadow Street Section 6.7 (proposed) R-12 Zone District. (Public Hearing closed March 26, 2008) be postponed to April 23, 2008.

The motion was seconded by Commissioner Pruet.

Chairman Hall: Discussion on this, and Ed, do you have anything to add? Obviously if we are not talking about the first, we are not going to talk about the second.

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

G. PETITION 09-08 – Spin Cycle, LLC, 190 Fenn Road, applicant, Umberto Manacchio, owner, represented by Attorney Vincent F. Sabatini, One Market Square, Newington, CT 06111 request for Special Permit Section 6.6 Liquor Permit, I (Industrial) Zone District.

Commissioner Pruet moved that PETITION 09-08 Spin Cycle, LLC, 190 Fenn Road, applicant, Umberto Manacchio, owner, represented by Attorney Vincent F. Sabatini, One Market Square,

Newington, CT 06111 request for Special Permit Section 6.6 Liquor Permit, I (Industrial) Zone District be postponed to April 23, 2008.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Discussion?

Commissioner Fox: I think it is a very good idea. I know there's a, quite a few opinions so probably we want to think about it. I don't know if you want comments right now.

Chairman Hall: Well, the sooner the better on any of these, really, because by the time it comes back to us again, we'll have a proposal before us, so if we can discuss it and at least get some ideas flowing that would be helpful.

Commissioner Fox: Madam Chairman, when this was first proposed, the applicants had mentioned that they wanted the liquor permit because they have guitarist, open mikes and it sounded like they might have a two, three piece band, whatever, and that the crowds, standing room only, ripping and roaring, but after listening to the applicant, in the reapplication for this, especially after the last meeting, she had mentioned that basically what they want to do is, and the whole idea of a café and Laundromat and the arcade is to keep patrons busy, while they are waiting for their laundry to get done, and of course, generate a little more income, so all things considered, I don't think that would be a problem. I think you have these people who are there anyway, I don't think there will be that much more parking, I don't think we are going to have any disturbances or anything, so I think she cleared up a few things for me.

Commissioner Schatz: Not being here at the last meeting, and I read the minutes of the meeting, what their Attorney said, originally they were going to have an open mike, they were going to have a regular little show there, type of café, was it going to be wine and beer and then they went for the full license, and during that, in those minutes, the Attorney kept saying, they're not going to do that, they're not going to do that, and that confuses me a little bit because originally they came in and said they were going to do it, and they got permission for the parking next door, and then the attorney, in the minutes of the meeting kept saying, no, they aren't going to do that. That doesn't make sense to me except more or less, let's get this thing through, and let them do what they want.

Commissioner Pruet: I applaud the people who turned that building into something positive. The concern that I have is the parking, I think if they had a full liquor license it might have a propensity to attract a, some people exceeding the necessary, what is it, fifteen, might have a tendency to exceed that capacity. I'd be in favor of allowing them what they originally intended to do, with beer and wine and restricting that permit to reflect that. That's my input on it.

Commissioner Niro: I live right off of there on Eagle Drive and I drive by there a hundred times a day and for what they have got so far, parking is not a problem. There is plenty of parking. Like the lady said at the last meeting that she wants to be able to offer, and I can understand it, if you are sitting around for an hour or two and having something to eat or drink, you might want a beer, some wine. I don't see that there is going to be a problem there as far as, you know, with the bands and stuff like that. Number one, I don't think the building is big enough for something like that, so if they do have anything like that, I'm sure they are going to be limited on the capacity of people inside. Going back to what she said at the last meeting, that you go in there, and you have to wait an hour or two, like that one lady said that she had to wait a while there, I see no problem. I think that's a great idea, great concept. A lot of people came out for it, and living right there, and going by it, I'm in favor of it. I'd like to see it happen. I think it will be good for everybody down there.

Chairman Hall: Is there any way that we can restrict it to a wine and beer license. Aren't they taking this to the state and then the state will decide. I mean, they will apply for whatever they want, and then the state decides whether it is going to be a full liquor or beer or wine.

Ed Meehan: I think they put on the record, through Attorney Sabatini they were going to limit it to a restaurant permit serving beer and wine.

Chairman Hall: Well, that's the last thing they said, but they had talked about other....

Ed Meehan: If you put that in your special permit that's what they can apply to the state for.

Chairman Hall: So we can do that?

Ed Meehan: I think you can. I'm not familiar with the state liquor license, but....

Commissioner Fox: Well, I'm the permittee at the local VFW. As far as the difference between beer and wine, I'm not, as far as the difference between serving beer and wine or having a full restaurant permit, I've seen an awful lot of people almost walk out of that place on just beer, I've seen some people have a little too much wine, so I really don't see a difference, whether it's a restaurant or beer and wine. Like I say, it's not within our purview to discern, or to discuss the difference between the liquor commission beer and wine, or liquor commission restaurant permit. But, you know beer and wine is usually, I guess it's usually dispensed to, I don't know, I'm trying to think of a facility that would use it, where a restaurant permit is of course used in a restaurant.

Chairman Hall: Although I have seen some restaurants that are just beer and wine.

Commissioner Fox: Some restaurants prefer to just serve beer and wine, even, I'm an old flower child too and going down to Greenwich Village, some of the cafes there they will serve food, but they will only serve beer and wine. It all depends on the atmosphere and the ambience that a facility want to put forth. I think if it does get crowded, that is simply an enforcement issue. Fire Marshal wants to check once in a while, especially on a Friday night or Saturday night, it's up to him. As far as capacity is concerned, it's the Fire Marshals concern, so after all is said and done it seems like, to me, it seems like a lot better application than I thought it was at first.

Chairman Hall: But again, there is nothing that would keep them from advertising open mike night, or something, I mean, there is nothing that would keep them from doing it.

Commissioner Camerota: They are currently advertising that now.

Ed Meehan: A full blown night club, discothèque is not permitted in the Industrial zone, that's an Industrial zone. The only location in Newington where an on-going night club is permitted is on the Berlin Turnpike by special exception. So if they got into, every night three piece band, rocking and rolling, that would be definitely outside what they got approved for which is a fifteen seat restaurant.

Chairman Hall: And then who would enforce that?

Ed Meehan: Well, between the Zoning Enforcement Officer, the Fire Marshal for capacity and our Police Department if they were parking all over Fenn Road, it becomes an enforcement, a safety issue. If they step over the line, those are the three that we can call in. You have to remember there is only a very small, there are male and female bathrooms in this place, I've only been in it twice, and it's small. At least the public restaurant side, I didn't wander over to where the washers and dryers are.

Commissioner Pruett: I think it's only seventeen parking spaces that I recall, x amount of tables allowed in there....

Ed Meehan: Fifteen seating, seventeen spaces because they figured they needed a couple for employees.

Commissioner Pruett: My only problem with the full liquor license or a restaurant license is that you have a full bar and you have a tendency maybe to congregate there, and maybe over capacitate it, but beer and wine I think would be appropriate. You go in to do your laundry, you have a beer, a glass of wine, and then boom, I think that was their original intention, I read back and I read their comments and that was what they originally wanted to do. If we could, my opinion is if we could restrict it for that I would be more inclined to go along with the motion.

Commissioner Schatz: Do they prepare food there?

Commissioner Fox: Sandwiches, panini, coffee.....

Ed Meehan: They have a little grill.

Commissioner Pane: I just want to state for the record that I've been by there several times, I haven't noticed any parking problems. I did go in there and the Laundromat is kind of open to everything and it's just a small sitting area, and I really like the concept because you are able to get either a drink or a sandwich while you are waiting for the laundry or hear somebody play or go sit with your laptop computer. It just gives you so many other options than going to a traditional Laundromat and sitting yourself down and not having anything to do, so I really like the concept, I think it's a positive for the Town of Newington. I think this little bit of, this liquor permit is just going to give them a little bit of an edge so that they can stay in business. I think this Commission should also take into account that I believe Attorney Sabatini is correct when, we can't adjust our parking by allowing liquor or not, it doesn't come into play. It's all based on the seating and the capacity inside.

Ed Meehan: The separation distance. That's the guideline.

Commissioner Pane: Right, so based on all that, I think it would be a positive for the Town of Newington.

Commissioner Fox: Madam Chairman, to Ed, can we, I don't know if we have done this before with a liquor permit, a special exception for the liquor, can we define a certain number of years before we have to review it, and then review it in two years?

Ed Meehan: We do that for day care facilities. Every two years, that is one of the licensing requirements of the state, and something like this you may want to consider that the Special Permit is not transferable so these people have presented to you how they are going to market and operate it, and I think you have a sense that they are going to be responsible businessmen. But, if they were to move out, or sell the business, I think under the non-transferable clause a new guy would have to come in, you would have that safeguard.

Chairman Hall: That was going to be my question, or even subtle if they decide, because let's say those washer-dryers are removed and they decide to turn the entire place into a café, we would have parking issues at that point, it would be a whole different concept I would think.

Commissioner Fox: That's a change of use, isn't it?

Chairman Hall: So they would have to come back anyway.

Ed Meehan: The Special Exception on record which approved the restaurant for the 600 square feet had exactly that clause, they couldn't change one or the other without coming back to the Commission. That is in place, but you may want to think about the non-transferable or the sublet.

Commissioner Fox: Well, I think that non-transferable should go into any....

Commissioner Niro: What if they were to see it for the same business though? Same use.

Commissioner Fox: Well, if it is non-transferable it would require the new permittee to come back.

Chairman Hall: Yeah, just come back before us, and they probably would have to go before the State Liquor Commission anyway if they have a transfer of permittee, normally they do. I don't think they just let them do that automatically. Getting a little more comfortable with this? I think we have sort of a direction. Any other questions before we move forward?

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

H. PETITION 11-08 – 395 Willard Avenue, Rotundo Developers, LLC owner, Mervyn L. Rimai, MD applicant represented by Milton Lewis Howard, One Regency Drive, Bloomfield, CT 06002 and Alan Bongiovanni, 170 Pane Road, Newington, CT 06111 request for Special Exception Section 3.2.9 Adult Day Care, CD Zone District.

Commissioner Niro moved that PETITION 11-08 395 Willard Avenue, Rotundo Developers, LLC owner, Mervyn L. Rimai, MD applicant represented by Milton Lewis Howard, One Regency Drive, Bloomfield, CT 06002 and Alan Bongiovanni, 170 Pane Road, Newington, CT 06111 request for Special Exception Section 3.2.9 Adult Day Care, CD Zone District be postponed to April 23, 2008, pending Conservation Commission's Inland Wetlands report.

The motion was seconded by Commission Pruett.

Chairman Hall: Discussion, Ed?

Ed Meehan: That's, the Wetlands Commission meets on the 15th, and when you get their report you can then take it off of postponement. The applicant's presentation was pretty thorough, at staff we don't have any questions.

Chairman Hall: Any discussion? There seemed to be quite a bit of almost excitement about this project, something different, certainly I think that everybody saw the need, and certainly very comprehensive. Very interesting. We will await the Inland Wetlands Commission report and then see where we go from there. Any other discussion at this time?

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

I. PETITION 12-08 – 395 Willard Avenue, Rotundo Developers, LLC owner, Mervyn L. Rimai, MD applicant represented by Milton Lewis Howard, One Regency Drive Bloomfield, CT 06002 and Alan Bongiovanni, 170 Pane Road, Newington, CT 06111 request for Site Plan approval 14,800 sq. ft. building Adult Day Care Use. CD Zone District.

Commissioner Kornichuk moved that PETITION 12-08 395 Willard Avenue, Rotundo Developers, LLC owner, Mervyn L. Rimai, MD applicant represented by Milton Lewis Howard, One Regency Drive Bloomfield, CT 06002 and Alan Bongiovanni, 170 Pane Road, Newington, CT 06111 request for Site Plan approval 14,800 sq. ft. building Adult Day Care Use CD Zone District be postponed to April 23, 2008 pending Conservation Commission's Inland Wetlands report.

The motion was seconded by Commissioner Fox.

Chairman Hall: This is just a continuation of the other, Ed, there is nothing on this?

Ed Meehan: Nothing.

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

J. PETITION 13-08 – 119 Liberty Street, Kevin Kingston applicant, 1275 Cromwell Avenue, #35 Rocky Hill CT 06067 Kingsford Realty, owner represented by Alan Bongiovanni Land Surveyor, 170 Pane Road, Newington, CT 06111 request for Site Plan Modification reuse of 5,000 sq. ft. building, I Industrial District.

Commissioner Schatz moved that PETITION 13-08 – 119 Liberty Street, Kevin Kingston applicant, 1275 Cromwell Avenue, #35, Rocky Hill, CT 06067, Kingsford Realty Owner, represented by Alan Bongiovanni Land Surveyor, 170 Pane Road, Newington, CT 06111 request for Site Plan Modification reuse of 5,000 sq. ft. building, I Industrial District be approved based on plans entitled "Improvement Location Survey – King Air Conditioning" Sheet 1 of 1, dated 3-14-08 scale 1"=20' prepared by BGI Land Surveyors.

Prior to the chairman signing the site plan mylar the plan shall be changed to provide curbing with loam backfill and seeding along Liberty Street and the edge of the westerly parking area as directed by the Town Engineer.

Prior to the chairman signing the site plan mylar the plan shall be changed to show that the area behind the building is graded to direct run off into the on site storm drainage system as directed by the Town Engineer.

Prior to the issuance of the Certificate of Use and Occupancy the applicant shall verify to the Town Engineer that the sedimentation and oil structure has been cleaned.

Prior to the issuance of the Certificate of Occupancy the property owner shall post a site completion bond, amount to be determined by the Town Engineer, Section 5.3.5 Zoning Regulations.

Prior to the issuance of the Certificate of Occupancy the 15' x 45' turning easement in favor of the Town for snow plowing and emergency vehicles shall be filed on the land records.

This approval is based on the Newington Inland Wetlands administrative office's finding that the site plan modification is consistent with the Conservation Commission's permit issued March 19, 2002, Application No. 2002-2.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Discussion, Ed?

Ed Meehan: This site is being recycled by Kevin Kingston who bought the building from Biella Brothers. It had fallen in disrepair over the last two or three years. We're had both Inland Wetlands and Zoning issues down there with the care of the property down there, so the new owners are already cleaning the site up which we are looking forward to at staff level because there are other neighbors down there that, you know, their property was being affected by how this was being cared for and the curbing and some of the requirements that we're looking for with the oil and water separator being cleaned and the back fill and the loam to stabilize the area will help the water courses that run through this thing.

Chairman Hall: Any other discussion?

Commissioner Schatz: They did a nice job on that building.

Chairman Hall: That's what I was going to say, if you had seen it before and have been by it recently, night and day, so this is a definite move in the right direction.

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

Chairman Hall: Do I hear a motion to add this last one, they had asked us tonight to move forward.

Commissioner Fox moved to add Petition 15-08 to Old Business. The motion was seconded by Commissioner Kornichuk. The vote was unanimously in favor of the motion with seven voting YES.

PETITION 15-08
25 Holly Drive
Site Plan Modification

Commissioner Pane moved that PETITION 15-08 – 25 Holly Drive, United Technologies Corporation applicant, GRI Newington, LLC owner, represented by Attorney Edward Hill, Robinson & Cole, LLP, 280 Trumbull Street, Hartford, CT 06103 request for site plan modification, I Zone District be approved the Commission finding:

1. The Zoning Board of Appeals has granted Petition 00-08-03 for a 14.5 foot setback variance to the 25 foot front yard standard along Holly Drive.
2. The applicant has submitted a site plan entitled "United Technologies Corporation – Computer Science Corp. Upgrades" prepared by Fuss & O'Neil, Scale 1"=20', Sheet CG1.1, Sheet L.1.1, and Screen Wall Elevations Sheet A.1.1 which illustrate the placement of the co-generation unit along the Holly Drive side of the property will not adversely impact the public sidewalk and right of way.
3. During the construction of the co-generation unit the contractor shall coordinate with the Town Planner and Town Engineer the location equipment and material so as to maintain safe public passage along Holly Drive.
4. A completion bond, amount to be determined by the Town Engineer, shall be posted if site improvements are not finished at the time of co-generation unit operation.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Discussion, Ed?

Ed Meehan: I think the motion speaks for itself.

Chairman Hall: Any comment on this?

Commissioner Pane: Do you have any insight on the Zoning Board granting the variance. Was that the only location? The concern I have is he's ten feet off the sidewalk and by the time you put your landscaping in there, they're going to put a berm of dirt, by the time you put your berm of dirt and your planting on top you're probably going to be five feet off the walkway.

Ed Meehan: The ZBA minutes that I reviewed, the applicant showed that other locations for this type of accessory utilities attached to this building, they couldn't put it in front because that is where the existing parking is and the front entrance. To the east there is a topographical limitation, there's a difference in grade; and to the south they are right on the setback line already, so this is given the only location where they could fit it. That was one of the reasons that ZBA cited.

Commissioner Pane: They couldn't make it longer, but not as wide?

Ed Meehan: I think if they go longer then get into the area of, I don't know what the complete internal make up of the building is, but they have overhead doors, and other access issues.....

Commissioner Pane: Yeah, looks like they had more room to go longer but, before they hit the driveway.

Ed Meehan: Going down Holly. There's a driveway coming right there. The configuration of the site, again this came from the minutes, it's long and narrow. The building I guess goes back to '82 or '83 and back then you could have that much coverage, you basically built to your building envelope and with the topography dropping off to the east side, there's no level ground to put it on.

Chairman Hall: Plus there are a couple of doorways down there too, and then it looks as if there is some kind of a break and then it goes down, and then there are overhead doors that go in, over here. There's not much traffic down there anyway, is there? As far as foot traffic, probably not a heck of a lot.

Ed Meehan: The traffic is related to Curtis 1000 across the street which has employees and this building has, I don't know if they run three shifts, how they operate but they have a fair number of employees that, one of the things that we talked about, and that's why it's in the motion, is the staging of any work on Holly, they are going to have to have people shift, the on-the-street cars during construction are going to have to find some place else to park.

Commissioner Pane: They have permission to park on the street?

Ed Meehan: Yes, it's not posted. In fact.....

Commissioner Pane: In the Industrial Park?

Ed Meehan: Pardon?

Commissioner Pane: That's the industrial park, isn't it?

Ed Meehan: That's not one of our industrial parks.

Chairman Hall: That's all private over there, isn't it?

Ed Meehan: Well, it wasn't done like Budney or Rockwell or Progress, someone told me this was in '90, CBT or...

Chairman Hall: I thought it was IBM that started there and then they went out of business shortly after they built that building, they moved most of their stuff down south, that was a while ago. Any other discussion on this?

Commissioner Niro: Yeah, in looking at this, to answer Domenic's question, in looking at the landscaping plans on this, this looks pretty good. I mean, it will look really nice, a lot nicer than it does now. Right now it's an eyesore over there, but it will work well. It looks like it's about five, six feet from the sidewalk, if not a little more, almost ten feet.

Commissioner Pane: And they're going to put a two foot berm up there.

Commissioner Niro: Yeah, that will be nice because it will bring everything up, cut that whole wall right down, so it will work good.

Commissioner Pane: My only comment was that by the time you put your berm up there and you have a four foot planting area up on top and you table it off, and you put your plants up there....

Commissioner Niro: Yeah, but they're small plants anyway.

Commissioner Pane: My only comment was that it's extremely close to the sidewalk, that's all.

Chairman Hall: Any other comments, questions?

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

VIII. PETITIONS FOR SCHEDULING (TPZ April 23, 2008 and May 14, 2008)

- A. PETITION 14-08 – Market Square, Newington Chamber of Commerce, 1046 Main Street, Newington, CT 06111 contact David Johnson, 3153 Berlin Turnpike, Newington, CT 06111 Town of Newington owner, request for Special Exception Section 3.2.8 Special Event Car Show, June 12, 2008. Schedule for Public Hearing April 23, 2008.
- B. PETITION 16-08 – 21-23 Monte Vista Avenue, Paul E. and Raymonde M. Albert owners and applicants, request for resubdivision duplex property, R-7 Zone District. Schedule for public hearing April 23, 2008.

Ed Meehan: On the 23rd you have the car show, the Chamber is doing this again this year, it was very successful last year. Dave Johnson is going to be responsible and they are coming to you for a Special Exception for a public event.

There is a re-subdivision on Monte Vista and there is also an application that came in for Eighth Street for re-subdivision, same type of duplex, which is not on the agenda and another application, two other applications came in that are not on the agenda. One was for Costello Place, to re-use that building at the end of Costello Place. It used to be Al Carbone's, the guy

who bought it is from Bristol, he wants to add to the back, and also add up on the second floor some office space. He, I met with him, he does have an R & D business that investigates and tests fusion engines for cars. So the back of this building is going to have two or three bays for cars that are being tested. Then the last application that came in is for the reapplication to change the Special Exception and Site Plan for Tim Horton's to a Dunkin Donuts. The developer, Peter D'Addeo came in last week with his attorney and we talked about, could he just go ahead and file the plans as a Tim Horton's and not come back to the Commission. We went through the motions, the whole presentation, it was always presented and operated with a floor plan as a Tim Horton's and the attorney advised his client, and I'm happy that he did, that you should just reapply. The footprint of the building is a couple of feet here and there, the operation is pretty much, exactly the same, they don't bake on site. The floor plan is actually, I think the public seating is a little less, so there's implications with the parking but they do need to come back, so Mr. D'Addeo filed, so it does need to go back to public hearing. It has nothing to do with the site, it has to do with the business deal that I don't think he was able to achieve with Tim Horton's.

Commissioner Fox: Is this a Gagnon franchise?

Ed Meehan: Could be, he's got Newington. That's going to be, how do you want to schedule that? I have to do public hearing notices tomorrow, do you want...you'll have, for public hearings you will have the car show which is quick, two re-subdivisions, which usually go pretty quick, and then if you want to put on Tim Hortons. Then, under Old Business you will have Karanian, the adult day care, Global Granite, and Reno and Spin Cycle. Do you want to put them on?

Chairman Hall: If that is the wish of the Commission, we will put them on for next time.

Ed Meehan: Okay, we will add those.

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

None.

X. REMARKS BY COMMISSIONERS

Commissioner Pane: Madam Chairman, just through you to Ed Meehan, is there any update on the plan for the church property on the corner of Pane Road and Church Street.

Ed Meehan: That was taken off the agenda, that was the other petition we had, it was taken off the agenda, we had at staff level talked to the project engineer, and they had not ever provided the planning side of our operation with the building elevations. I had been looking over the shoulder of the building inspector Pete Hobbs as he did his plan review, so I got a copy of the architecture, plans. Long story short, I've asked and they have agreed to come back to public hearing with their site plan and their building elevations. They didn't want to do it on the 23rd, they can't get their whole team together, so they are asking for May 14th. They will present their site plan and the building architecture. We wrote a staff report back in January on issues that hopefully they will be prepared to address. It had to do with grading and handicapped parking stall, very close to Church Street, the utility wells, some concerns for drainage as far as, the drainage is going to be lower and water could collect and freeze. They have not answered the issue on the off-site drainage easement. They were supposed to get an off-site drainage easement on the adjacent property. It's a private easement, the town doesn't have any rights to it. That's critical, and then they have to explain what we feel are changes to the building elevation. They changed the doorway and the window design and that is something that subjectively the Commission should look at. That's where they are.

Chairman Hall: Any other remarks by Commissioners?

XI. STAFF REPORT

Ed Meehan: Real quick, I know that it's getting late. The Town Manager and I met with the principals of the Konover and Fred Callahan and Rip about the Home Depot last week and we were able to put in the same room Mike Frisbee from Hunter Development and Stanley Cohen who, he and his partner bought the Connecticut Children's Medical Center, 28 acres up there. Had a good conversation, they had talked a little bit to each other, but never all at once and Frisbee is going forward, he bought the Lowe piece, he has finished up his environmental work. If not before the end of this week, sometime next week they will start taking the building down, getting the site cleaned up. He said he has strong leads for tenants, he wouldn't tell us who, and he was happy to hear that Konover has the option on the Callahan piece because he wasn't sure if that was going to go forward and if Redan was out of the picture. What each of the developers learned from the meeting was that with Redan being under option, the driveway into the proposed Home Depot facilitates a traffic signal, it's really the only place that you can put it on that hill, so I think they are going to have conversations among themselves, how they work out issues, how they hire their traffic people, and it sounds like they are going to go with the same traffic engineer, and work with STC on these projects in some form or fashion. We have no idea of what the 28 acres might be used for, Cohen and his partner have talked about housing, they have talked about some sort of assisted living, congregate care facility, but I think they are just sort of sitting back to see what the other two guys do. That's a concern to us because we have a DEP grant that we have to let the department know what is going to happen with that \$500,000.00 pretty soon or they will start taking it back from us. That was a good meeting. The other thing that I was going to report to you is we've heard that OPM is going, has announced or will be announcing pretty soon grants to municipalities to help them update their Plan of Development. So I jumped on that, I wrote a letter from the Town Manager to send up to the Secretary of OPM to get our name on the list, so see if we can get some money, some infusion to get this thing going.

Commissioner Pane: Madam Chairman, hasn't that piece up at the top of Children's Hospital, hasn't that been proposed for housing before and denied?

Ed Meehan: Three different times, and the commercial sub-division, then we had five and six story buildings, residential, that was denied. Then we had another rendition of that which wasn't necessarily that, it was three and four stories but it was 340, 350 units, and then there was a third one that had to do with just trying to cluster the housing but there was a zoning regulation that if they gave the town open space they got more bonuses for density and height, I may be confusing that with the first one, but that got denied too.

Commissioner Pane: Isn't that also part of the Town Plan of what is going to get developed up there? Isn't that part of our town plan?

Ed Meehan: It's part of the gateway site, it's associated with Lowe.

Commissioner Pane: Do you think maybe it would be a good idea maybe for the Commission to get together before they come in with something and figure out what the Commission wants to do up there.

Ed Meehan: Well, the Town has taken, and this Commission endorsed the application to DEP through the Town Council going after the open space grant, with the intent to try to buy the whole 28 acres in addition to the piece next door, Balco's or part of that piece. The appraisals are in the two millions, we're not going to get close to that with the \$500,000.00 so I guess the preference

from the policy makers now is open space and the question is, if they came back with another use, does the Town Council, the Open Space Study Committee if that is reactivated in this Commission want to look at that and say, well we'll just focus on the ridge line, which is the thirteen, fourteen acres on the westerly part of that site, and we'll look at developing the balance of it together with the Lowe piece and the traffic plans up there. Or, do you want to go for broke and try to get the whole 28 acres. There's, that's one of the options that these developers floated, they said, what if we can buy half the piece with open space money? We'd have to go back to DEP and keep that grant alive, which means going back through appraisals and justifying that we are protecting the ridge line. Then they would, I think the quid pro quo is that they would say, well we want to have congregate care, we want to have some housing on the thirteen acres. The issue that I think is going to be before this board, is that the use that you want, and what density do you want it at? Housing up there, Toll Brothers was interested at one time in doing housing.

Commissioner Pane: What was the suggestion? I didn't get that.

Ed Meehan: That the site be open space and developed.

Commissioner Pane: And you said what kind of development? Housing....

Ed Meehan: Housing or congregate care facility, adult care.

Commissioner Pane: Housing as far as apartments, is that what you are talking about?

Ed Meehan: Apartments or condos, which would require a zone change, but congregate care and adult care can be done by special exception in any zone. The question is, I don't think they have a user for that and does the Town want to see a little of each? There is some discussion that if that was offered the town may go for it, but what the town would do is work with the developer so that they would donate the land and get a tax write off. Then whatever we could get out of DEP we would use to buy it.

The other critical component of this, going back to the Plan of Development is any development I think that you do on that piece, there needs to be a road that goes through there and links back to Old Highway and out to Russell Road. That goes back to the interchange study and the CRCOG study with Wethersfield because if the ramps are ever changed, that strange ramp configuration at the end of Russell Road, and discontinued, you are going to need a way to by-pass and go around the Hunter Development and get up to Russell Road up by Cedarcrest and over to Arrow Road in Wethersfield. Putting a road through that site is one of the concepts that has been put forth by the CRCOG study.

The other land use owner up there, two other ones are the Humane Society that really wants nothing to be done there, they have opposed the zone change that you mentioned, and Jensen Machine, which is a little machine shop there. Came to the hearings for Hunter, they never opposed the zone change, and we have heard that at some time if Hunter Development ever got going, Mike Frisbee might make an offer to buy them out and relocate them. It's just like a, doesn't fit in between the Humane Society and a hotel, a four story hotel.

Chairman Hall: Like the chicken man down in Hartford.

Ed Meehan: Yeah, time to move, we would try to move it, so there is a lot, it's like the other end of Cedar Street, there is a lot going on up there.

Commissioner Pane: Has anybody given any thought to possibly creating a new residential zone for larger single family homes so there is not a large impact for a lot of vehicles, two acre lots or something. The ridge line could be protected and could still get some use out of it, and....

Ed Meehan: I haven't heard any developers put that forth, talking about a two acre, one and a half acre zone?

Commissioner Pane: Yeah.

Ed Meehan: From a planning point of view, taking a piece of open space and spreading everything out in one and two acres consumes more land, has more of an impact on the landscape than clustering homes in the right location, and keeping the rest open. So there are design issues with that, but the piece next door, which Balf owns is a sixty acre piece. It's in the R-20 zone. It's just in a holding zone, so someday you know, in the future, Balf is going to say, we want to develop this piece. The Russell Road side of that, the frontage on Russell Road, the accessibility is pretty good, then it drops into a really steep ravine and comes back up to a cliff, so it's that nose, that westerly nose that we tried to buy for open space, four or five years ago and Balf said no, we don't want to sell it and that is when the Town had a little bit more of a relationship with the people who were operating Balf at the time, they said, we're not going to sell it, but we're not going to develop it, we can guarantee you that. So to answer your question, no.

Commissioner Fox: I was going to ask you about that residential, I thought that was R-12, the sixty acres?

Ed Meehan: R-20.

Commissioner Fox: So right from Russell Road up to the other end of the Balf, that's all Balf, right?

Ed Meehan: This is all Balf, this is the former Lowe's, that's the Humane Society, that's Jensen, so all of this sixty acres, this is Town owned down here. A lot of that land is not really buildable because of the slope and the rock and the accessibility. There is a pocket of wetlands up there too, as you know, behind the Humane Society, a section of wetlands.

If the density issue could be addressed, you'd probably have a developer, if you had the right density, who would look at that piece, that 28 acres.

What kind of creative design do you come up with that you don't have these huge buildings like the Dempsey Center sitting on the top of your mountain?

Commissioner Pane: Well that is why I suggested the residential, single family because then it's a lower density and why put big apartments and stuff up there when you could have even one acre lots with beautiful views and have nice homes up there, and now you are lowering the amount of people who are going up there, lowering the density.

Ed Meehan: Well the concept of land use plan is that you use more land for less people, which means you chew up more landscape. One of the nicest developments around that you don't even know exists on a steep slope is down the south end of town, HighGate Apartment. When those were done, one and two stories, they blend in with the topography, the coloring of them and everything. That might be something that you might be able to fit on the hillside up there. Or leave the whole western hillside alone, the steep slope alone, and build on the back side of the slope. You have still have some views going easterly towards Glastonbury and the Connecticut River Valley. It's a challenging site.

XII. ADJOURNMENT

Commissioner Fox moved to adjourn the meeting. The motion was seconded by Commissioner Kornichuk. The meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary

