

NEWINGTON TOWN PLAN AND ZONING COMMISSION

March 22, 2006

Regular Meeting

Chairman Vincent Camilli called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

Commissioners Present

Chairman Camilli
Commissioner Fox
Commissioner Ganley
Commissioner Schatz
Commissioner Pruet

Commissioners Absent

Commissioner Cariseo
Commissioner Kornichuk
Commissioner Andersen
Commissioner Prestage

Staff Present

Ed Meehan, Town Planner

Commissioner Pruet was seated for Commissioner Kornichuk.

II. PUBLIC HEARINGS

- A. PETITION 11-06 295 Stamm Road, Alex Lomaglio Trucking, LLC, owner and applicant, represented by Attorney Vincent F. Sabatini, One Market Square, Newington, CT 06111 request for Special Permit Section 6.3 Flood Hazard Zone Use, I Zone District.**

Chairman Camilli: The first petition, 11-06, I'm told by the Planner that they are not really prepared and we have a letter, some notification?

Ed Meehan: That's correct. Some notification from their legal counsel asking for a continuance.

Chairman Camilli: Okay.

Ed Meehan: That is also for.....

Chairman Camilli: Petition 12-06 under New Business. So we will go on to Petition 14-06.

- B. PETITION 14-06 436 Hartford Avenue, Smith Commercial, LLC, 820 North Mountain Road, Newington, CT 06111 owner, Theresa Riccio, 4 Eastview Terrace, Rocky Hill, CT 06067 applicant, request for Special Exception Section 6.4.2 pylon sign, PD Zone District.**

Chairman Camilli: Is the applicant here? Do you want to come up here please?

Theresa Riccio, 436 Hartford Avenue, Newington: Requesting to put in a pylon sign for my business. It's three by five, no three by four illuminated sign, two sided, looks like that, for dog and cat grooming. It is illuminated, it's going to be put in by your standards. I propose to have that in the left side of the building, in front of the building, to the left of the building, put in ten feet, ten feet from the curb.

Chairman Camilli: How is it going to be lit? Is it going to be internally lit. It's actually got, it's electrical, and it's going to be hooked up to the side of the building.

Ed Meehan: Is it a box sign with internal lighting, or is it spotlights shining up on it?

Theresa Riccio: No, it's electrical.

Ed Meehan: Yeah, but, I think it's a box sign because I think your dimensions are twelve inches wide, so it must be ballast's with lights inside it.

Theresa Riccio: That's correct.

Ed Meehan: So it is internally lit.

Theresa Riccio: Internally lit.

Chairman Camilli: Does it meet the requirements?

Ed Meehan: Yes. The sign is actually thirty-eight inches by fifty inches, which is just a touch over thirteen square feet, times two is twenty-six square feet for total signage. The building is thirty feet wide, so the total amount of signage at this property is thirty feet, so they come under the standard. As the applicant said, it is internally lit, what is the height of the sign going to be?

Theresa Riccio: It's just under four feet high. Oh, you mean, off the ground?

Ed Meehan: Yes.

Theresa Riccio: That was my question. I wasn't sure what your permit was. How high I can go off the ground. When people drive by, I mean, my other sign was eighteen feet off the ground.

Ed Meehan: Well, that is the maximum height that the Commission will permit per the regulations, is eighteen feet, and that can be adjusted depending on the visibility of the area. I mean, there is no real unusual topographical limitations at that stretch of Hartford Avenue, so maybe something fourteen, fifteen feet high would be adequate there.

Theresa Riccio: Okay.

Chairman Camilli: Any questions.

Commissioner Fox: There is a note in your staff report, number five, and looking at the picture in back, there looks like there is sign on the wall. Is that going to stay there, and then, will that, what about the regulations?

Theresa Riccio: That is just a boxed out sign. There is nothing there.

Commissioner Fox: Oh, in other words....

Theresa Riccio: It's empty.

Commissioner Fox: Oh, okay.

Ed Meehan: Right now you have a temporary banner there.

Theresa Riccio: The banner is actually on the window.

Ed Meehan: I think that was put up as a temporary measure until the pylon sign was in place. If the pylon sign is approved and you put it up, you are only going to have four square feet left over to put as a wall sign, which is not, it's maybe one by four or one by two and a half, not a very big sign.

Theresa Riccio: There is nothing, it's just boxed out wood. I don't know what was in that.

Chairman Camilli: He was talking about, if you put up the pylon sign, the only other sign you could have would be, what he said. You could, you know, fool around with making the other one a little smaller, so you could have a little more, if you wish.

Any other questions? My only suggestion to you, before you go to the sign company, make sure you check with the Planner. That way, you won't have any problems. I would recommend that.

Theresa Riccio: Thank you.

Chairman Camilli: We'll hear from the public on this. Anyone from the public wishing to speak in favor? Against? Okay we will close Petition 14-06.

C. PETITION 18-06 1120 Main Street, Webster Bank owner, Darcie Roy, 7 Burning Tree Lane, Wallingford, CT 06492 applicant request for Special Exception Section 6.2.4 free standing sign, B-TC Zone District.

Chairman Camilli: Is the petitioner here?

Darcie Roy: I'm here. I have a new drawing, the same sign, only a little shorter. I'm Darcie Roy, I'm here on behalf of Webster Bank, 1120 Main Street. We were here a couple of months ago, got approval to reface the existing sign which then toppled over in a wind storm, so, now the bank is proposing a seven by five, about a thirty-seven square foot, internally illuminated ground sign, at a fifteen foot overall height, which includes the cornice. It looks almost exactly like the old sign does, only it's much smaller, almost half the size.

Chairman Camilli: Ed, do you have any comment?

Ed Meehan: My staff report is, the sign, the dimension meets your requirements as far as its area and height. I did talk to the applicant, the original sign in the application was a little over the standard of eighteen feet. This sign is more compatible with the size of the building as well as other pylon signs in the area. I believe it will address your town center design guidelines as far as the embellishment to the top of the sign, and certainly structurally, it's time that this sign be replaced.

Chairman Camilli: Okay. To me it looks good, does anyone have any other comment?

Commissioner Fox: It looks good to me. I still miss the time and temperature sign.

Darcie Roy: I'll tell them.

Chairman Camilli: Okay. Anyone from the public wishing to speak in favor? Against? We will close Petition 18-06.

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

None.

IV. **MINUTES**

March 8, 2006

Commissioner Fox moved to accept the minutes of the March 8, 2005 regular meeting. The motion was seconded by Commissioner Pruet. The vote was unanimously in favor of the motion, with five voting YES.

V. **COMMUNICATIONS AND REPORTS**

None.

VI. **NEW BUSINESS**

- A. **PETITION 12-06 295 Stamm Road, Alex Lomaglio Trucking, LLC, owner and applicant, represented by Attorney Vincent F. Sabatini, One Market Square, Newington, CT 06111 request for Site Plan approval, 6,000 sq. ft. building, I Zone District.**

Chairman Camilli: The first one, that 12-06 as we said before, will be continued.

- B. **PETITION 17-06 121 Styles Avenue, Lenco Realty owner, Michael Lenares (Lenares Landscaping) applicant, represented by A-N Consulting Engineers, Alan Nafis, 124 White Oak Drive, Berlin, CT 06037 request for site plan modification and reduction of buffer Section 6.10.5 (C), I Zone District.**

Attorney Ancona: Good evening Commissioners, Mr. Meehan, Mr. Chairman, I'm Attorney Ben Ancona, Jr. representing the applicant. First of all, I would like to say that Michael Lenares is relaying his apologies through me that he is at a Board of Education meeting right now and cannot be here, so I told him that you would be more likely to look favorably upon him if he kept the budget (inaudible.)

I have Joe Perraginni here to take over and let you know exactly what we are trying to accomplish.

Joe Perraginni: Good evening, for the record, my name is Joe Perraginni and I represent A-N Consulting Engineers, presenting a site plan modification for the applicant, Michael Lenares. What we are proposing are two storage areas, located on the eastern half of Mr. Lenares property. This property is located at 121 Styles Avenue. The first storage area is a four thousand square foot area that is accessed from Styles Avenue. We are showing a fifteen foot wide gravel driveway. The entire storage area will be enclosed in fencing. Chain link fence will wrap around the eastern side in front, and a stockade fence will be used for privacy along the east and south side. Within the storage area we are showing three parking spaces for his employee vehicles.

We are also showing an enclosed container storage for fencing, small fencing materials and supplies, and the remaining area that we are showing is for larger fencing materials. The other storage area that is proposed is a thirty foot by thirty foot bituminous concrete pad. On this pad Mr. Lenares is looking to locate a temporary or movable greenhouse. It is not a permanent structure. Within that, he would like to store plant materials, plant types and materials during cold months and of course during normal time. This plan has gone through the Conservation Commission. We did receive approvals. We are within the wetland area, and one of the requirements is that we provide a buffer from the existing water course that runs from south to north on the property. We did receive comments from the staff report. I can go through each of the comments and address them accordingly.

Chairman Camilli: Okay.

Joe Perraginni: The first comment was that this site plan requests a waiver of the twenty-five foot buffer adjacent to a residential zone, Section 6.10.5 (C) permits a waiver by two thirds vote of the Commission based on findings stated on the record that the modification is justified. Along with the application, we submitted a letter that addresses this request for the buffer. We are asking that this twenty-five foot buffer be reduced to twelve and a half feet. The regulations say that the buffer cannot be reduced to more than half, and within that regulation, we have cited two major factors within the letter that we feel that the buffer could be reduced by. Rather than read through the letter, I can just point them out on the plan. The actual regulation, 6.10.5 (C) says that the Commission reserves the right to alter the buffer requirement when, in its opinion the individual, natural topographical or man made utilities of the site clearly indicated that the buffer requirement is inappropriate. What I would like to show is that there is a natural feature, which is the water course which runs from south to north, that runs along the center of this portion of the property. According to Wetlands, we are required to stay approximately eleven to sixteen feet, it varies, from that watercourse. So that is a limitation that has been created along this west side of this storage area. Also, there is a manmade utility, or a MDC sanitary line that runs along the eastern side of this property line, so this is another feature that further reduces the size of storage available for Mr. Lenares, so our feelings are that these two features do have an impact on how much area is available, and our hope is that by seeing this and at the Commission's allowance, we can reduce the twenty-five foot buffer to twelve and a half feet. If this buffer is not reduced, it would severely limit Mr. Lenare's ability to use this area for storage. One last thing in the letter, we mentioned that he still does comply with the requirements to provide screening. He is providing a six foot high stockade fence so that will still provide screening for the adjacent property. We could not provide trees because MDC does not allow trees to be planted over their sanitary lines.

The second comment on the staff report was that we were required to provide a five foot setback from the front property line. We will be able to comply with this. Our plan did not show exactly five feet, and we will adjust that and revise that to show it.

The last comment, the proposed drainage work on town property should be reviewed and approved by the town engineer. The need to acquire rights to drain should be reviewed and if necessary, granted to the town. There is an existing storm line in this area, at the northeast corner that drains across Mr. Lenares' property. He at some point installed a six inch pipe to pick up that drainage. He did not tie it to the storm line, and this was brought up at the Conservation Commission meeting, so the town engineer is aware of it. He accepted the fact that he, Mr. Lenares didn't tie right up to the storm pipe, so it did not create an issue, so they were okay with the way that it was installed. Mr. Lenares would be happy to have this again reviewed by the town engineer.....

Attorney Ancona: Both Mr. Arbor and Mr. Mancini did review it, I believe in two hearings and as well in person, and they were pleased that what he did was that he didn't just tie the trunk lines together, he allowed the pipe that was coming from the roadway to spill into a basin, and then the

basin took the water further down where the ditch would be. So they were actually very happy that he didn't do that.

Joe Perraginni: The way that this works now is that rather than this water, this drainage washing across this area, it is now being transferred and he is going to provide a splash pad to control sediment, and he would, the last part of that comment, he would be happy to work with the town to grant the right to drain.

Attorney Ancona: Yeah, if there is an issue regarding any sort of easement for that water, there is no problem. This water is water that comes from the corner of Henry Avenue and Styles Avenue and it's basically street water that is coming down, and it was eroding Styles Avenue, but they seem to have worked it out and Mike has no problem granting an easement to the town if that is needed.

Chairman Camilli: Okay. Well, I think we have the issue of the waiver, and the issue of the easement, but I think some of these questions were answered.

Ed Meehan: I just have one. You mentioned in your letter the six foot stockade fence, and, that is off the site isn't it? Isn't it on the adjacent property?

Joe Perraginni: No, it's along, it's not depicted very well, the callouts are shown over here, but the fence is along the edge of the....

Ed Meehan: Along the toe of slope in there? Or behind the storage building?

Joe Perraginni: Actually it ends up being the toe of slope. But it's twelve and a half feet in....

Ed Meehan: Inside the property line, okay. I just wanted to clarify that. Okay.

Chairman Camilli: Does anyone have any questions?

Commissioner Pruet: How far is that from that MDC sewer line? The trunk line.

Joe Perraginni: The trunk line, about eleven feet in. Its just, the fence line edge is just inside of the trunk line. MDC has acknowledged, Mr. Lenares has inquired on what the MDC requires and he is not to put any permanent structures over their line, they are okay with fencing, but he runs the risk, if they have to get in there, the fence comes down, and that is what he has to deal with.

Chairman Camilli: Ed, are you satisfied with, do they have to grant the easement. How does that work?

Ed Meehan: Well, the way that it would work is that Planning and Zoning Commission, if you see fit, would make that a requirement of your site plan approval, and then, in conjunction with the plan being signed, before the mylars are signed or any zoning permits are issued, to put the buildings there, the easement would be drafted and reviewed by Steve Nassau's office and then recorded.

Attorney Ancona: Frankly, gentlemen, we are willing to do whatever is needed, I frankly think this is sort of a temporary thing. That the easements may not be necessary in the future, there is probably going to be some modification to that roadway at some point.

Ed Meehan: I think it is better to get the easement now, because that road has been there for fifty years and something may happen in the future, but the water is going to seek it's own level,

and that is definitely, as the engineer said, that is headed right to the brook. So the easement can be the typical twenty foot easement, and then it is available, if it is needed.

Chairman Camilli: Okay, and the first part of that, as the applicant said, these are the same town engineers that went through the Conservation Commission, right?

Ed Meehan: Yes.

Chairman Camilli: So they already are familiar with this, so they would....

Ed Meehan: The drafting of the easement would be something that the applicant's attorney and the town attorney would work on, and it would be shown on the map, and the easement would be depicted on the map, and referred to on the land records.

Chairman Camilli: Does anyone, well, number one, does anyone have a problem with the buffer? A chance for the applicant to reply to anything. It seems like, from what was stated, that that modification is justified, and I don't have a problem with it. Does anyone have anything to say? Okay, I think we are all set. Thank you.

- C. **PETITION 19-06 37 Ann Street, corner of Ann and Kitts Lane, J.B.W. Lustig Brothers, Inc., 350 Dewitt Avenue Brooklyn, NY 11207 applicant, 37 Ann Street LLC, owner, represented by James P. Cassidy, Hallisey, Pearson & Cassidy, 35 Cold Spring Road, Rocky Hill, CT 06067 request for Site Plan Modification to convert warehouse space to retail floor area, add parking and storm drainage system. PD Zone District.**

Paul Hallisey: I'm Paul Hallisey, a civil engineer with Hallisey, Pearson & Cassidy, Cold Spring Road, Rocky Hill. I'm here with Mr. Lustig who is the owner of this property at 37 Ann Street. Ann Street is at the intersection of Kitts Lane, just to orient you, Kitts Lane runs north and south here, and it's before you get to the Berlin Turnpike. This building on Ann, between Kitts and the Berlin Turnpike. The building is a one story brick and block building, this is, looking at this elevation is looking at it from Ann Street. What we are proposing, Mr. Lustig would like to put a furniture retail building in there. There is going to be no change to the footprint of this building, we are going to do some landscape work, drainage, parking and so forth. The property is B-Business Zone. It's about two acres in size, and it slopes down from Ann Street. We are planning to redo the parking area here, and make this the front of the building. This will be where the customers come in. Mr. Lustig is going to use about eight thousand square foot of this structure for retail and showroom. We believe we have ample parking, we are upgrading this lot, this is where most of the customers will park. We are re-doing the front of the building, and I have an elevation to show you. We had an architect draw it up. So only about eight thousand of the building will be for customer use, and we believe that we have ample parking there. We have provided fifty-six spaces, the regulations call for fifty-five or fifty-four, plus employees, however, we have seventeen deferred spaces, down in this area. We're going to grade it so if they are required, if they deem it necessary, but with this type of business, furniture, we don't feel that it is necessary, because it's the type of business where it doesn't have heavy volume. They don't depend on a lot of volume, probably if there are three or four families in there at once, it will be a big crowd, because a lot of the space is going to be display area and so forth. It's not the type of business that you would go in every day. He specializes in dining furniture. As we showed on the elevation on the right, we are going to dress up the front of the building, this will be the front of the building. We are going to do this parking area over, and we are going to do the whole side over, from here over. The only part we are not touching is the Ann Street side, that will not be changed at all.

The drainage is coming down, and we are proposing a detention basin down here, down along our southerly property line, so that there will be no increase in flow. The drainage will go in here, and then discharge into the storm system. We put an eight inch pipe there to throttle down the drainage so that when it leaves this site, it will actually be slightly less than what is there now. So we will not overload the drainage system. As I say, we are going to put some more landscaping in too. We will be landscaping the front of the building, trees here. The curb cuts will remain here, on the south side of the structure, for parking and for the loading area. This curb cut here, on Ann Street will be modified. The brown area shows our new paving, and we are putting new sidewalks across the front. That pretty much sums up my presentation, if you have any comments, or questions?

Chairman Camilli: With the parking, I really haven't seen anything, but do they need parking for handicapped?

Paul Hallisey: Yes, we do have three handicapped spaces, right here.

Chairman Camilli: You do have three, okay, and lighting?

Ed Meehan: Yes, they have, there is also a light standard in front, up by the edge there, I don't think you mentioned that.

Paul Hallisey: I didn't mention it, but we have added a light fixture here, and we added two down here for the new parking area here. Other lighting is on the building. We've only added the three light poles. If we have to put the deferred parking in, we have shown two more light poles down there.

Chairman Camilli: Okay, this is going to be retail now, right? This is going to be a retail business?

Mr. Lustig: We have a warehouse existing in the building now, and we just want to partition off a little bit of the front.

Chairman Camilli: For retail?

Mr. Lustig: Yes.

Chairman Camilli: Now what are your hours of operation going to be, do you know?

Mr. Lustig: Well, ten to six.

Chairman Camilli: Ten to six, six days a week? You know, I'm just curious, I want it on the record, that's all.

Mr. Lustig: Probably seven days a week, the same as the other stores that we have.

Chairman Camilli: Okay. So, seven days a week, ten to six.

Mr. Lustig: Yes, Sunday, eleven to five.

Chairman Camilli: Sundays, eleven to five. Any other questions?

Commissioner Ganley: Yes, I'm looking at the photograph from Ann Street, the center display you have there. It looks like it is pretty close to a two story addition on that front part?

Paul Hallisey: Yes, that is an office area, like a mezzanine.

Commissioner Ganley: That is actually a second floor then.

Paul Hallisey: Yes.

Commissioner Ganley: Okay, thank you.

Commissioner Fox: Wasn't that the original Bob's?

Ed Meehan: Yes, and water beds.

Chairman Camilli: Are you going to have any signage on that building. Are you going to put any signage?

Mr. Lustig: On the new front, we are planning to. A neon sign, actually, we have a sign from a different building that we had it on and then, I think we are limited.

Chairman Camilli: That's why I brought it up, I didn't know what you were, signage wasn't mentioned. I didn't know how much signage was going to be on the building, or what you were going to do for signage.

Paul Hallisey: Signage was laid out, and I don't have the specifications here, I know that the Berlin Turnpike has double.....

Ed Meehan: Two times the length, you don't get that bonus though.

Mr. Lustig: Correct, we're still crying about that.

Ed Meehan: One times the length of the front of the building, which is the Ann Street side, so, whatever that is. It looks like it's a hundred and fifty feet, one hundred and thirty feet? That's your maximum square footage of signage.

Paul Hallisey: What is our maximum?

Ed Meehan: One times the length of the Ann Street frontage, not Ann Street, Kitts Lane frontage.

Paul Hallisey: One times the length of this?

Ed Meehan: Yes. Wall sign and pylon combined. So whatever that is.

Paul Hallisey: And that would have to go on the building?

Ed Meehan: You can decide how you want to distribute it. If you have a wall sign, you can put it where the applicant said it would be, like over the door, if that uses up X amount of square feet, you have just whatever is left over to add to a ground sign. The ground sign has to be on-site. You would have to come back to the Commission for a Special Exception for a ground sign. A separate application.

Chairman Camilli: Talk to the Planner about the sign, and what about, you mentioned neon, can they put neon there.

Ed Meehan: Well, it shouldn't be exposed neon, it should be in a raceway or.....

Mr. Lustig: It's in a raceway, it's approximately sixteen square feet, in the front of the building, so we would have room for another sign on the building, but that's not planned now.

Chairman Camilli: Okay, but check with the Planner in terms of.....

Mr. Lustig: Oh yeah, we'll get the specs.

Paul Hallisey: You said one times the, this length?

Ed Meehan: That's correct. Now, there are a couple of large trees on Kitts Lane, I know of one large tree. Is that going to have to be removed to get that driveway in?

Paul Hallisey: No. This one stays. These two remain, and these trees here stay, on Ann Street. We are putting new trees here, we're putting some planters, this is a planter here on the front of this section here. There will be all new sidewalks along here, and there will be a planter here.

Ed Meehan: So the whole Ann Street side, basically will be opened up and will be storefront glass?

Mr. Lustig: Not Ann Street, Kitts Lane.

Paul Hallisey: Kitts Lane, yes. Ann Street won't change.

Mr. Lustig: Now the signage is based on Ann Street, correct?

Ed Meehan: Where is the public entrance side?

Paul Hallisey: Yes, that's Ann Street, I mean, Kitts Lane.

Ed Meehan: The public entrance side.

Paul Hallisey: This is the public entrance side, Kitts Lane. That is where the sign will be.

Ed Meehan: The other issue, you asked to defer those seventeen spaces, now is that because you feel that your type of use is not going to generate a high traffic demand.

Mr. Lustig: It usually doesn't.

Ed Meehan: How many employees do you have?

Mr. Lustig: Well, when this goes into place, there will be three, retail additional.

Ed Meehan: And then what about office, delivery people, warehouse people.

Mr. Lustig: We have three existing, so there will be six total.

Ed Meehan: So they could park down on the south side of this building, in that area there. The town engineer is still reviewing the drainage calculations, so I don't have a report for you tonight, in that regard, but, as background, this site was engineered back in the '80's for almost the exact same thing, and it never got built. So, and it was approved at the time. So this has been brought up to standard, it looks a little bit more complete than what we saw back in the mid-

'80's. The adjacent site to the south is JDC, which we hope some day will be renovated and redeveloped, and then to the west is Hershman's building, and Parts America. So, it's a re-use of an older building which makes a lot of sense in this area. Not a high traffic generator, it's not going to be a problem with traffic at that intersection.

Commissioner Fox: I might have missed it. How many square feet are you going to be dedicating to retail?

Paul Hallisey: It's shown over here on the floor plan. It's going to be 7900 square feet. This is the floor plan, this is the Kitts Lane side here.

Commissioner Fox: Okay, about 8000 square feet, I didn't look far enough.

Commissioner Ganley: Regarding the sign, the turnpike has a different sign ratio than side streets, is that what I am to understand?

Ed Meehan: Yes.

Commissioner Ganley: How about Kitts Lane itself, I mean, you have the big shopping plaza and there are some fairly good size lettering on the sides of those buildings.

Ed Meehan: That still goes by the length of the building. One time the length of the building.

Commissioner Ganley: Okay, so that the, that shopping plaza doesn't get that advantage, for lack of a better word.

Ed Meehan: I don't believe that it did, but I would have to check on that. It goes have a little bit of Berlin Turnpike in the vicinity of Burger King, a small slice of it. They may have argued for it, but I don't recall. But that building, from Shaws up to Bobs is quite long, so even at a one to one ratio, they would benefit from quite a bit of signage.

Commissioner Ganley: Well, the reason that I raise this, and I say this only in jest, I guess, because if it were true that they did have an advantage, I would suggest that you get a Kitts Lane address and get the same advantage that the shopping plaza got in regards to the sign.

Commissioner Fox: They need a Berlin Turnpike address, not a Kitts Lane address.

Commissioner Ganley: Put the entrance on the other side.

Commissioner Fox: Yeah, that's why Shaws didn't get it, because they have a Kitts Lane address with the setback. Burger King has a Berlin Turnpike address.

Commissioner Pruet: Just two questions, what is the name of the company, what is it going to be called, the furniture company? Also, on your landscaping, are you going to be providing any irrigation?

Mr. Lustig: I suppose that we will need the irrigation....

Commissioner Pruet: Sprinklers, you know, for the landscaping, etc.

Mr. Lustig: We didn't consider that.

Commissioner Pruet: I was just curious.

Mr. Lustig: The signage, we do business as Dinnette Factory. That is what the front sign is going to be.

Paul Hallisey: When you say the sign, with this frontage, do we use the complete frontage all the way over to here?

Ed Meehan: Yes sir.

Chairman Camilli: Any other questions? Ed?

Ed Meehan: Pending the receipt of the drainage report, it's a pretty clean site.

Chairman Camilli: You're all set.

Paul Hallisey: We don't have to come back then?

Ed Meehan: Do you want to move it to Old Business and wait for the report.

Chairman Camilli: We can't vote on it, we don't have the drainage report. If we had the drainage report, we could move it tonight, but we don't have it....

Paul Hallisey: We don't have to come for that do we?

Ed Meehan: The next meeting is April 11th, and if the Commission is satisfied with your presentation tonight, you don't need to come back on the 11th.

Chairman Camilli: Anyone have any questions?

Commissioner Ganley: Let's assume that it is done by April 11th. What will then happen is it will come back and the Town Planner, on behalf of the Engineering Department will say, this is good to go, and therefore, we can probably take action. And if it isn't, we wouldn't have it on the agenda, for the 11th, because you guys have not gotten together to clear up whatever nuances there were.

Paul Hallisey: If there is a problem, you will let us know?

Ed Meehan: If there are any technical problems I'll talk to Jim, or Pete Arbor will talk to Jim Cassidy, and as Commissioner Ganley is saying, they will have it on for Old Business, but they will postpone it on the 11th, until the technical parts are worked out, if it's okay, they can move it up to a vote.

Chairman Camilli: Okay, thank you.

VII. OLD BUSINESS

- A. **PETITION 10-06 3391 Berlin Turnpike, known as The Vitamin Shoppe, Newington Corner, LLC owner, Access Sign, Inc., 2351 Boulevard Fernand Lafontaine, Longueuil, Qc, J4N 1N7, Attention Tammi Derkson, request for Special Exception Section 6.2.4 pylon sign, PD Zone District. Continued from February 22, 2006.**

Commissioner Fox moved that Petition 10-06 3391 Berlin Turnpike, known as The Vitamin Shoppe, Newington Corner, LLC owner, Access Sign, Inc., 2351 Boulevard Fernand Lafontaine,

Longueuil, Qc, J4N IN7, Attention Tammi Derkson, request for Special Exception Section 6.2.4 pylon sign, PD Zone District be approved based on the revised sign design for a 15' high pylon entitled "Option 01, dated 2-27-06, prepared by Access Signs, Inc.,"

The total sign display face shall not exceed 35 sq. ft. per side.

The motion was seconded by Commissioner Pruett. The vote was unanimously in favor of the motion, with five voting YES.

Chairman Camilli: Motion passes unanimously.

VIII. PETITIONS FOR SCHEDULING (TPZ Meeting 4-11-06 (Tuesday) and April 26, 2006)

- A. PETITION 20-06 2355 and 2371 Berlin Turnpike, known as McDonald's, McDonald's Corporation/Franchise Realty Interstate Comp., owner, McDonald's Corporation applicant, represented by Attorney Susan Hays, Updike, Kelly & Spellacy, PC, One State Street, Hartford, CT 06123-1277, request for Special Exception Section 3.15.3 Restaurant Use, B-BT Zone District. Schedule for public hearing April 11, 2006.
- B. PETITION 21-06 2355 and 2371 Berlin Turnpike, known as McDonald's, McDonald's Corporation/Franchise Realty Interstate Comp., owner, McDonald's Corporation applicant, represented by Attorney Susan Hays, Updike, Kelly & Spellacy, PC, One State Street, Hartford, CT 06123-1277, request for Special Exception Section 3.15.4 Restaurant Use Drive-In, B-BT Zone District. Schedule for public hearing April 11, 2006.
- C. PETITION 22-06 2355 and 2371 Berlin Turnpike, known as McDonald's, McDonald's Corporation/Franchise Realty Interstate Comp., owner, McDonald's Corporation applicant, represented by Attorney Susan Hays, Updike, Kelly & Spellacy, PC, One State Street, Hartford, CT 06123-1277, request for Special Exception Section 6.2.4 pylon sign, B-BT Zone District. Schedule for public hearing April 11, 2006.
- D. PETITION 23-06 2355 and 2371 Berlin Turnpike, known as McDonald's, McDonald's Corporation/Franchise Realty Interstate Comp., owner, McDonald's Corporation applicant, represented by Attorney Susan Hays, Updike, Kelly & Spellacy, PC, One State Street, Hartford, CT 06123-1277, request for Site Plan development Section 5.3 5,265 sq. ft. restaurant use, B-BT Zone District. Schedule for presentation April 11, 2006.

Chairman Camilli: On Petitions for Scheduling, the Planner put a memorandum in our packets which all have to do with McDonald's Corporation, and I would suggest you review that before the next meeting.

Ed Meehan: I'm meeting with Dave Griffith on this memorandum on Friday. I had a quick conversation with Steve Nassau yesterday and Dave and I are going to sit down Friday morning and go through it. Raises some interesting questions.

Chairman Camilli: So we were not sure where all that was going in terms of what we talked about the last time. As you can tell from the initial part of the memorandum, you know, which we didn't know at the last meeting, Attorney Hays, I think it is, had a written memorandum on her own presentation to the Conservation....

Ed Meehan: ZBA

Chairman Camilli: ZBA, excuse me. To the ZBA, and in there it was a little more detailed than what was in the minutes. So, which became part of the record, but wasn't something that I had a chance to look at before, so that is why I made those comments at the last meeting, it's a little different with her memorandum.

Commissioner Schatz: Is that a normal thing?

Chairman Camilli: What?

Commissioner Schatz: To go to ZBA first?

Ed Meehan: It's their call. If they had come to your board first, there is no way that you could approve a site plan that doesn't meet your standards. So it is more of a, call it a strategy decision, but it is also a, the practical thing to do. It would have just been put in spin-dry here. You can waive some things, but you can't go beyond that.

Commissioner Pruett: Could they have appealed our decision to the ZBA?

Ed Meehan: They are more likely to appeal it to Superior Court. But sometimes that is a risk, because Superior Court could say that they did not exhaust all their local remedies first. That appeal process could take years, where going to ZBA is more direct.

Chairman Camilli: So we'll see. There are some questions, the Planner and I talked about that Ed will be discussing with the attorney right now, to see what our standing is in terms of their application. That is all I want to say at this point.

Ed Meehan: There are a couple of other applications that have come in since the agenda was mailed. One is for a pylon sign down at, the Thompson Company, Ford Holland, they are changing the pylon sign in front. And the second one is an application from Christopher Chiulli on Alumni Road. Remember, not quite a year ago he was denied for his processing operation. He's back with a new application for the same thing. This time he has been able to get the various letters from the affected property owners that he didn't have last time. So, that requires a public hearing also. What is your pleasure, do you want to schedule that? Do you want to bump it to the second meeting in April?

Chairman Camilli: I think we should bump it, because I think McDonald's is going to take a lot of time.

Ed Meehan: Okay, will do. What about the sign?

Chairman Camilli: The sign, that should be pretty easy.

Commissioner Fox: That shouldn't take long.

Commissioner Schatz: Don't they have a sign there already?

Ed Meehan: They have an existing pylon, they want to add another part to it for a new product line.

Commissioner Ganley: Why don't we put that first? Get it out of the way.

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

None.

X. REMARKS BY COMMISSIONERS

None.

XI. ZONING ADMINISTRATOR COMMENTS

None.

XII. STAFF REPORT

Ed Meehan: The McDonald's, you have that memo. Last week we, I won't say we cited, but with the cooperation of the gentleman who runs the golf school at the driving range, we've asked them to curtail any driving of golf balls because the netting is basically in disrepair on Deming Street. It's a hazardous condition. There was a car that got entangled with some of the cabling out there, and the town crew actually had to go out and do some safety work, and push in one of the poles that had fallen over into the town right of way, out of the right of way. So the Sphinx was contacted and they agreed not to do anything with the driving range as far as people hitting balls out there. They are supposed to fix the netting before they open up for business.

Commissioner Fox: So in essence, you shut down the driving range until it's safe.

Commissioner Pruet: I saw that telephone pole, I called, it was shifting, it was hanging right over the road, right over the curb.

Ed Meehan: It was over the curblin.

Commissioner Pruet: And the netting was flapping in the breeze there.

Ed Meehan: We were concerned that the netting was going to get tangled in the CL&P lines, which they were lucky that it hasn't at this point, but CL&P was put on notice also.

Commissioner Fox: Now let me ask you a question. Since whenever I was up at that driving range, the only netting I hit is the stuff on Deming Road, can I still go there, I never approached that.

Ed Meehan: That's the netting that is gone, I don't know if it is just rusted through or

Chairman Camilli: Any other zoning administrator comments?

Ed Meehan: Not zoning, no. Just for your information, there is a set of questions that I prepared in draft form for the Town Council. As you may know, the last, well before they got heavy into the budget, I was with the Town Council on two occasions to talk about the busway. Once prior to the open house, over at the Senior Center and then the meeting following that, with the Town Council, and from that these are some of the questions that have come up. It does refer to some of the concerns that TPZ expressed back during the phase of the environmental impact assessment, about three years ago now. Having to do with traffic, access to National Welding, noise abatement and maintenance of the stations and so forth, but the Council's basic questions I think, one through six, have to go back to the very basic transit study and strategy done by

CRCOG and the model that they are using to project the need for the busway in the New Britain-Hartford corridor, and that was some of the basic questions that the Council want to sit down with ConnDot and discuss. When they get a little lighter agenda, they might invite someone from ConnDot Transit division to come in and spend some time with them, where they can get into depth on some of these questions. I wanted to keep you apprised of them because a couple of you members have been active in the municipal advisory committee as far as the land use side of this, and if you read in the papers what the Governor and the members of the General Assembly are funding this....

Chairman Camilli: I still have, you know, I don't know if it is on there I didn't really read this yet, but one of the questions I have is, with a town our size, and I have said this many times, why, if we had to have a station, why do we need two? I mean, and what would be the purpose of two? They talk, you know, major cities and I'm sure they have a lot more in terms of population but, our little town, there must be some other reason why we need two, one could service Newington, and what does Newington get out of it. I know that the Council is concerned about that. But then again, lets say that there was some ridership in Newington, do we really need two? As far as I understand now, that the funding is for two.

Ed Meehan: That's correct.

Chairman Camilli: Why?

Commissioner Pruet: I heard, through the DOT up there, they were going to tap into CCSU, New Britain people. Newington I think is more that, and the other end, they are looking for more Elmwood and West Hartford people to come in, not just Newington.

Commissioner Fox: At Cashway, yes. It brings up a good point, they are trying to get ridership from CCSU students, their parents, you know what they want to do over there, at Fenn and Cedar, we all do, why can't that be on the New Britain side? If that one, we've got the plans for the Stop and Shop area, and then there are plans for the CCSU area in New Britain....

Ed Meehan: East Street.

Commissioner Fox: On East Street, fairly close.

Ed Meehan: Well the one behind Stop and Shop was always, as far as I remember, talked about as the interim station. The desirable location had always been identified south of Cedar Street, where that would be the station for Newington and CCSU, and because of logistical issues and getting access into that land, I sort of think they split the baby, so to speak, they went behind Stop and Shop for the interim station, and then Central through their interest in the redevelopment of East Street in New Britain and Manafort Drive, sort of pressed for that East Street station, so they have a little of each. Neither of them are very large as far as parking capacity. The one on the south side of Cedar Street, where they did the various land use scenarios, everything from a stadium to a school of business or engineering, to a mixed retail development, they could have parking anywhere from five hundred to ten thousand cars, if you believe some of their concept plans.

Commissioner Ganley: I have a much narrower view of the whole thing. Whether they build it, or don't build it, that corner of Cedar and Fenn is a critical corner for the town's development. I think that we ought to focus really on the land use issue as it relates to that corner, and we ought to always keep in mind that whether we have X number of parking spaces, or Y number of parking spaces, down below, down at the lower end of the slope, how they buffer the thing or anything else, is really incidental, quite frankly in my view, as to what is up at the top of the slope along

Fenn Road. That is a very, very valuable piece of property. That is where our focus should be, and we absolutely have control of what will ultimately become of that particular piece of property. And we should never take our eye off it for more than a minute, and I think that should be our focus. Now this busway idea, whether they, I don't care what kind of a model they use. If the State funds it, the State has done many, many, many things which could be categorized as a boondoggle, but they don't care. They fund things anyway, okay, and if they are going to fund this thing, and they are going to build it, God bless them. Let them build it.

Commissioner Pruett: But not to our detriment.

Commissioner Ganley: But we have to make sure that the piece of land that we control because I'm sure, I went to that last meeting that I was at, and I tried to separate the issues as best I could, and there were a lot of people there. That place was jam-packed to the rafters with people at the Senior Center. I mean, it was jam-packed. A lot of them, I know they were developers, they had to be. They came just to see what was going to go on. So a lot of people are going to be looking at that corner, and that's our corner, and I think that is really what our focus has to be irrespective of whether or not they ever build the busway. We have to capture that corner, market studies, traffic studies.....

Chairman Camilli: I agree with you, I don't think we have to belabor that, but the thing is, whether we do, you know, keep our eye on the ball with that, I totally agree, but the funding is for these bus stations, so I just want to get back, but I totally agree and hopefully, whatever happens we still maintain control of what Tom is saying.

Commissioner Ganley: And they don't do anything with the egress, etc., to the parking area which diminishes somewhat the value of the land, or precludes it being developed in a certain way, that we have some strong say.

Ed Meehan: That's critical because if they spend state dollars to get the access from Fenn Road down to the bus station and the parking lot, they construct a new traffic signal at Fenn Road, they bring in the infrastructure utilities, that opens the door for possible access to the lower land, the four acres of National Welding. The preliminary plans that have been put forth, don't show any connection. They just show this road coming down and looping around and at a couple of staff meetings we have said, provide us a spur with grade access into National Welding, and I agree with what you are saying, we have to keep repeating that.

Commissioner Ganley: Yes, that's right. That is the other point I raised that day, meaning, you have to let us get in, someday, we may all be dead, but someday, National Welding has to be cleaned up. We have to get in there. And you guys have to give us a way in when you run that road down there, I recall that remark. I remember saying that.

Chairman Camilli: And again, I totally agree with you, but you know, it seems to me, from what the CRCOG people said, it almost was like a fait accompli. These things were going in, these bus stations. At our last meeting, so they go in, and as I said, as far as the Council is concerned, why two, except that maybe we're not being told everything, except they did come in with all these conceptual plans, with TOD's on different things, of trying to, maybe coerce isn't the right word, but dangle in front of the town some benefits to move in the direction that they would want to move in, but it may not be the direction that the town wants to move in. And again, I think that is what Tom was talking about, that land is very valuable to the town, and we should keep our eye on the ball. As I said, I totally agree with, I didn't want to cut you off, but we have a, it's almost like a hot potato in a sense, because with the funding and everything, this is in our lap. I just don't want to see the town, down the road, because you acquiesce to the bus stations, and now we're going to say, you have to do what the developer (inaudible) land there, rather than saying,

we want to do this with it ourselves. You know, keep the authority of what happens there within the town, and not have somebody else come in and tell us what to do with the land and I think this is, might be the crux of, I think Tom, isn't that what you are kind of saying, that we ought to keep our eye on the ball.

Commissioner Ganley: Yeah, I raised the issue once before, and I recall a conversation which we would probably have to have a public hearing on it, but it centered around something that was done before I got on the Commission and that was that village district thing for the town center. That was a designated area, a public hearing, and the town voted and said as a policy matter, this is going to be the village district. And I suggested at that time, capturing that piece of property via the same route, so it becomes a, I'm going to give it a name, special development district, notice that I didn't say transit, I said, special development district. It's captured, for that reason, just as the town center was captured and it's going to be an arduous process, but then I understand so was getting this village thing in the center of town. It required a bureaucratic kind of thing.

Chairman Camilli: Well, we are doing the same thing now. You might be just jumping ahead just slightly, correct me if I'm wrong, but in our Plan of Development, which is coming, and I wanted to bring that up tonight as well....

Ed Meehan: It's on my list.

Chairman Camilli: It's on your list, okay, what you just said, I think, Ed and I had some very preliminary talks and I think Ed had another word for what exactly you were saying, and, Ed so you want to just.....

Ed Meehan: Well, following on that same logic, is that the area that we are talking about at Cedar and Fenn, and certainly the area up around Newington Junction, the Cashway site, and the, talking about a New Haven, Hartford, Springfield line, the interconnection of the busway and the rail line at that location, and I'm calling these opportunity sites. Where there is opportunity for redevelopment, reuse, and I think your perception that there were people in the informational meeting that were there, because some of this could be developer driven. They want to get their foot in the door as far as sites that are under utilized, maybe undervalued now, and be ready to do something of a higher use in the future. Certainly Cedar and Fenn, although that is under one control right now, that's under Hayes-Kaufman's control, and they usually build shopping centers, unless he partners with somebody else. The, Francis Avenue, Newington Junction site, very much underutilized, and that would be a site that, there could be again, I think Newington has the advantage of having a good location. Location, location, location. It's what you do with that location, and what is the town's tolerance for what you build around those areas, that don't disrupt the immediate neighborhood by bringing traffic into the area, or uses that you don't feel are compatible with the area. I think that is where you have to be vigilant, and if you do, through the Plan of Development, set forth the guidelines that you want to happen there, then I think you have positioned yourself so you are ready if someone comes in with a proposal, you can say nay or aye to it. I wouldn't jump to change the zoning in those locations, yet, because that is your policy leverage. Sometimes you open the door, and you get more than you want. Right now you know, you have control through your zoning decision.

Commissioner Ganley: I think we are on the same vein, I may have said it differently, but let's assume that that happens, that we designate a certain parcel as, we throw our holy water on it and we call them opportunity districts and along with that, there is a prospectus given to developers in effect which is telling him, don't come in with a pizza parlor, car wash and tattoo shop, we want this here, and if you want to come and talk to us, we want this over here, that way,

at least administratively, when they come up to your desk, you can say, well, you know, this is what we want, and when you come back with something that looks.....

Ed Meehan: Exactly. We don't want auto related uses, we don't want this....

Chairman Camilli: That is what the Plan of Development, and as I said that is what I think, we have had very preliminary talks and when we form the committee to move this forward, I think, what is your thinking on that, what is the time table.

Ed Meehan: Well, I want to, I would like to sit down with the working committee maybe two or three times in April, early to mid-April, and then start advertising and offering workshops to the public the last week in April, through the month of May, a couple of times in May. The workshops, I'll take the committee's lead on this, could be based on specific components of the plan, like if you want to talk about open space, or housing, or economic development, or you could have a general topic and then say, whoever shows up could talk about anything that they want, as far as the plan.

Chairman Camilli: Well, I know from some of the other Commissions, that some people want to talk, want to get their ideas specifically, so we could probably schedule some of that stuff. The only thing that I want to say to the Commission members that are here, I mean, at this point, Ed alluded to a working committee, I think we get along well enough, this committee can be as big or as small, I mean, I would like to have some designated people, but I don't want to restrict it to just the people who might be on this committee. I would rather have it like a committee of a whole, so we get all the ideas. That way, you would all be giving the input, and if I designate Tom or Bob, whoever, from that side, and one or two, at least you know that is your job, and I want to make it perfectly clear, whether you are on the committee or not, I would like you here, so that way, when we toss this around, we really have, our Commission. That's my feeling on it, even though, you know, this working committee could be a committee of a whole, as many people who want to be on it, I would say, I'll put you all on it. And if you can make it.....

Ed Meehan: We can advertise it as a meeting and then, you don't have to worry about Freedom of Information or quorums or like that, it's advertised as a meeting and whoever shows up, shows up. We'll post the agendas and like that.

Chairman Camilli: Because it will be different topics and so forth, this way here we will get the feeling from everyone, you know, what your particular views are and if it gets too unwieldy, we can cut it back. We can always cut it back and say, you know, a sub-committee, or the original three people, or four people just so we can, but it seems to me that we work pretty well together and I would like to see us all do it, if we can. We all have obligations, so if one person can't make it, at least we will have good representation on the committee. So, if that is acceptable, when Ed wants to call this meeting, I'd like you all there, and if you can make it, fine. If you can't, okay, and I will designate a few people if you think we have to do that.

Commissioner Pruett: A suggestion, like on our bi-monthly meetings, have it at 6:00 o'clock for an hour, come in ahead of time and run it for an hour, this way, we block those nights off anyway.

Chairman Camilli: That's not a bad idea. How does that sound?

Commissioner Ganley: Good show.

Chairman Camilli: You like that? I'm glad to came up with something that was reasonable.

Ed Meehan: These will be meetings that will be open to the public. You could get public at.....

Chairman Camilli: Well, we want public. I feel at this point, I think, I hope we can, I may need a gavel, I don't know, right now I don't use one.

Ed Meehan: I think the first two or three meetings, I'm not saying restrict the public, of course they are open to the public, but those are where what I would like to do is to take you through the baseline information, the population, the housing, some of the mapping information that we have developed. Then also just go through, almost page by page of the current plan and say, here is the vision statement, is this still applicable? What do we need to keep in, what do we need to take out? Here are the strategies, what have we done, what haven't we done, and then sort of get a tally of that. Then bring it to the whole Commission and open it to the public.

Commissioner Fox: Let the public come and tell us, but until you get that base down....

Ed Meehan: I think that is the efficient way to do it. Then certainly the open public workshops would I think, if you advertise it that tonight we are going to talk about open space, and environmental issues, and have people come and talk about their concerns. I know there is a strong working group in town on the trail system now, you heard a lot about open space.....

Commissioner Ganley: I've been invited to the meeting.

Ed Meehan: Pardon.

Commissioner Ganley: I've been invited to their meeting, and I'll go, I'll let you know what is going on.

Ed Meehan: Then there is a group of people who seem to be almost in different camps, they have an historical interest in the town, in protecting the historical part of the town, as well as the farm and the Deming-Young area. You see the same people at the same meetings.

Chairman Camilli: You know, if we set up an agenda, like the first one that we had at say, six o'clock would be information. Say the first meeting basically you would be outlining you know, the call of the meeting would be you outlining whatever. Rather than going in fifty different directions at once, and just for that hour, say you have an hour to present that, if you need more time, we'll do it again the next time.

Ed Meehan: By topic.

Chairman Camilli: Right, by topic and say the first topic would be basically general overview ...

Ed Meehan: What the plan is, where we are going with it.

Chairman Camilli: Right, and that would be the call of the meeting and you know, at that point, would I still have control of that meeting?

Ed Meehan: Sure.

Chairman Camilli: Well then, I'm just saying, in terms of someone wanting to talk,

Ed Meehan: Oh, from the public.

Chairman Camilli: From the public, on other issues, in other words, do we need any guidelines or rules on that?

Ed Meehan: I think that you as Chairman, to sort of referee and keep it moving along.

Chairman Camilli: Okay, that's no problem. I think we can handle that, if it becomes too unwieldy, we'll have to change it, but I'd like to do it so we get a lot of input.

Commissioner Ganley: How about the meetings themselves, as we progress through the meetings. It may be in our best interest to pick a topic, such as we'll be dealing with green space, or open space, and preservation of this particular one.

Commissioner Pruett: And advertise it as such.

Chairman Camilli: That is what we were talking about. So, at some point we are going to have to say, we are inviting the Council or the Economic Development Commission to this meeting, this is the agenda, and these people would be the people....

Ed Meehan: They would be your audience.

Chairman Camilli: And the people would be talking. If they come. If we get some representation from them. In the past, I've done this before, I mean, as Ed knows, I did a little bit of this the last time, and you know, we start out with all these good intentions, and people, as you know, have millions of ideas when you meet them at the soda shop, if you will, but when you call the meeting, the input is really rather lacking. It's from the Council on down. I mean, people say they want to talk, they want to talk, and you know, it's hard to get people to come in. It's like when you listen to people seem to have ideas, but then when it comes time to express them, it's much more difficult for some reason.

Ed Meehan: Well, you are asking people to think long range, and lay out an agenda where they want the town to go over the next ten years, from a land use, transportation, economic development point of view and they will say, we don't want anything to change, keep it the way the town is, we like the density, we like the style of housing, well okay, how do you do that? What is your strategy to do that? That is the hard part.

Commissioner Fox: I'll tell you, Vinnie is right. If we were to open it to the public, and get everybody that has ever approached me, and I've only been here, what, four or five years, as to we should be doing this, we should be doing that, we'd have to use the gymnasium. But, I guarantee that ninety percent of them will stay home and then when they see the paper say, yeah, that's

Ed Meehan: Or they react. People are good at reacting to material that you have put together, and that is important, to give them a chance to react to it.

Chairman Camilli: That's fine. You know, people who have been on the Commission, when people, and I've said it to many, especially when we have large audiences, there is going to be a time for you to react to some of this stuff, you know, it's too late, it's too late once an application comes in, and they say, well, it's R-7 or R-12 or whatever it is, and they say, how come you can't do whatever it is, well you have to come in when it's in the planning, the policies are set, not afterward. As you know, I tried to educate some of the public on that. So, you know, unless they have the application and the notification and they think some big box is going next to their house, generally, it's so boring and dry that they are not going to come. That's the problem. Until it is in their backyard.

Ed Meehan: That is why I left those two maps up, those are left over from last night's Conservation Commission last night, they had a little trouble getting a quorum, so they weren't, they didn't have a lot of participation to offer, but we're starting to develop these products. The map on the left, Municipal Property and Wetlands and Conservation Areas we have been putting together using the GIS, and our intent is to show, graphically every piece of public open space in town, every piece of land that has a Conservation easement on it, mostly a wetland easement that regulates it, the greenways, the designated greenways that were nominated by the Town Council two years ago, and endorsed by DEP. Those are the heavy dark green lines and the lighter blue areas are the Inland Wetlands, which are mapped based on soils and through a mosaic, we can begin to put together a wetland and open space system. Linking trails and beltways, and greenways together, and that is the beauty of the GIS, you can start layering things on top of each other. The map on the right, the Vacant Land Analysis, we finished that in January and this again is linked to the Assessor's Data Base, which is very accurate, and even better now with the re-val, as far as accuracy. It shows every single lot in town, at six hundred scale, and the blues, we want to make the blues better because it is a little bit hard to read, but they show where the vacant land is. Whether it is vacant residential land, or vacant industrial land. Then we, some of the pieces in yellow are what we call excess, or leftover land, in other words, you may have thirty thousand square foot parcel in an R-20 zone, so you have ten thousand square feet left over. The other two things that we put on that map, which, we overlaid the one hundred year flood plain, which is based on the FEMA map, and again, the Inland Wetlands, and when you put that over on top of your open space areas, or your vacant areas, particularly in the western part of town where the big chunks of open land are, the land is not usable. It has environmental restrictions on it, and so the high-lighted in yellow, net buildable in Newington is about eleven hundred acres.

Chairman Camilli: And that is both business and residential.

Ed Meehan: And residential, and then when you back out the flood plain, and the wetlands, it may be diminished by a third, those are some of the numbers that we want to refine. It is somewhat misleading, I just want to point this out, because we have calculated, this is open space, over here along the Route 9 corridor, but in reality, it's not private open space. There are big chunks of land behind Woodlands and FennWood Apartments and on this section here of Route 9 which is close to the Stanley Golf Course, they really are part of the state highway system. Excess land that they had to buy to mitigate their wetland impacts. So though it shows as vacant land in Newington, it's probably never going to be developed. Whereas, these bigger pieces, the biggest piece left in Newington in a residential zone is owned by Balf, the sixty acres up here. This is the cemetery, Cedar Hill, spills over into Newington.

Chairman Camilli: We put that ridge line too....

Ed Meehan: The ridge line runs right through here. Here is the CCM property.

Chairman Camilli: But didn't we change something on the ridge line too, so that they, what they can do there?

Ed Meehan: Anything over fifty percent slope, they have to come in for a site plan review and meet the guidelines, the setback guidelines.

Chairman Camilli: Like on the Balf piece, let's say they ever want to sell that, part of that is with that...

Ed Meehan: This whole corner, that is the steepest part, that is all regulated by the ridgeline. This back piece over here, fronts along Russell Road, is not going to be regulated. Just the piece....

Chairman Camilli: And what is that zoned? Is that R-20?

Ed Meehan: That's R-20.

Chairman Camilli: Okay, so that is already zoned.

Ed Meehan: The other large pieces still shows Toll Brothers, Hartford Drive-In. That goes to the State Traffic Commission this month, that probably will be gone. And then you have some other pieces, this is eleven acres down at Barn Hill, Peckham Farm, and this is the Haltner property down on Culver Street.

Commissioner Pruet: The Grantmoor land?

Ed Meehan: This is the Grantmoor land here, most of the Grantmoor land is encumbered by wetlands.

Chairman Camilli: Is that R-20 too? Over there.

Ed Meehan: That's R-20.

Chairman Camilli: And what about the Peckham farm?

Ed Meehan: That's R-20.

Chairman Camilli: That's R-20, so the larger pieces are all R-20.

Ed Meehan: Yes, this piece here, which is the backside of the Department of Transportation, is R-20, but physically, because of the terrain, it's really not buildable. It goes straight down a hill.

Chairman Camilli: There are no big chunks of land left. One of the things that came out when we did the Pulte application was, you know, why that, why not homes or whatever, and if it had been designated R-20 back ten years ago, when we re-zoned it, then we would have some standing, and I think, and the only reason why I bring that up is when we have, when we do go through this exercise, I think what the Commission wants to do is, in the long range planning, you know, say, do we have enough high density, do we want more of this, or that, or whatever, and then plan accordingly for the different areas. I just want to try to set it in my own mind that we have, we come to some conclusion, this is long range plan, we want to see more of this kind of development rather than this kind. Rather than getting any specific, do we want to see industrial, or as you said, you know, get ahead of the curve on these particular areas and designate what they are, and then when these opportunity sites, or whatever we want to call them, say, this is what we want to see here, and we can limit it through the Plan of Development and say, this is what we want, and if we have to, then we can change the regulations.

Ed Meehan: If you feel that you don't have enough of a certain type of land use, or you want to create an atmosphere for the land use that you want to attract in an area, you promote that through your regulations. There are different ways that you can do that.

Chairman Camilli: Okay, I just wanted to kind of educate, being on this Commission a long time, the most frustrating thing as a Commissioner is, and being on this Commission sometimes, is

when the developer is up on you, on the Commission. In other words, it meets something that we don't want, but nevertheless because of the way that the regs are, and we are governed by the regulations, and you know, we just can't say, well, we don't like the way it looks, so we're not going to approve it.

Commissioner Ganley: It's called fighting a rear guard action.

Chairman Camilli: Yeah. So what we have to do, and good planning, hopefully, will take care of a lot of these things that come up. So, although it may be a boring exercise, it's one at some point, if we do it properly, then it protects the town for the next ten years in terms of high density, low density, industrial, whatever you want, we have the say.

Ed Meehan: That's why, I want to work with whoever shows up at these meetings, is work through some of the baseline information like the economic component, I think we want to do a little analysis and work with the assessor on the complexion of the grand list. What percentage is residential, what percentage is industrial, commercial, where, this land use is generating your capital assets for the community and they are driving the mill rate and the services we provide. Where is it coming from? Do a fiscal analysis of the land use in town. We can do that because we have now the capability from the re-val, tying it to the GIS.

Chairman Camilli: I think we were talking, Avon, or something that is already built out. I mean, it's a question of reconstituting pieces of property or piecing together pieces of property. Once you are built out, you're built out. Do you have the percentage?

Ed Meehan: Yeah, that's a, there is a planning theory of holding capacity, and what communities do is say, if this whole town was zoned quarter acre lots, the holding capacity might be sixty thousand people, if every piece of buildable land was built on, and that is considered built out of the holding capacity. Rarely does it happen, but if you had a town that had a lot of open land left, you would do a holding capacity analysis, to determine where your community facilities should be. Where you would have acreage set aside for an elementary school, for middle schools, where you would put your fire and police, based on the ultimate holding capacity. So, twenty-five, fifty years out, you're ahead of the curve. You've got what you need. I mean, the built out capacity in Avon, I don't know, but I'm guessing that it is a low density community, so they probably reached it pretty fast. Now if they feel that they need to grow more, they can go back and re-zone. Increase the density, that's a policy decision a lot of suburban town, most suburban towns won't make. Then you are introducing all kinds of new infrastructure, water and sewer....

Chairman Camilli: You hear the hue and cry in this town, we want to keep it a small town, you know, this is the kind of thing that hopefully we get the public to come in and say, one way or the other, there may be some the other way, I don't want to prejudice one way or the other. But we will be reacting to the public and the other Commissions and the Council and everybody else.

Ed Meehan: A community like Newington, it's ninety percent built out, and what is left is land that should be set aside as conservation land because of its wetland or steep slopes, or flood plain, I think you are going to see pressures for more land coverage, and maybe vertical development, putting more square footage on the same piece of property. That's an issue of the character of the town. When you faced that during your last planning exercise, where you had, zoning permitted buildings up to ten stories, and I don't know where that came from, but it must have come out of the '84 plan,

Commissioner Fox: That is just another way of saying high density development.

Ed Meehan: Yeah, and that was taken out of the old plan, it was never put in the new plan, the plan that is in effect now, and then you followed with the policy decision through your zoning of eliminating that and down to three stories, four stories.

Chairman Camilli: Because that was the will. Now, we can keep it that way, but we have to stay ahead of the curve, and I don't want to start talking about it now, but in terms of height and so forth, and the reconstitution and so forth, we may, or may not want to do what the Planner said, in either increasing it, or maybe, enough, we are built out.

Commissioner Ganley: One of the reasons that the inner ring group of towns has this particular problem is, we're MDC towns, so you already have sewers and water lines already coming through, so it is easy to hook in. Granby wouldn't have this problem, because they are relying on septic tanks and wells etc., and they would probably have to form a separate water district to do high density development out there. We've already got it, so we are looked more favorably upon by developers that want to come in, and in fact, could put up a ten story building, the sewer line is right there, the water line is right there, the utilities are on the pole right there.

Chairman Camilli: Well that is why it is imperative that we stay ahead of the curve.

Ed Meehan: It's a, I don't want to belabor it, but the argument is, if towns didn't have to relay on property taxes as much as you do, you wouldn't be doing some of this stuff.

Chairman Camilli: Is there anything else?

Ed Meehan: No, I'll sit down with you, and get a schedule, and get, because what I want to do is get you guys going on your part, because I think working with the group, we can hatch out the things that you need to take from the existing plan, but get these public workshops done before summer. Once June hits, people aren't going to want to.

Chairman Camilli: I agree. Now, aside from the fact that you are all on this commission, does somebody want to take more of a lead in terms of, like to have you there, short of Mr. Meehan saying you are excused for the night. In other words, to be on the smaller Commission just in case.

Commissioner Fox, Commissioner Ganley: I'd love to be.

Chairman Camilli: So you don't have a problem with that? Okay, so anybody, Bob, anybody, okay, so you guys can make up your own mind who wants to, we'll put one of you guys on for sure, and then, I don't care, whoever wants to be on it. There are a couple of people absent, that's why I'm not saying too much at this point. We'll try to keep it as small, or as large, as long as it's not unwieldy, but I would like everyone's participation, then we get the most input, at least from our own Commission, otherwise, in the past, what happened with this, you know, the sub-committee does the work, it goes to the whole Commission, but it's like, you know, you are just looking at it, and say, okay, well, that sounds good.

Ed Meehan: It will come down to a group, and we will grind it out, and hopefully it will benefit the people who will review it and they can make it better during the review.

Chairman Camilli: Okay, any other questions?

Commissioner Schatz: I have a question. Toll Brothers, they are going to come in with something? You said they were at the DOT, right?

Ed Meehan: Toll Brothers is, they have to get a State Traffic Commission Certificate because of Prospect Street being a state highway. When that is done, I would expect that they will be in a position to do the real estate part of the deal, which is purchasing the property.

Commissioner Schatz: Oh, they haven't done that yet?

Ed Meehan: I haven't seen a transaction yet. Close on the property, then have the mylars signed, and then get their building permits.

Commissioner Schatz: They are building in Berlin, too.

Ed Meehan: Right, they are doing an age restricted development in Berlin.

Commissioner Fox: Yep, over by the Hawthorne.

Commissioner Pruet: Anything more on the Krispy Kreme property? How is that?

Ed Meehan: No, it did change hands in January, it's, the developers sign is Elm Street Properties, I think it says on the sign. They did come in and talk to me with Attorney Sabatini, they have a client. I think they are trying to find some other, enough people to fill up the building before they actually come in with a site plan.

Commissioner Pruet: Are they looking at the other 4,000 square foot.....

Ed Meehan: They wanted to build the second building, yes.

Commissioner Fox: That's where they wanted to put the bank?

Ed Meehan: Yes, they talked about a bank there.

Chairman Camilli: Okay, all set?

XIII. ADJOURNMENT

Commissioner Pruet moved to adjourn the meeting. The motion was seconded by Commissioner Ganley. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary