

NEWINGTON TOWN PLAN AND ZONING COMMISSION

May 24, 2006

Regular Meeting

Chairman Vincent Camelli 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 Kornichuk
Commissioner Schatz

Commissioners Absent

Commissioner Cariseo
Commissioner Pruett
Commissioner Andersen
Commissioner Prestage

Staff Present

Ed Meehan, Town Planner

II. PUBLIC HEARINGS

- A. PETITION 24-06 330 Alumni Road, Chris Chiulli, 45 Evans Road, P.O. Box 485 Rocky Hill CT 06067 applicant, Newington Business Park owner, represented by A-N Consulting Engineers, 124 White Oak Drive, Berlin, CT 06037 attention Alan Nafis, request for Special Permit earth processing equipment for rock crushing and storage, I Zone District. Continued from May 10, 2006.**

Chairman Camilli: The first petition, 24-06, I'll just have Ed briefly explain the continuance.

Ed Meehan: We have a letter from the applicant's engineer and representatives, A-N Consulting Engineers, on behalf of Mr. Chiulli, asking that this petition be postponed and held over to your meeting of June 14th. They would like additional time to continue their information that they need to submit to the Commission.

Chairman Camilli: And the clock won't run out then, will it?

Ed Meehan: No, you have additional time, you are okay as far as the timing is concerned.

- B. PETTION 27-06 230 Sunrise Avenue, Guy Cantone, 80 Willow Brook Road, Cromwell, CT 06416, applicant, John J. Weber, owner, request for Special Exception Interior Lot Section 6.7 R-12 Zone District. Continued from May 10, 2006.**

Attorney Sabatini: Could that be passed for a second? They are out there talking about trying to come to a final resolution. Is that all right?

Chairman Camilli: Okay, we'll just hold that in abeyance. Petition 29-06, do you have a letter for that too, Ed?

Ed Meehan: We have a withdrawal for 29-06, from Reno Properties. They withdrew this petition, and resubmitted a new petition which will be a petition that should be added to Petitions for Scheduling when it comes up on your agenda later.

Chairman Camilli: Okay, so petition 29-06 has been withdrawn.

C. PETITION 30-06 3000 Berlin Turnpike, known as Laz-E- Boy site, CNLRS Exchange I, Inc. owner and applicant, represented by Attorney Vincent F. Sabatini, One Market Square, Newington, CT 06111 request for Special Exception, Section 6.2.4 Free Standing Sign, PD Zone District.

Attorney Sabatini: Good evening Mr. Chairman, Members of the Commission, my name is Vincent Sabatini, attorney, One Market Square, Newington, Connecticut. I'm here representing the applicant for a sign for Laz-E-Boy. As you remember, the Commission in January approved the site plan for the 20, 612 square foot Laz-E-Boy on the site, which is next to Panera and abutting the Grantmoor. Before I make my presentation on the sign, I just want to let the Commission know that the parties, as you know, there was an appeal, and a lawsuit and the parties came to a complete agreement. The agreements have been executed, the leases have been exchanged, and on Wednesday, May 30th, Tuesday, is the formal hearing before the judge to formally withdraw the appeal, but everything has already been put on the record.

As part of the agreement, which amended the REA, nothing changes with the site plan approval as you approved it. Everything remains exactly the same, so there are not any changes, and Mr. Patel has gone along with everything as approved, so that being said, we are here for the sign, and initially we submitted an elevation that I think had a little problem because it was six inches higher than required by the regulations, I think it was eighteen feet, six inches. When Ed pointed that out, I called the sign company and this photograph and elevation that I have submitted tonight, shows the sign eighteen feet, and I believe that it now conforms with the regulations and the area as Ed has depicted in this memo is correct in terms of amount of signage allowed for Laz-E Boy, Grantmoor on the sign and on the building facia. This sign is going to be an eighteen foot high illuminated pylon sign, it's going to have four electrical sign cabinets, two for Laz-E-Boy and two for Grantmoor, both of them are going to be the same size. Hinged aluminum (inaudible) measuring four feet by fifteen feet long by ten feet deep, going to have three sixteenth of an inch poly carbonated bases with translucent vinyl graphics, per submitted sketch. They will have eight HOTW lamps on two rapid stock ballast's per cabinet. Epoxy finishes of two part polyurethane (inaudible), eight inch by eight inch by one quarter inch welded steel uprights, welded to one inch by eighteen inch by eighteen inch steel plates. Decorative sheeting and PVC painted with two part polyurethane, concrete spears reinforced with rebar ridge cages. Four one eighth by thirty-six anchor bolts. It will be all engineered and UL label included. So I believe the sign, I think the sign is, if I am permitted to say so, a good looking sign, for this site.

The only question that I have, and hopefully this can be accommodated, and I'm not quite sure if this is even an issue, but on the approved site plan, it said two existing pylon signs shall be removed before issuance of the building permit, and I'm not sure if that referred to the building permit for the whole site, or for the sign itself. The reason that that's an issue is because Mr. Patel, when he negotiated this resolution of the appeal and lawsuit, wanted to make sure that a sign remained there, until the new sign was ready to be installed. We are going to have simultaneous removal and erection of the new sign. I hope that doesn't conflict with anything that is said or done, I certainly don't want it to be, but, and the idea was, he was concerned, his main concern was that he have a visible presence for his business during the construction, so they have agreed that during the construction phase they weren't going to alter the existing drive cut that is there now, because the new plans call for that to be shrunk. So to maintain, so that he can

still stay in business, we came to the accommodation that, okay, the sign would be up until we are ready to put in the new sign, and then he is going to take it down, and then we're going to put up the new, so I hope that that is, I don't even know if that is an issue for here, but I saw that today because Ed had sent me a copy of the site plan portion of it, and circled that part, so I just raise that for discussion purposes.

Chairman Camilli: Well, on the original application and approval, the sign, at some point would come down, so it doesn't really make a, I don't think it makes a difference until, unless the building goes up and the old sign remains, then that.....

Attorney Sabatini: No, that's not going to happen, under any circumstance.

Ed Meehan: The site plan approval for Laz-E-Boy said that the existing pylon comes down before the issuance of the building permit for Laz-E-Boy, so we may, not part of this Petition tonight, but we may revisit that and modify that, maybe the sign comes down before the Certificate of Occupancy for Laz-E-Boy, or something like that. So you can keep the sign up during the presence of construction.

Attorney Sabatini: That is what Mr. Patel wants to do.

Ed Meehan: I think we need to amend your motion approving the Laz-E-Boy site plan, at a future meeting.

Attorney Sabatini: Can we do that with a modification, or.....

Ed Meehan: I think that is the proper way, yeah. To change it, change the motion. And then, when the plans come in, they haven't been submitted yet, we'll have the latest and most correct action by the Commission.

Attorney Sabatini: Okay, and I also can say that STC granted approval for the curb cut, for the use of the site. Actually, all three lots, Sphinx, Grantmoor, and the Laz-E-Boy had to partake in that application process. Let me take a moment of personal privilege to thank Ed for his help, because the STC needed a letter right away, the night before the meeting, he was very accommodating to get that over to us.

Chairman Camilli: My only question on the sign, how bright is this going to be?

Ed Meehan: Well, it looks like it is reverse lettering, that is sort of like an opaque cream, or gray, I don't know. You said, eight.....

Attorney Sabatini: Eight, and I don't know, I'm reading from the spec sheet from Artifact Sign, it says eight HOCW lamps on two rapid stock ballast per cabinet. I don't know what the intensity of that is.

Chairman Camilli: That would be my only question, I don't want....

Attorney Sabatini: I don't think it is going to be any brighter than any other sign on the Berlin Turnpike. I mean, if you want to make that, I'll certainly state that for the record, and I'll let them know that it can't be.....

Chairman Camilli: Okay. Any questions from the Commissioners. Anyone from the public wishing to speak in favor? Against? We will close PETITION 30-06. He said he was going to reduce the height.

Ed Meehan: That was before he submitted a new drawing.

Attorney Sabatini: It says eighteen feet.

Chairman Camilli: Okay. Before we go onto Wings, we can take, do you want to stay up here again, I don't know who is going to, for PETITION 27-06. It was read once, but we will read it again.

D. PETITION 27-06 230 Sunrise Avenue, Guy Cantone, 80 Willow Brook Road, Cromwell, CT 06416, applicant, John J. Weber, owner, request for Special Exception Interior Lot Section 6.7 R-12 Zone District. Continued from May 10, 2006.

Attorney Sabatini: Dick Cusmack here, with Vincent Sabatini, my only reservation, and I don't know if we can keep the public hearing open beyond tonight, my only reservation, in principal we have an agreement, we have a revised plan, and we have a written easement agreement, the problem is, the parties have not executed it yet, and just putting my lawyer hat on, I hate to close the public hearing and then have the thing fall apart, and then I'm stuck because I haven't made a presentation on behalf of the client.

Chairman Camilli: What is the timing on this one?

Ed Meehan: I'm checking that now.

Chairman Camilli: I know that there was one extension.

Attorney Cusmack: We haven't had a chance to fully discuss this yet, but I would, with due respect like to close the public hearing. I have an easement agreement, which I think it is more beyond the principle stage at this point. There are a couple of language changes, non-substantive, that we could actually even ink in tonight, and my clients are agreeable to signing it. I believe that Mr. Sabatini's client is also agreeable to signing it and I would like to close the public hearing and ask the Commission to approve it, and I don't mind making it subject to, you know, a condition that my client is willing to sign this thing.

Ed Meehan: Your time is okay. You started this hearing on April 26th.

Chairman Camilli: As far as I'm concerned, I would just as soon close it. That would be my.....

Attorney Sabatini: If you are going to do that, can I just file something for the record, so that if something happens, I'm not boxed in.

Chairman Camilli: Yeah.

Attorney Cusmack: For the record, I have a revised, these are non-substantive changes.

Ed Meehan: You are going out to Judd with these plans?

Attorney Cusmack: Yes. But you have seen that already.

Ed Meehan: The Commission probably isn't as up to speed as I am, so I think you might take a minute and explain what happened.

Attorney Cusmack: Let me just take a minute to refresh your recollection. The original plans submitted accessed going to Sunrise. We asked the Commission who was good enough to extend to tonight, allowing us to submit a revised petition, showing access to Judd, which is to the north, rather than the south. Now the only other property owner who would be affected by that access way is Mr. Vincent Brescia, who is Mr. Vincent Sabatini's client. That is the agreement that we have just referred to, whereby all three of the parties, Mr. Weber, the current owner, Mr. Cantone, the prospective owner, and Mr. Brescia worked out an agreement relative to granting Mr. Brescia easement rights over the fifteen foot right of way, and indeed even over the existing paved area, that really encroaches on the easterly twenty-five feet of Beckley Street which again according to Connecticut Attorney's Title is actually owned by Mr. Weber. We don't have a problem with granting that access, we worked out mutual obligations, with regard to the prospective property owners, regarding the use, maintenance of that area, and I don't mind also submitting a copy of the proposed agreement if that is okay with Mr. Sabatini, that defines the mutual rights and obligations of the party.

Chairman Camilli: I just need one copy for the record.

Attorney Cusmack: That indeed refers to the revised site plan as of May 24th. The only difference between that, and what was previously submitted are two non-substantive changes. One is a reference to the fact that there is going to be an agreement whereby Mr. Brescia is given easement rights, over the easterly twenty-five feet, in certain respects, and the other is that the fifteen feet right of way is defined from its, the totality of its existence from the southerly line of Judd Avenue to the subject property, whereas the plan that you have shows that the easterly portion of that fifteen foot right of way terminates where the existing pavement is. So, they are both non-substantive changes. Now, I have not read what Mr. Sabatini is about to submit, so I won't even address it, because I haven't read it. Thank you.

Chairman Camilli: Are you all set?

Attorney Sabatini: I need to say something. Mr. Cusmack is correct, we have been negotiating this matter since I became involved in it, and we have agreed that, rather than the applicant having access out to Sunrise, that he would have access out to Judd Avenue, and my client has agreed to do that, as long as my client maintains an easement over the fifteen foot right of way that is being created for access for the interior lot, and that has been noted to the plan, the plan has been changed to reflect that. We also have an agreement, which in principle and in fact we have agreed to, except that it has not been executed. So I would ask that the Commission, if you want to close the public hearing tonight make a condition of the approval that we file an executed easement agreement with Mr. Meehan prior to a vote on it, and also, just to protect the record, I had prepared on May 8th, an opposition paper opposing Mr. Cusmack's view on the whole situation because my client's address is still 95 Beckley Street, believe it or not. That's the way that it is in the town records, so I just want to submit that for the record, in case something goes wrong, I have something to hang my hat on in the future, but I'm not going to say anything else about it, I just want to submit it, but I am confident that we will have a signed easement agreement.

Chairman Camilli: I think that both of you know that the issues certainly are not with the Commission, but with the parties involved, so as long as both sides are happy, our process will move forward. That's the best I can say, and we will close the hearing, and your issues, if they come up, as I said, will not be, as far as the Commission is concerned. We are not going to referee.....

Attorney Sabatini: No, no, no, we're not asking you to, but the only thing is, when you vote on this, if you see fit to approve this application, you by implication, accept that plan and that property line, as shown on that plan is what is at issue.

Chairman Camilli: I think that Ed noted that already. I think we are all set.

Attorney Cusmack: I wasn't anticipating what is being filed, I don't know what it says. I didn't have an opportunity to see it. I think what is being said, and I just want to make myself clear, is, my clients are willing to execute the easement agreement with very minor language changes having to do with give and grant easement rights rather than language in there, non-substantive as far as I'm concerned. If there is going to be a condition on the approval, I would like that condition to be that my client's executed, because I want to protect myself against Mr. Brescia's non executed. I don't think that is going to happen, but I want, sensitive to not having an opportunity to respond to what has been filed here.....

Chairman Camilli: Correct me if I'm wrong, and I hear what you are saying, but if it doesn't get executed, on either side, then we won't be able to proceed anyway.

Ed Meehan: You could approve it, and they could, someone could appeal it, or whatever.

Attorney Sabatini: It will be executed, executed before the next meeting.

Attorney Cusmack: I agree with what Mr. Meehan just indicated, you have the power and authority to proceed with this, whether or not that agreement is executed.

Chairman Camilli: Exactly.

Attorney Cusmack: I want to be able to, on the other hand, address any issues, well I think what Mr. Sabatini is saying is that there are no issues being raised by virtue of what is being filed here May 8th, as long as the agreement gets executed.

Attorney Sabatini: Exactly.

Attorney Cusmack: We are willing to execute it, I believe Mr. Bresica is willing to execute it, so I think this is all moot, so....

Chairman Camilli: We hope it's moot.

Attorney Cusmack: Thank you very much.

Attorney Sabatini: Thank you.

Chairman Camilli: Anyone from the public , we can still hear from the public before we close. Anyone from the public wishing to speak in favor, or against? We will close Petition 27-06.

- E. PETITION 31-06 1044 Main Street, known as "Wings Over Newington" Restaurant, Peter Vournazos and Thomas Breikrevtz, owners, Aldin Associates applicant, represented by John MacNeil, 77 Sterling Road, East Hartford, CT 06108 request for Special Exception amendment, Petition 56-05, approved October 11, 2005, extend hours of operation, B-TC Zone District.**

John MacNeil: Good evening. John MacNeil, Construction Manager with Aldin Associates, we own and operate this Wings. Very minor request, just to refresh your memory, what our hours of operation are, and I'll explain how we would like to amend that. We have two sets of hours, one is for, you call in and they deliver it to your house, and the other one is if you want to come down, you call, and come down and get it, or you just walk in and order from the counter. Right now we are not asking to change delivery hours. They are seven days a week, eleven a.m. to one a.m., so we are open to one in the morning, if you call, we will deliver it to your house up to that time. Right now the hours are for pickup, or eat in, Sunday through Thursday, we open at eleven and close at ten. Friday and Saturday we, we always open at eleven, we close at eleven. We would like to stay open one more hour on each one of those, so instead of closing at ten, Sunday through Thursday, we would like at eleven, and instead of closing at eleven on Friday and Saturday, we would like to close at midnight. That is the hour that we are requesting. The store is still open, but you would have to call, and, some people show up and are pulling on the door, so we would just like to offer that if we could, but obviously its up to you guys. The second part of that is, when I got my approval a few months back, we talked about two tables outside for people to sit down and eat. I was looking for a table where people could sit down and that they wouldn't pick up and toss around, I mean, we haven't seen any vandalism or anything like that, but if something was really light, you'd have to bring it in and out every day, and I was looking around, looking for suggestions. I brought something for Mr. Meehan to look at, and I found them, and they are made out of a plastic, recycled, if you think a hexagon picnic table, again made out of recycled plastic, and we could match the colors to the benches that are there now, and also, one of the two that I am proposing that we have wheel chair access to it, and I have a picture of them.

Ed Meehan: The Commission members have black and whites.

John MacNeil: I think the pictures have umbrellas, we can put the umbrellas in or not, it's six of one, half a dozen of the other. Here are the colored pictures. That's all, that's pretty much it. The placement obviously would have to be worked out with Mr. Meehan.....

Chairman Camilli: How many were you going to put in?

John MacNeil: Two. One with the, actually with three seats and there is one missing, that is where the wheel chair would move up to, and one with four seats. They are all fixed, and they weigh, just so you know, they weigh like, 370 pounds, so they are not like something that we would move, we bring them in the spring, and take them out for the winter so they wouldn't be a problem for your snow cleanup or whatever.

Chairman Camilli: Are you going to be able to fit two in there?

John MacNeil: There is a courtyard there that is pretty wide open and that is something that I can layout for Mr. Meehan certainly before I order to make sure that he is happy, I mean, this is not critical to our business, but we thought it would be nice and I'm sure that our business won't be the only one that will be utilizing it, because it's not going to say, for Wings only.

Chairman Camilli: Are you going to have any more receptacles?

John MacNeil: I hadn't proposed it, but certainly if you think there is an additional one needed, we could purchase another one like the town already has. I went to the actual, I'm not sure if it is the same company that makes the receptacles that makes that furniture, because that company that makes the furniture doesn't do any kind of table, they only do benches and stuff like that, but I certainly would be willing to purchase an additional receptacle, if you would like.

Ed Meehan: I think two tables in that little patio area could be tight, because there is supposed to be a walk through there. Certainly one would fit, you know, off to the side, plus the benches that surround the interior part of the wall, I think a table like that would be attractive, and that is why the streetscape was done, to try to get people out on Main Street. The idea of another receptacle is important. It's a busy area between Wings and other people using Main Street, when we talked to the store manager about helping us keep the area policed and cleaned up, they are cooperating with that. Emptying the barrel out front, but it gets filled up pretty fast, believe it or not.

Chairman Camilli: So you think another.....

Ed Meehan: I think it's warranted. We do pickups twice a week in the, May 1st until the end of October, but you know, after a weekend, a second receptacle is warranted.

Chairman Camilli: One question I have, you know, you don't get a good perspective of how big this table is, but it looks pretty good size. Mr. Meehan is saying one, you are saying two, I don't, it's hard for me anyway, I'll let the Commissioners speak for themselves, but there are no dimensions that I have, I was trying to, it looks like a pretty substantial table.

Commissioner Kornichuk: The table looks like it is four foot, according to the picture, four foot in diameter, and then you figure the benches, so.....

John MacNeil: It's probably got about a seven foot....

Commissioner Kornichuk: At least a seven foot span.

Chairman Camilli: A seven foot span? How much room is in there, Ed, did you walk it?

Ed Meehan: Yeah, I've been over there several times, and I think one table to start off with would be good, but I think, two, it's going to be crowded in that area. There's probably four benches around the inside of the walls, and then with the table sort of centrally located, I think it would be comfortable without crowding, two I think would be crowded, but this is, I was on line looking at this today, but I didn't download, there was a dimensional sheet, I can get that.

John MacNeil: I think he's pretty close.

Ed Meehan: I think Peter's correct, it's seven or eight feet circumference. The idea of an accessible table, ADA accessible table is a great idea for the public streetscape.

John MacNeil: It could be turned in such a way that we are going to minimize the width of it, you know, give you the path that you wanted to maintain.

Commissioner Ganley: May I suggest that in order to satisfy this, that the petitioner be obliged to submit to us a site plan with some rather precise measurements. There may in fact be a slightly smaller table from the same vendor that might satisfy the two table request by the petitioner, if not, let's see what two tables look like and let's see what one table looks like, in a precisely measured plan that could be submitted to us. That may solve it. Right now we seem to be going whether the table is long or short or this way or that way.

Chairman Camilli: Well, we don't know.

Commissioner Ganley: Well, let's find that out.

Ed Meehan: We do have scale drawings, construction drawings of the area. If we get the dimensions of the table, we'll put them in and see what they look like.

Commissioner Ganley: Sure, but that would satisfy. Procedurally wouldn't we have to split the two requests? The hours don't affect the site plan, and whereas the issue with the tables because there is some technical difficulties may take somewhat longer to resolve.

John MacNeil: I'm fine with, the way I understood it, I already had the approval for the tables, so I'm sort of here looking for approval of the table, in my mind, and we're in no rush, I mean, it's nice to have, but it's not critical for our business. The tables I was envisioning trying to find, I couldn't find, and that was a table with like two chairs, you know, that would be sort of smaller, but I couldn't find anything that would match, that would be substantial enough that would kind of fit the streetscape, so I found this, and by no means am I like married to this. It's just something that I thought would be, it's very durable and it's also vandalism proof and it had a lot of features, and it's a little expensive, but it was, I was kind of like, trying to step it up a little bit, I'll conform with whatever you guys want.

Chairman Camilli: To be perfectly frank, I spoke with the Planner, and he said it would be tight with the two, as he did tonight, so, and he went over there and looked at it. You know, in my case, I sort of follow his suggestions, so I would defer to Tom's plan, if you can find two smaller tables that might do the trick, that would be fine too as far as I'm concerned, as long as it's acceptable to the Commission and the Planner, I don't have any problem with that. Mike, you had something you wanted to say?

Commissioner Fox: Well yeah, with all due respect to Mr. Chairman, and to Tom, I think, I do too think this is going to be a little tight, but I think, like you said, he had the approval for the two tables, and these are probably heavier than the little metal tables, but I think we let the Planner and the petitioner take a look at it, see what they can fit in there, that would be fine with me.

Chairman Camilli: Yeah, we don't want to nitpick this thing.

John MacNeil: Yeah, I'm okay, if he wants to come back after he talks and discusses it with you, and if you say forget it, I don't think a table works there, we're find with that.

Chairman Camilli: Actually, if you work it out with the Planner, is probably a better way to do it. You work it out with the Planner, how's that?

John MacNeil: That's fine, he's a tough guy though.

Ed Meehan: I'll get the drawings and we'll get together.

Chairman Camilli: He went over there and looked, so he probably has some.....

John MacNeil: It was his suggestion that I bring it, since I had the hours thing, so I have to say, I looked a long time for them, and.....

Chairman Camilli: Fine, and also the receptacle is fine, you know, obviously if the area was bigger, we could have accommodated, would have been no problem.

John MacNeil: I'll do some research and see if I can come up with a better plan, and work it out with Mr. Meehan.

Ed Meehan: I can get the scale drawing, and download the dimensions and give you some idea of how it will fit, and if the applicant is amenable to getting it painted to match the other green and the receptacle, I think that would really be a nice touch in that public area.

Chairman Camilli: Yeah, I do too, that's why I'm saying, I thought you had squared it away before to be honest with you started speaking, I wasn't quite.....

John MacNeil: Believe me, I'm not going to loose any sleep over it, I'm fine with it.

Ed Meehan: I'll be happy to work with the applicant.

Chairman Camilli: Would you....

John MacNeil: Yeah, that's great.

Chairman Camilli: This is a public hearing. Anyone from the public wishing to speak in favor? Against? Procedurally now, if you are going to work with him, can we close this?

Ed Meehan: Yeah, I think you can close it because as Commissioner Ganley said, the issue tonight is the amendment on the time.

Chairman Camilli: They are both on the same petition, so I mean, whether we split them or not, the one table, the receptacle, the hour change.

John MacNeil: I'm fine with that, just to work with the Planner and work out whatever, you know, if he says, it's not going to work out at all....

Chairman Camilli: Well, you'll be able to tell too, once you see the dimensions, it's going to be tight, because you already have the approvals for the tables anyway.

John MacNeil: Yeah, but this is a little bit big, and I can understand your concern.

Ed Meehan: And this is, what did you say, 360 pounds?

Chairman Camilli: It looks very substantial, it looks nice. The color.....

Ed Meehan: Yeah, he said the color he'll match, and the receptacle, so I think we are all set?

Chairman Camilli: Okay, we will close Petition 31-06.

John MacNeil: Thank you. I would like it if you could take action so that we could amend the hours so that we could extend those pick up hours by one hour.

Chairman Camilli: Okay, I think we are all set with that. When we do our motions, we will take care of that.

John MacNeil: Will that happen tonight typically?

Chairman Camilli: Typically it doesn't happen, but unless the Planner is prepared and he has told me that he was prepared to do that, so.....

John MacNeil: Thank you very much. Have a good night.

Chairman Camilli: If you want to wait, to hear that, it's up to you.

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

None.

IV. **MINUTES**

May 10, 2006

Commissioner Kornichuk moved to accept the minutes of the May 10, 2006 regular meeting. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with five voting YES.

V. **COMMUNICATIONS AND REPORTS**

None.

VI. **NEW BUSINESS**

None.

VII. **OLD BUSINESS**

Chairman Camilli: Before we go to Old Business, can we have a motion on Petition 31-06 please?

Commissioner Fox moved to add Petition 31-06 to Old Business. The motion was seconded by Commissioner Kornichuk. The vote was unanimously in favor of the motion, with five voting YES.

Chairman Camilli: Petition 31-06 has been moved to Old Business.

A. **PETITION 26-06 2340 Berlin Turnpike, former Hartford Drive In, Elias M. Loew Connecticut Realty Trust owner, Toll CT Limited Partnership, applicant, represented by Attorney Thomas J. Regan, Brown Rudnick Berlock, Israels, LLP, 185 Asylum Street, 38th Floor, Hartford, CT 06103-3402 request for Special Exception Section 6.2 ground signs, R-12 Zone District. Sixty five day decision period ends July 14, 2006.**

Commissioner Kornichuk moved that Petition 26-06 2340 Berlin Turnpike, former Hartford Drive In, Elias M. Loew Connecticut Realty Trust owner, Toll CT Limited Partnership, applicant, represented by Attorney Thomas J. Regan, Brown Rudnick Berlock, Israels, LLP, 185 Asylum Street, 38th Floor, Hartford, CT 06103-3402 request for Special Exception Section 6.2 ground signs, R-12 Zone District, be approved based on plans showing two ground monument signs, one located at the Prospect Street driveway and the second at the Back Lane driveway. The signs design shall be as shown on Sheet SL-1 and SD-1 "applicant for Signage & Trailer Permit, Newington Ridge by Toll Brothers: prepared by BL Companies, dated 3-24-06".

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

Chairman Camilli: Motion passes unanimously.

B. PETITION 28-06 3475 Berlin Turnpike, former Caldor's American National Insurance Company owner, Stew's Wine & Spirits applicant (Stew Leonard's)Douglas Hampstead VP G2G3 Newington, LLC, 100 Westport Avenue, Norwalk, CT request for Special Permit Section 6.6 Liquor Sales PD District. Sixty five day decision period ends July 14, 2006.

Commissioner Fox moved that PETITION 28-06 3475 Berlin Turnpike, former Caldor's American National Insurance Company owner, Stew's Wine & Spirits applicant (Stew Leonard's)Douglas Hampstead VP G2G3 Newington, LLC, 100 Westport Avenue, Norwalk, CT request for Special Permit Section 6.6 Liquor Sales PD District be approved the Commission finding that standards required by the Zoning Regulations have been met.

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

Chairman Camilli: Motion passes unanimously.

**Abbington – Middlewoods of Newington
2125 Main Street
Bond Release**

Commissioner Ganley moved that the bond amount of \$3,800.00 be returned to Andrew E. Kearns, President Abbington Newington Corporation, the Commission finding that the work related to this project's site development is complete.

The motion was seconded by Commissioner Kornichuk.

Chairman Camilli: Does this take care of this?

Ed Meehan: Yes, it's been sold and it's been Middlewoods, Middlewoods of Newington for better than a year and a half, so this has been hanging around.

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

Chairman Camilli: Motion passes unanimously.

**63 East Cedar Street
Formerly Known as Zoots Cleaners
Bond Release**

Commissioner Schatz moved that the bond amount of \$1,500.00 be returned to RB Single I, LLC the original developer of the commercial project at 63 East Cedar Street, formerly known as Zoots Cleaners, the Commission finding that site development is complete.

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

**2207 Berlin Turnpike
Summit Motel
Bond Release**

Commissioner Kornichuk moved that the bond held for Summit Motel site plan completion not be released at this time because all work is not completed. Remaining items are:

Final paving course

Landscaping

Dumpster enclosure.

This site will be re-inspected in 30 days to determine its completion status.

The motion was seconded by Commissioner Fox.

Chairman Camilli: There has been a motion, and a second. How much money do we have in the bond.

Ed Meehan: We have \$2500.00.

Chairman Camilli: Will that cover all of that.

Ed Meehan: It won't cover the paving, the other two items it will. The gentleman who operates the motel has, showed me a contract for the paving, which is good.

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

Chairman Camilli: Motion passes unanimously.

Petition 31-06
1044 Main Street
"Wings Over Newington"
Special Exception Amendment

Commissioner Fox moved that Petition 31-06 1044 Main Street, known as "Wings Over Newington" Restaurant Peter Vournazos and Thomas Breikrevtz, owners, Aldin Associates applicant, represented by John MacNeil, 77 Sterling Road, East Hartford, CT 06108 request for Special Exception amendment, Petition 56-05 approved October 11, 2005, extend hours of operation B-TC Zone District be approved as follows:

1. Condition (4) of Petition 56-05 is amended to change restaurant hours for customer take out and sit down service from 10:00 p.m. closing Sunday to Thursday to 11:00 p.m. closing, from 11:00 p.m. Friday and Saturday to 12 midnight.
2. "Wings" may place one (1) table (model Super duty Hex Wheelchair accessible) within the public sidewalk patio area contingent upon the restaurant operator providing the Town of Newington with evidence of Certificate of Insurance as required by the Town Manager and the signing of a Hold Harmless Agreement releasing the Town from liability. Determination of a second table to be evaluated by the Town Planner.
3. Prior to placing this table the restaurant operator shall meet with the Town Planner to agree on a location. The table shall be painted green to match existing street benches. Planks shall be cedar color.
4. "Wings" shall be responsible for purchasing a trash receptacle to match existing receptacles (DuMor 124 PL Cedar Slats) and cleaning liter resulting from customers outside seating.

5. "Wings" outside table seating is permitted from April 1st to November 30th. The table shall be removed by "Wings" and not stored on public property.

The motion was seconded by Commissioner Kornichuk.

Chairman Camilli: I think it covers the other table as well, if it's doable, it will go.

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

Chairman Camilli: The motion passes unanimously.

VIII. PETITIONS FOR SCHEDULING (TPZ June 14, 2006 and June 28, 2008, 2006)

- A. Petition 32-06 2553-2557 Berlin Turnpike, Jayanti Patel and Kuntal Patel owners, JK Partners, Inc. 983 Hoop Pole Road, Guilford, CT 06437 applicant, represented by Richard P. Dimmock, Consulting Engineers, 11 West High Street, East Hampton, CT 06424, request for Site Plan approval for 70 unit Comfort Suites Motel and 4,988 sq. ft. commercial building and waiver of 25' buffer along northerly property line. Inland Wetlands Report required. Schedule for presentation June 14, 2006.
- B. Petition 33-06 751 Russell Road and corner of East Cedar Street, known as Lowe Manufacturing, Cedar Mountain, LLC owner, Hunter Development Company, LLC, 45 Old Farm Road, East Longmeadow, MA, 01028 applicant, represented by Attorney Robert Randich, Shipman, Sosensky, et al, 135 South Road, Farmington, CT 06032, request for Zone Map Amendment I District to B-BT Business Berlin Turnpike, Intertown advisory referral to CRCOG, C.G.S. Section 8-3b) required. Tentative public hearing date June 28, 2006.
- C. Petition 34-06 751 Russell Road and corner of East Cedar Street, known as Lowe Manufacturing, Cedar Mountain, LLC owner, Hunter Development Company, LLC, 45 Old Farm Road, East Longmeadow, MA, 01028 applicant, represented by Attorney Robert Randich, Shipman, Sosensky, et al, 135 South Road, Farmington, CT 06032, request for Zone Text Amendment Section 3.14 1C to permit hotels and motels up to a height of 4 stories or 45' in B-BT Berlin Turnpike Business Zone and amend Table A: Schedule of Height & Area Requirements to permit hotels and motels up to a height of 4 stories or 45' in B-BT Zone District. Intertown advisory referral to CRCOG (C.G.S. Section 8-3b) required. Tentative public hearing date June 28, 2006.
- D. Petition 35-06 751 Russell Road and corner of East Cedar Street, known as Lowe Manufacturing, Cedar Mountain, LLC owner, Hunter Development Company, LLC, 45 Old Farm Road, East Longmeadow, MA, 01028 applicant, represented by Attorney Robert Randich, Shipman, Sosensky, et al, 135 South Road, Farmington, CT 06032, request for Special Exception 3.14.1 and Section 3.11.3 and Section 6.11 auto related service gasoline station, B-BT Zone District. Schedule for public hearing, June 28, 2006. Inland Wetland report required.
- E. Petition 36-06 751 Russell Road and corner of East Cedar Street, known as Lowe Manufacturing, Cedar Mountain, LLC owner, Hunter Development Company, LLC, 45 Old Farm Road, East Longmeadow, MA, 01028 applicant, represented by Attorney Robert Randich, Shipman, Sosensky, et al, 135 South Road, Farmington, CT 06032, request for Special Exception Section 3.15.3 restaurant use, B-BT Zone District. Schedule for public hearing, June 28, 2006. Inland Wetlands report required.

- F. Petition 37-06 751 Russell Road and corner of East Cedar Street, known as Lowe Manufacturing, Cedar Mountain, LLC owner, Hunter Development Company, LLC, 45 Old Farm Road, East Longmeadow, MA, 01028 applicant, represented by Attorney Robert Randich, Shipman, Sosensky, et al, 135 South Road, Farmington, CT 06032, request for site development plan approvals for 15,120 sq. ft. hotel, 3000 sq. ft. bank, 5,256 sq. ft. restaurant, 3,500 sq. ft. gas station/convenience store and 9,000 sq. ft. retail use, B-BT Zone District. Schedule for presentation June 28, 2006. Inland Wetland report required. Notice required to Town of Wethersfield Section 8-3h C.G.S.

Chairman Camilli: Petitions for Scheduling, Ed, are these going to go the way this is here, or are there changes?

Ed Meehan: Let me give you some background. I think the first one, Petition 32-06 can stay on schedule and be presented on June 14th, that is just a site plan presentation, but because it involves Inland Wetlands, you should keep it under New Business because any activity that the Wetlands requires changes the site plan, it might be too premature to bring it over to Old Business. So I would just leave it under New Business, and in that way, you can make changes based on the Wetlands report.

The second items, B through F, are all companion applications, and require both referral to CRCOG, because of the Zone Change, which we have already initiated, a referral to the Town of Wethersfield, by statute, which we have already initiated, and referral to the Conservation, Wetland report, which application has been filed, but Conservation won't see that application until June 20th. I would recommend that you move that out to your first meeting in July. We have to give CRCOG at least thirty days, for the intertown referral. They don't normally take that long, but we should give them at least thirty days, and maybe just devote one night to that application, or maybe a couple of smaller ones, if you have smaller ones at that time, but that would be the meeting of July 12th, and not listed on the agenda is the re-submission of the CCMC/Reno Development Property for Cedar Mountain four lot subdivision. That came in after the agenda was printed and mailed, and that is going to be listed on your next agenda as 38-06. I would recommend that maybe you try to do that the last meeting in June, which would be your June 28th meeting. Tom is going to be back then, Bill will be back then too, so you should have most of the members here. That also has to go to Conservation because of Wetlands. They will see that for the first time on June 20th, they may schedule that for a public hearing because of the wetland impact, but at least you will have the benefit of knowing that when you meet on the 28th, to leave that hearing open.

Another petition that just came in today, that is not listed is one for Stone Cove Creamery, Petition 39-06, a very simple petition for an existing plaza down next to Subway, and Dicks, Price Chopper Plaza. I would recommend just to have a public hearing on June 14th. Just to get that in, and get it out.

Chairman Camilli: Is that near that Lasers Quest?

Ed Meehan: Yes. Right on that corner.

Commissioner Ganley: The East Cedar/Lowe Manufacturing site, what was the date on that again, please?

Ed Meehan: I would suggest July 12th on that.

Commissioner Ganley: My suggestion, since it is going to be very, very meaty, so to speak, if anybody comes in with like a sign change, or some little dinky thing, let's get him in and out of the room before all these guys begin to pontificate, all that.

Ed Meehan: So the small things at the start of the agenda.

Commissioner Ganley: Yeah, get the little stuff out of the way.

Ed Meehan: That is the way that the work load is shaping up right now, a couple other small things that are going on, that they haven't submitted applications for, and as I mentioned before, expect some time in July, Newington Power Center will submit Sam's. Special exception and site plan for the, we can't call it Caldor's any more, call it Stew Leonards plaza. That's what is going on.

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

None.

X. REMARKS BY COMMISSIONERS

Chairman Camilli: I want to recognize Commissioner Fox, and permit him the opportunity to make a comment relative to Petition 03-06, 14 East Cedar Street approved by the Commission February 22, 2006.

Commissioner Fox: Thank you Mr. Chairman. For the record, Mr. Chairman and Commissioners, I want to state that to whatever degree I may have mis-spoken discussing Petition 03-06 requesting a restaurant liquor permit at 2-14 East Cedar Street I humbly apologize for any discomfort any of my comments may have caused the applicant, Mr. Morales.

Chairman Camilli: Thank you, and we will make that part of the record. This is a good reminder to all Commissioners to stay focused on the zoning regulations standards. That is our only purview.

XI. STAFF REPORT

A. Bond Releases

Abbington-Middlewoods of Newington
Zoots – Newington Sovereign Bank Plaza
Summit Motel, 2207 Berlin Turnpike

Completed Under Old Business

Ed Meehan: I have a couple of small staff items. To give the Commission members an update on the requirement for street trees at two subdivisions in town, one was Rockledge, off of Culver Street, the other was New Britain Avenue, both done by Premier Building and Development. I have heard from six of the property owners at Rockledge, I sent out a letter to accompany Premier's letter, just in case the developer forgot to send his letter out, I sent one out from the town, and he didn't send one out yet. The vote is three in favor of trees, three do not want trees, and the reason they don't want trees is, one property owner has got an irrigation system and he was concerned that any plantings would disturb the irrigation system, and was also concerned about his water/gas line services. The other two property owners were not happy with the progress of Premier Building and Development, they don't want anything to do with it. So, they want to think about that a little bit longer, and the other three owners were very happy to be able to get trees on their site. They will cooperate. One property owner from New Britain Avenue has called so far, and they always thought they were going to get trees, they were wondering when

they were going to get trees, so I reminded them that we are not going to release the bond until those requirements are satisfied.

Toll Brothers, on the Berlin Turnpike are getting close to close and acquire the property. I have a small elevation change request that I wanted to show the Commission and make sure that you're up to speed on it. It's very small. When it was originally approved, the garage doors, we asked for window lights at the top, and they presented with like a little fan design, and then on the doorways, they had what they called a door light, which was windows along side the door. They are asking to be able to modify that slightly, keep the windows in the garage door to go with horizontal windows. That is this here, and instead of door lights, it's the center of the door and put like a chandelier over the door. Those are the changes, but they don't want to go forward until everybody is happy with it.

Commissioner Fox: I liked the fan door, isn't that what we saw....

Chairman Camilli: What was the reason?

Ed Meehan: It could be the requirements to order the door, I don't know if it is expense, it could be lead time, they didn't tell me.

The changes are, you put both of them together, the, I think the effect that we wanted was just not blank doors, we wanted windows in the door. I think you get the windows with the horizontal, as well as the fan. It's a matter of personal taste I guess.

Chairman Camilli: I don't particularly have a problem with it.

Ed Meehan: I think it achieves what we were trying to avoid which was a bunch of blank doors, you know, windows are a nice enhancement.

Commissioner Kornichuk: I don't really care for that side light along the door.

Ed Meehan: They are going to remove that, eliminate that.

Commissioner Kornichuk: But, like Commissioner Fox, I do like the fan instead of the straight.

Commissioner Fox: But, as the Planner said, it's not just a blank door. It may be part of the ordering procedure.

Chairman Camilli: What's the pleasure of the Commission?

Commissioner Kornichuk: I spoke.

Chairman Camilli: You say yes, or you say no, either they have to keep the same.

Commissioner Kornichuk: Well I, like I said, I like one of the old, and one of the new, but I will go with the will of the Commission.

Commissioner Fox: Well, he and I think on the same lines, I like the fan over it, I don't like the side light, get rid of the side light, put in a chandelier but it will still look nice. I have no problem.

Chairman Camilli: I assume it is all right with you, right? So we're all set.

Commissioner Fox: Before you go on to Woodlands, quick question on Premier Development. I know that there are not that many street trees that would be eliminated, but is that going to do anything to the drainage?

Ed Meehan: No.

Commissioner Fox: I mean the lack of trees wouldn't.....

Ed Meehan: No, it would certainly reduce the, as you go up the hill, you don't see anything but utility, you see the street lights, over time, the trees would give it a canopy, a street canopy.

Commissioner Fox: That's aesthetic, if they don't care, fine, but I'm just worried about.....

Ed Meehan: No, the drainage wouldn't be affected by that.

That is one of the concerns of planting trees there, is what, given the rock character of that property in its natural, that they can get for an area for the root ball to go into. The landscape company has got to know what they are doing. They would have to mark out all the sites so there are no utilities in the way, identify all the irrigation systems, and repair anybody's lawn. Just about all the houses now have good mature lawns.

Chairman Camilli: So what will happen is that those who want trees will get them, and those that said that they don't want him on their property will not get them, is that

Ed Meehan: Well, I'm going to wait a little longer and get more of a full picture of the subdivision for you. I would have to consult the Town Attorney. Does that mean we return the bond to Premier?

Chairman Camilli: Only for those that didn't get them.

Commissioner Ganley: You would apportion the bond, I would think.

Chairman Camilli: Yeah, I would say apportion the bond, but have him fulfill whatever he had to do for those who want them.

Ed Meehan: Yes.

Chairman Camilli: And then, whatever, you can return the bond as far as I'm concerned.

Ed Meehan: I think we are legally required to do that. I told one of the property owners, I talked to him at length, and heard his tale of woe about construction and I think, rather than, he never signed the original waiver request, he said he was sent an individual letter and I think that is what the Commission needs to have on file, not something that the developer put together, but a personal letter.

Chairman Camilli: I think that the Commission ought to know what you said to me, and I don't think that you have alluded to it, that in the agreements that these people signed, there was a statement in there that said that they were not responsible for putting in the trees, so that, you neglected to mention that, so that is why the people, even though we required them, and have a bond for it, they put in something else to kind of smooze them over, so you know, there is a little bit of smoozing, but Ed, once you get the full picture of the people who want trees, they should be able to have them put in. That's my conclusion.

Ed Meehan: The last thing, Pulte Homes, Woodlands, they have the light, traffic signal was energized the last couple of days, it's working now, they started to do their enhancements on Fenn Road. One of the requirements of the original site plan, it goes back to Ravenswood, first approval, was to put this white fence all the way down Fenn Road, and it goes behind the sidewalk, and what Pulte did, they were careful when they rough graded that sidewalk, they didn't

cut as much of the trees out as originally was shown as Ravenswood was going to do, so they left a pretty good tree line in there. In order to put the fence in, they would have to cut back those trees, and they are asking not to do that. They will finish grading, and they will put their sidewalk, but in lieu of that, they have made enhancement changes to the entrance and what they are talking about is to plant like a boulevard going up the middle and, similar to what Toll Brothers did, is a combination, like a rustic fence and stone wall across the front with parts of this fence wrapping around the radius. This is what it is going to look like. This is what they would do. They would pick up the fence idea, the white fence, but it would tie into their stone wall, and that would wrap around the Sterling Drive, which goes out to Fenn Road. I said, before you order anything, instead of doing it, I talked to them the last couple of days, I said, let me run it by the Commission, I think it's fine. I think the white fence, that length, going down Fenn Road would look a little bit strange.

Chairman Camilli: I think it's fine. Let me ask you this question, the mail box issue resolved?

Ed Meehan: Yes. We met with the post office up on the site, and we resolved to put what they call gang boxes in three locations to split the load up. There is a loop road, there will be two for the town houses in space, so that each box will have about, 154, they will have about fifty boxes per cubicle and then up by the carriage houses, there is a little circle area they will have another box, and then in the meantime, the postmaster, I guess it was his assistant came up, Dave Cunningham came up and said that they would agree to put temporary boxes next to the sales office. It would probably be for the first four or five months.

The other thing that we have asked them to do, we want street lights next to the mail boxes, so where ever there is a mail box, even though street lights may be on the opposite side of the street, is to bring power over for a light next to the mailbox. So they are willing to do that.

Chairman Camilli: And they are going to have some style to them? I don't remember now, is there going to be like a little kiosk.

Ed Meehan: Well, originally they were going to put a kiosk there, and I think they are going to eliminate that, they are going to put it on a concrete pad with a handicapped ramp is the latest design.

Chairman Camilli: Is there some design to it, or is it going to be.....

Ed Meehan: I think it's more the standard pedestal with the metal boxes.

Chairman Camilli: And there is no shelter or.....

Ed Meehan: No.

Chairman Camilli: What did we approve?

Ed Meehan: We just approved the location.

Chairman Camilli: We didn't approve any design?

Ed Meehan: No.

Commissioner Kornichuk: I thought they had shown pictures.

Ed Meehan: They showed me a hip roof.

Chairman Camilli: Maybe it was the original.

Ed Meehan: Ravenswood? I have pictures of the hip roof one with the boxes and that could have been for Ravenswood. I'm not sure if that was Pulte or Ravenswood.

Chairman Camilli: I would think they would want to have a little, I would think they would want those mailbox dressed up.

Commissioner Kornichuk: Doesn't everything carry from one to the other? So if we approved it for Ravenswood, isn't Pulte responsible for the same?

Ed Meehan: Yes they are.

Chairman Camilli: Would you check into that, I don't think we just want to see exposed boxes hanging out there. They should have some kind of canopy, whatever. Something that has a little design to it.

Commissioner Ganley: If these are detached from the houses, someone is going to pull up there at seven o'clock at night, in December, and there should be some kind of illumination, to get the mail.

Chairman Camilli: He said there were going to be streetlights

Ed Meehan: They will have streetlights next to them.

Commissioner Ganley: Oh really, okay.

Commissioner Kornichuk: But they just want to put a box.

Ed Meehan: I'll go back and check, I'll pull the file because I don't know if it was Pulte or Ravenswood. I know it was a hip roof design with a shelter.

Chairman Camilli: I know it was something with some style. I think we had some discussion, because of the post office, we weren't sure if it was going to be one.....

Ed Meehan: Originally the post office wanted everything in one place.....

Chairman Camilli: And we said.....

Ed Meehan: Traffic wise, it wouldn't work.

Chairman Camilli: Okay, so then we said, if we could split them up, but as far as the design, I think we wanted some design, not just plain. I know it was in the original.

Commissioner Kornichuk: I'm pretty sure it was.

Ed Meehan: Okay, thank you for reminding me, and I will get that message to them.

Commissioner Fox: I want to ask a question about the entrance. They haven't done anything with that light pole yet, you know, the light pole right in the middle.

Ed Meehan: That's been all moved.

Commissioner Fox: That's been moved?

Ed Meehan: Yeah, the lights are operational today. That is all gone. They put a new signal box in, and they, the old lights are going to be taken down, the old span poles are going to be taken down.

Commissioner Schatz: Somebody said, Strawberry Patch, or Hill, they are out of business, the builder? Hear anything about that?

Ed Meehan: Strawberry Lane, off of Willard?

Commissioner Schatz: Yeah, Willard and New Britain Avenue.

Ed Meehan: No, that's DeMatteo, I don't think they are out of business. They haven't finished the project, we had some problems with the road construction, it was, some of the depth of their subgrade was not to our standards.

Commissioner Schatz: Some people down in the old houses are concerned with, is there a retention pond down there somewhere?

Ed Meehan: Yeah, down at the far end at the site.

Commissioner Schatz: They said when it rains there is considerable amount of water, and they were wondering how come there wasn't a fence around it so the kids wouldn't fall in.

Ed Meehan: I don't think it was designed for a fence, but that, last week that was pretty full. It has an overflow on the top, because I was down there with the assistant town engineer looking at it. It doesn't stay in there very long, but I'm not sure about a fence down there.

Commissioner Schatz: Well, that's what the neighbors are saying.

Chairman Camilli: I thought they were supposed to do something when they were constructing, they had that little pocket of drainage.....

Ed Meehan: They modified the drainage plans so it wouldn't go, I think it's Cypress Road, back in there. There used to be flooding in the back yards, back in there, and the house to the west, which is a ranch, the property was swaled so the water wouldn't go into her backyard, it would go into this swale, into the basin and stored in the basin, then goes out, down a creek under Halloran Drive. It is supposed to work so that the backyards of Cypress didn't receive more water. I'll check with the town engineer to make sure that it is working.

Commissioner Ganley: Is that where somebody was piling their leaves and branches in there? I thought that, when the guy first came in he said he found this hump back in that area, and he couldn't figure out what it was.....

Ed Meehan: The back yards of Cypress?

Commissioner Ganley: Back of, we're talking about Willard and New Britain?

Ed Meehan: Yes, the Wolf property.

Commissioner Ganley: Okay, you go westerly on New Britain, and there is the first little house on the left, after you get by the subdivision, there is that very light little depression, swale, whatever you call it, which comes down to the drainage ditch, and up in the back I recall him saying something about there was an unusual mound of stuff back there, and he was, then thought it might be, at least at that time, that somebody, as they raked their leaves and grass were piling them into that thing, and that's why it caused a drainage problem. The same problem was down, years back, behind Goodale. There is a swale coming down off of Forest, it goes right through some back yards, and this guy, Hanbury's house, Hanbury was throwing leaves and branches into that little swale that runs under the street, and it was causing blockage, and I thought this might be the same thing.

Ed Meehan: I'll ask about if the detention basin is working in a safe way. We've had a lot, a lot of water problems these past two weeks, everywhere in town.

Commissioner Kornichuk: Yeah, because that one on Bayberry is still, they might as well just close it, because all of the water just goes right into the town one, that's a brook there.

Commissioner Ganley: I have a question on an unrelated matter. Remarks by Commissioners, yet?

Chairman Camilli: We're past that, but go ahead.

Commissioner Ganley: Okay. I've been going down Richard Street occasionally, and where I thought the right of way was into the industrial park, right here, I remember the fire department made a big fuss about it, right here is supposed to be a right of way off of Richard.

Ed Meehan: The temporary emergency road.

Commissioner Ganley: Right. Is there some activity in there?

Ed Meehan: There was a house torn down in there. There was an old house, it was torn down.

Commissioner Ganley: Is it right adjacent to the right of way?

Ed Meehan: Yes.

Commissioner Ganley: Okay, so they are not putting anything in the right of way?

Ed Meehan: No. The house was torn down last year.

Commissioner Ganley: There are stumps and equipment over the whole right of way. It's off of Richard, it comes into the back, and the fire department originally asked for the right of way, and they got it, and then I went by and saw all this construction equipment all over the right of way.

Ed Meehan: It's sixty feet wide, and it's gated.

Commissioner Fox: It's the old Richard Court.

Ed Meehan: It's next to the condos.

Commissioner Ganley: Yes.

XII. ADJOURNMENT

Commissioner Fox moved to adjourn the meeting. The motion was seconded by Commissioner Kornichuk. The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary.