

NEWINGTON TOWN PLAN AND ZONING COMMISSION

July 12, 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 Cariseo  
Commissioner Fox  
Commissioner Ganley  
Commissioner Kornichuk  
Commissioner Pruet  
Commissioner Schatz  
Commissioner Prestage

Commissioners Absent

Commissioner Andersen

Staff Present

Ed Meehan, Town Planner

Chairman Camilli: As a courtesy to the people who are here, the Planner received a call from one of the attorneys on the Reno Properties application, which would be coming after we hear these first petitions, and if anyone is here for just the Reno Properties petition, which is Petition 38-06, they have asked to postpone, and I'll let Mr. Meehan just explain it just a little further, but if you are just here for that, there is really no reason for you to be here tonight, and we apologize for that, but it was a late phone call. Go ahead, Ed.

Ed Meehan: Thank you Mr. Chairman, I received a phone call from Attorney Lou Wise who represents the applicant for Petition 38-06 requesting postponement. The reason is concern that there may be a defect in the notice which is required by statute to be published prior to the public hearing. In discussions with Attorney Wise, they will amend their application and provide documentation relative to permission to access their property from a neighboring property, and that information, as well as the amended application will be the basis for a new notice and we will proceed with the postponement tonight, and the item will be at public hearing on the next meeting of the Commission which is July 26<sup>th</sup>.

Chairman Camilli: Okay. I think we will take Petitions A and B in tandem.

**II. PUBLIC HEARINGS**

- A. 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.**

- B. 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 3.14.1 c 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.**

Attorney Randich: Thank you very much. My name is Robert Randich, I live at 43 Brook Street in Newington, Connecticut, I'm an attorney and I'm here representing the applicant tonight, Hunter Development Company, LLC. With me tonight, and will not be making a presentation during the public hearing, but will be speaking during the presentation for the site plan, which is later on in your agenda, is Phil Cadero, the engineer from Allan Major Associates, and also Jim Wynn from Greenman, Pederson, Inc., who is the traffic consultant and those gentlemen will provide additional information, both on the site plan and the traffic improvements to the site. Michael Frisbee, the principal of Hunter Development Company is also here tonight as well. With respect to the first two petitions, concerning regulation issues, the applicant has met extensively with town officials in the development of this proposal. As indicated this is currently industrially zoned, probably because that was the use that the site had at the time that the zoning regulations were adopted. The Industrial Zone is a bit of an island as it exists now, very close to the Berlin Turnpike proximity wise, and in discussing it with the town, and how to proceed, the recommendation was made that we change the zone to the B-BT Berlin Turnpike Business Zone, or B-BT Business Berlin Turnpike Zone and we have acceded to that. Mr. Meehan notes in his report that there are several properties that abut this property that are in the Berlin Turnpike zone, it is literally a short distance from the Berlin Turnpike Zone, and practically abuts an exit ramp from the Berlin Turnpike, so we certainly think that it would be very appropriate to add this property to the Berlin Turnpike Zone, for all the reasons that Mr. Meehan states in his memo. That much being said, this is kind of a package deal, and we're obviously very interested, I represent the developer, he's obviously very interested in the development and for the property owners sake, should the Commission not like the project, we probably, we're not going to want to have the zone change, so we are going to have to make some decisions ourselves as the proceedings go along. We would be very interested to hear what the Commission has to say, but I did want you to understand that these applications and petitions are really submitted as a group, and they really don't stand on their own.

The second petition concerns amending the zoning regulations to permit hotels and motels up to a height of four stories or 45 feet in what would be the new zone for this property. Essentially under the existing regulations and the site as it is configured, we could put in a hotel that would allow for up to one hundred rooms. We are interested in putting in a hotel that would add a conference center ability to this site, and you need additional rooms for that. As has been indicated in the press, and Mr. Meehan's report, this is a gateway site of the town, this is a site very close to the Berlin Turnpike, a site well designed to receive visitors from the general area. We believe that a gateway type of site would be an appropriate use to have a conference center or something that would attract people from around the area. We can't do that unless we are able to add another floor to the building, and get the sufficient number of rooms in. That is why we are requesting that we be allowed, or that the zoning regulations be allowed, be amended to allow a taller building.

That is all I have with respect to the first two petitions. I'll answer any questions about the petitions.

Chairman Camilli: Well, the only thing I can say is that you alluded to what Mr. Meehan said about why it fits, but I want to know why you think it fits. Petition 33-06 and 34-06, why the changes will fit into the Plan of Development, how it fits in there. Mr. Meehan says, and I read what Mr. Meehan said, and that is Mr. Meehan's opinion, I want yours.

Attorney Randich: Well, I concur with Mr. Meehan's opinion, first of all. I think that essentially this site is part of the Berlin Turnpike. It's not exactly on the Berlin Turnpike, but it's very close to the Berlin Turnpike, so there is very little reason to have properties on two or three sides of our property that are in the Berlin Turnpike zone, and for this property not to be in the Berlin Turnpike zone. So I think that there is a lot of natural appeal, it makes sense. Certainly, when this property was used for industrial purposes, I can understand why it was zoned industrial, but it clearly isn't going to be used for industrial purposes and zoning should reflect the approved use for the property, so if the Commission is of a mind that they want to see industrial uses there, then you know, maybe this isn't the type of project that the Commission would want to have there. You know, that's the type of feedback that we are looking to hear. Our sense is that this is a, this use fits in well with the Berlin Turnpike, and the neighboring properties and that it would be something that would be a tremendous asset to the town, and would provide the gateway that is sorely lacking at this particular entry to the town.

With respect to the height, I would like to reiterate that the additional floor does allow this to become a conference center type use, which will greatly expand its ability to draw people. I would think that a hotel or motel of that nature at this location could easily service Central Connecticut State University, could provide overflow for the Convention Center, whereas if you only have a hundred room hotel, it would have more problems discharging that type of function. It is right on the borderline of the town, with Wethersfield, and off of a very busy highway, so that it has the expectancy, in our estimation to attract people from up and down the Berlin Turnpike that wouldn't necessarily cut through town, but would come to the property and then it would have the size to attract events that it would otherwise wouldn't be able to, and these people who would be running the events would be looking to reach out to people from all over to come to the property to attend the event. I think you would see a much higher and better use of the property with a 150 room hotel versus a 100 room hotel.

Chairman Camilli: Would it be a fair thing now to, not necessarily look at traffic patterns, but what the traffic impact would be from this project, at this time?

Ed Meehan: I think at this point, this is more of a policy decision on the Commission's part relative to your Plan of Development and the Comprehensive Zoning Plan as to how you feel the applicant's presentation being compatible with the area, more of the broader policy direction that the Commission wants to send this part of town in, how you want this part of town to be developed versus the more technical, or site plan aspect of traffic. Traffic complexion at a site like this could be, could have a variety of trip generations depending on what you put into the Berlin Turnpike zone. I mean, if you didn't put a hotel on it, or you didn't put a restaurant, it might have a different traffic mix than what we are probably going to hear about later on. But to answer your question, I think you ought to keep this at the policy level. Questions, as I set forth in my staff report, when you come to vote on this, either up or down, you need to state your reasons for the record. You need to tie it back to your Plan of Development, you need to look at adjacent land uses, and the probable future character of this area, you need to be cognizant of the Capital Region Council of Government's advisory reports which I have for you to enter into the record and this matter was referred to the Town of Wethersfield, for potential inter-town comments. If they are here now, they could speak to the zone change, and they could also speak to the site plan issues through their professional staff because that would be again, the traffic level, the drainage level, and so forth. But I think, just keep this again, in the Zoning and the Planning Area.

Chairman Camilli: Okay. We'll start with you. Did you have any questions?

Ed Meehan: No, I just wanted to remind everybody that we do have the CRCOG reports and I can say that, I can summarize, they'll be part of the record, they didn't find any inter-town conflicts and the other observation I would make is that the applicant is looking for a change from the Industrial to the Berlin Turnpike Business Zone, and without that change, they could not build a hotel here. The Industrial zone, in fact would permit all their other uses. It would permit a restaurant by Special Exception, a gasoline station by Special Exception, and the retail uses by Special Exception. If not for the hotel, they would not need the zone change. As I said in my staff report, I do agree that the change to the zone opens this site up as a gateway site, it expands and continues the existing Berlin Turnpike zone, and it makes sense for this interchange area.

Chairman Camilli: Any questions from the Commissioners?

Commissioner Ganley: Just touching back on the history of this site as it is right now, there happens to be an industry of sorts on the site, right now, okay, that dates back probably seventy, eighty, years, possibly. My question is, is it possible that because there was something there already, it made some logic, at that time, to zone the thing for industry, since in fact there was an industry already on the property, which now would necessitate us taking another look at another use for the particular property. The time has changed, needs have changed, so I'm not, I'm personally not stuck on the fact that it is presently zoned for industry. I just want to feel comfortable with the fact that, should we be looking at this thing in terms of future land use, as opposed to present land use.

Ed Meehan: Well, I think you should be looking at it as future land use. That's the whole purpose of your Plan of Development in setting forth zoning policies. I don't know what was on this piece in 1930 when the town adopted zoning, I don't know if any industrial uses were there then, but I think your observation is correct, I mean, the whole Berlin Turnpike and Cedar Street, the traffic quotas has changed completely since the second World War, since I-91 opened, and zoning has to keep up with those changing patterns. The goal of the Plan of Development, the vision as set forth in the Plan, is to redevelop these obsolete sites, and I will call this land use an obsolete land use.

Commissioner Ganley: We are talking essentially about recycling, if you will, of a given parcel.

Ed Meehan: Exactly. Recycling of the parcel.

Chairman Camilli: Any other questions? You are all set? I want to hear from the public. Anyone from the public wishing to speak in favor?

Ryan McCain: Good evening, my name is Ryan McCain, I'm an attorney with (Inaudible) Goodwin in Hartford. For the record, I'm here for a client who is neither in favor nor opposed to this project. My understanding of your procedure tonight is, you have separated sort of the policy side of the applications from the practical on ground site plan applications, and in so doing, I think it would be recommended that, I don't know what your procedure is, but to leave the public hearings open on both of those, so that any comments that are made from one might be incorporated into the other, and I would say carry this forward to your next meeting so that comments that might be made on the site plan side of things could be responded to. Thank you.

Chairman Camilli: Thank you. Anyone else from the public?

Fred Callahan, 99 Cedarwood Lane: This is a great project. Ever since you guys, Wal-Mart got turned down at the drive-in, we've been dead up here. Since this project has come out, I've had four huge developers come up and talk to me about my property. I had a sign up there for twelve years and nobody ever called me, and I've had four huge developers look interested in it, so this is going to be a huge boost for our area. It can't do anything but be good. We need something, we should be the best end of the turnpike, it's the worst end. We have the highest traffic count, and we have real garbage up there compared to the other end. I've been there my whole life and we always said, we were lucky we were on that end of the turnpike, and then over the last twenty years we found out that we would be better off if we were down by the Pane Road area, so all I'm saying is that this is great, and please, let it go through. Thank you.

Chairman Camilli: Is there anyone else from the public who wishes to speak in favor?

Steve Capizone, Healthtrax Fitness and Wellness: We are up on East Cedar Street, up on the hill. I just want to say that we are also in favor of this project. We support it, we're a retail business and we feel like this development will help drive more visibility to our business and our only concern is traffic on East Cedar Street. With various accidents that have happened over the years, with the cars, we are concerned about just safe access in and out of our business, so we just wanted for the record, to note that.

Chairman Camilli: Thank you. Anyone else wishing to speak in favor? Against? Anyone wishing to speak against?

Jack Bolles, 1692 Main Street: I wish to go on record as against some of the development proposed for this site. This particular exit from the Berlin Turnpike is the most scenic and picturesque entry into Newington. How many more hotels, gas stations, and restaurants do we need? The Berlin Turnpike is full of them, many vacant and creating an eyesore. Has anyone done a survey as to whether we can handle another motel, or hotel, in that area. We do not want a continuation of the Berlin Turnpike creeping into our Cedar Mountain entryway. This site is not conducive for a gas station and a restaurant. The traffic pattern as now experienced is very heavy, and will be even greater. If this petition is granted for this site, for a hotel, the restaurant should be housed within. Further, I do not feel that town or state money should be expended to redesign roads and traffic patterns. This should be at the expense of the developer, as well as the toxic cleanup of this site. This has to be closely monitored by whatever town or state agency is responsible for this. Taking Cedar Mountain into account, the topography of the site should not, should be disturbed as little as possible, in order not to block the view of our scenic mountain. The hotel should be no more than two stories in height, architecturally appealing to the eye, set back far enough from the road, landscaped correctly, with all parking in the rear, away from public view and limiting excessive signage. As one of our important entrances into our town, the natural beauty of this site, and the towering mountain behind it, has to be foremost in any and all decisions made by this board. In closing, I really wish that we didn't have to build anything on that site, I'd like to see that building taken down and that property landscaped, but unfortunately the Town does not own it. Thank you.

Chairman Camilli: Thank you. Is there anyone else that wishes to speak against this application? The applicant can rebut if you wish?  
We are going to keep these two applications open.

Ed Meehan: We have the CRCOG reports?

Chairman Camilli: The CRCOG reports, should they be read into the record? We did receive from CRCOG the two reports on this application, and we don't have to read the whole thing, but they said, that "the staff of the Capital Regional Council of Governments has reviewed this

referral and finds no apparent conflict with the regional plans and policies or the concerns of the neighboring towns,” and then on the other one, finds “no apparent conflict on the regional plan”, same thing. Except that it says, “provided that traffic generated by this proposal can be adequately accommodated by the intersection of the Berlin Turnpike and Route 175. The proposal would not conflict with adjacent planned business development and industrial zones in Wethersfield.”

What happens with these, just so the public understands, being state roads, we look at it and we formulate opinions and then it goes to DOT and they turn around and do what they want to do anyway. So, that is unfortunate, but that is the way that the system works.

We will keep Petitions 33-06 and 34-06 open.

**C. 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. Inland Wetland report required.**

Attorney Randich: Again, I'm Robert Randich, 43 Brook Street, on behalf of the applicant. We are seeking a Special Exception for the use of a gas station. As you are well aware, the trend in gas stations is that they are moving away from the neighborhood stations around the thoroughfares in town, and moving off the expressway type locations. We have had a number of gas stations close in Newington, one on the corner of Willard and Robbins Avenue and also on the corner of Stoddard and Hartford Avenue, Main Street and Hartford Avenue, and where we are seeing new gas stations are off the end of exit ramps, off of busy thoroughfares so we feel that there is a need in this particular location for this gas station. We think we have complied with the other requirements that would allow it to go forward, and we're here tonight to seek the Special Exception. I would also point out that this gas station is the economic engine on the entire project, so this is required for us. The economics of the gas station itself allow for all the road improvements that you are about to hear about during the site plan, as well as some of the other amenities that are going to come in, if the project is approved, so this is a critical aspect of our proposal.

Chairman Camilli: You didn't get this in time to check this.....

Attorney Randich: The administrative report, yeah, I got this this afternoon, and sent it to the engineer this afternoon. We may be able to reply to some of the issues, in all likelihood we are probably going to need to address that at the next meeting. We'll try to do it perhaps by letter before that, but to the one hundred foot question, we did not get out there with a measure between 2:30 and tonight.

Chairman Camilli: Okay. Any questions from the Commissioners? Ed?

Ed Meehan: In addition to the comments here, which address the standard of Section 6.11, and the more generic standards of 5.2 such as need and the existing character of the area, and traffic circulation, when the applicant is prepared to go forward with their presentation, as I said in this report, gas stations by themselves are sort of a unique land use and when you put them on a mixed use development site, it has an even more important aspect that the traffic circulation within the site, and off the site for the gas station, be clearly articulated to the Commission, that the aspects of tanker truck safety, coming and going from the gas station, be set forth and presented so that the Commission and public know that this is going to be a safe location, and relative to the site plan aspects of this, because this is a Special Permit and it's not permitted by

right, this is something where the Commission uses its judgment based on the Commission's zoning standards, as well as your knowledge of the area. So this is not just a gimmie, I appreciate the economic part of it, but this is an important gateway site, and we've had discussions with the applicant at staff meetings about this, and the issue here, relative to the site plan, and Special Exceptions as a gateway site, what is this going to look like, how is the public going to perceive this, and the sequence in which this occurs. I don't think the town fathers and the people who are concerned about what Newington looks like want to see a gas station with twelve fueling stations and a canopy there for three or four years and nothing else happening. I'll put that right on the table, kind of bluntly, I guess, but we need to know more about that, and that goes back to the sequence of site development, the traffic improvements, and all the things that I'm sure your engineer is prepared to address, about this gas station, and the associated convenience store. I noted, and it comes up further in the report, that the traffic report talks about a convenience store with a drive through donut shop. I don't know if that was out of sync with what Mike Frisbee had told us at staff meetings, or if it was just a misunderstanding, but that is a different complexion also as far as traffic. There is a reference in that traffic report to a car wash. All hot button issues I think for this Commission on a site like this, so at the time of your presentation I think you need to clarify exactly what you are intending to do in this quadrant of the site, and the critical things of site development, traffic as relate to that.

Attorney Randich: I certainly appreciate the Planners remarks and I, obviously there is a lot of site plan discussion that is relevant to the issue, the decision as to whether or not to issue a Special Exception on this, but I think, I did not want to turn this public hearing on the Special Exception into a site plan presentation, but certainly the public hearing is going to be kept open, we are going to make a presentation later tonight, on the entire project, including the gas station and hopefully we will address the concerns raised by the Commission, as well as the Town Planner, and to the extent that we don't, we will be back in two weeks.

Chairman Camilli: Right. Any questions, all set? From the public, anyone from the public, and this is just particular now to the gas station. Anyone wishing to speak for the gas station? Against? Okay, very quiet tonight. We will keep that petition open as well, Petition 35-06.

**D. 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. Inland Wetlands report required.**

Attorney Randich: Again, Robert Randich, 43 Brook Street. This Special Exception is for the operation of a restaurant on the site, as was indicated earlier, the hotel will have a conference center capability with catering service, so that certain events that are all day and are going to provide, will have the facilities to provide meals to the participants. However, there will not be room for a restaurant in that structure. Accordingly, we think that the development of the site, as proposed by itself creates a need to have a restaurant on the site, and that many of the people who stay at the hotel will frequent the restaurant. Again, there are a number of site plan issues that we will address at the time of site plan presentation, which will take into account concerning the need and other issues pertaining to a Special Exception for a restaurant.

Chairman Camilli: I think I will have the Planner explain once, for both 36-06 and 35-06. There are certain questions in the Zoning Regulations that really you should be touching upon, and do you just want to explain to Mr. Randich, eight or nine criteria that, I don't have it in front of me, but I know there is a certain, a list.....

Ed Meehan: The way that the regulations are constructed, typical of most towns, there are generic standards for Special Exceptions or Special Permits which the Commission expects the applicant to address in some way to explain to the Commission and the public why they feel the particular use is needed, why they feel it is compatible with the existing and probable character of the area, what is unique or special about that use's traffic, both internal and external to the site, any special signage or special utilities that are demanded by that particular use, and the reason that these uses are not permitted by right and are listed by Special Exception is because they are considered extra-ordinary uses. They are given that label because, for example, a gas station, has extra requirements for traffic safety concerns, fire protection, turning radius, that need to be discussed within the body of the Special Permit presentation. Under this particular application now, 36-05, the restaurant, the only thing really different about that compared to other land uses is the extra requirements for parking at twenty spaces per thousand for the public seating area, so in the presentation on the Special Exception there would be the generic response to why is it needed, how is it compatible with other land uses in this particular mixed use development, and then addressing the issue of the extra parking count, which I am sure they will talk about when they get to the site plan. This being a multi-use site plan, I know we sat down in staff and went through the parking count, so that twenty per thousand is in here, but that's the reason these are in the public hearing realm, is because they are listed as extra ordinary uses, gives the applicant, or anybody concerned about the site a chance to come up and talk about it at the public hearing, where if this was just straight site plan, there would be just an administrative review. These touchy issues, the issues of traffic safety, or fire safety wouldn't be before the public.

Chairman Camilli: Are you aware of what I am talking about?

Attorney Randich: Yeah, I understand. I thought that I addressed some of them, and I thought as I was leaving the site plan issues for the presentation on the site plan, rather than having a duplication of presentations here, at least that was my intent.

Chairman Camilli: Okay.

Attorney Randich: But certainly the parking as proposed, the parking meets the regulations, we're not short parking, we are not looking for any kind of variance for parking, we believe that the nature of the use, both for a gas station and a restaurant is compatible with other uses that are found in the area in this particular zone. I think that the use of the hotel is something that is a little unusual in the area, but I think it makes a lot of sense in terms of what we are proposing on the site. It is a gateway site with easy access to it from many towns in the area, to get there, it's not an unusual use.

Chairman Camilli: We'll keep this open too, but, you'll see in the minutes what you said, but 5.2.6 on page 45, a through g, which I think you probably should, and you did address some of it, but I think perhaps a little more.....

Attorney Randich: Yeah, well, I'll just quickly summarize my comments by saying, with respect to the probable future character of the neighborhood, you know, if this is rezoned as the Berlin Turnpike zone, Business Berlin Turnpike zone, the things that we are proposing for it are exactly the nature and character that you find in that zone, commercial uses with sufficient parking, that meet the guidelines set forth in the zoning regulations. That hopefully will be the future character for this site and the area around it that is the Berlin Turnpike zone. The buildings that we are proposing in regards to the size and relation to one another, again, we are not proposing to overbuild this site, we are looking for a zone change to allow us to go up an extra story to allow for more rooms than are allowed, for the project that we are seeking, but we think that makes sense in the realm of what we are proposing. It is remaining open, I will take a look at this, and to the extent that I feel that we need to add some additional comments.

Chairman Camilli: I think it would be wise to do that, just to satisfy the criteria of the Special Exception, for both petitions.

Anyone from the public wishing to speak in favor of the restaurant use? Against the restaurant use? Okay, we will keep that petition open as well, Petition 36-06.

We will read Petition 38-06 but we already alluded at the beginning of the meeting, the attorney asked for it to be postponed, so we will read it and postpone it.

- E. PETITION 38-06 Assessor Map NE 505 East Cedar Street known as Cedar Mountain parcel, Connecticut Children's Medical Center owner, Reno Properties, LLC 170 Pane Road, Newington, applicant, represented by Lewis Wise, Rogin, Nassau, Caplan Lassman & Hirtle, City Place I, 22<sup>nd</sup> Floor, Hartford, CT 06103 request for 4 lot subdivision CD Zone District. Inland Wetland Report Required.**

Chairman Camilli: Okay, so we will just keep this petition open, and go on.

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

None.

- IV. MINUTES**

June 28, 2006

Commissioner Pruettt moved to accept the minutes of the June 28, 2006 regular meeting. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with seven voting YES.

- V. COMMUNICATIONS AND REPORTS**

None.

- VI. NEW BUSINESS**

- A. PETITION 32-06 2553-2557 Berlin Tunrpike, 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 100 Unit Comfort Suites Motel. Inland Wetlands Report required. Continued from June 28, 2006.**

Chairman Camilli: They are not here as well, because we are waiting for that Inland Wetlands Report.

**B. 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 July 12, 2006. Inland Wetland report required. Notice required to Town of Wethersfield Section 8-3h C.G.S.**

Attorney Randich: Robert Randich, for the applicant. At this time we would like to get into the details of the proposed site plan of the project and Phil Caldero from Allen-Major Associates is here to go over it.

Phil Caldero: I'd just like to give a little technical presentation on what we are proposing again. Phil Caldero from Allen and Majors Associates representing Hunters Development. As most everyone on the Commission is aware, the existing property located on East Cedar Street and Russell Road is partially developed in the southern corner with the abandoned manufacturing building and some pavement. It is wooded in other portions of the property. There are some bare spots with some outcroppings of rock and evidence of gravel and/or gravel removal. There is approximately a forty foot grade change from the north western most corner of this site here down towards the corner intersection of East Cedar Street and Russell Road. As we are also aware, the town line runs approximately along the property line between Newington and Wethersfield. Presently the existing storm water runoff again emanates from this high point draining down toward East Cedar Street, pretty much half of the site, the remaining part drains down towards Russell Road and we'll consider that in our proposal for storm water management and drainage calculations.

As indicated previously we are proposing a mixed use development on the site including a gas station, convenience store, proposed banking facility, proposed restaurant, proposed retail space and proposed hotel on the rear of the property. The property will have a central active corridor which will allow for a right turn in and a right turn out movement accessing the site. We will also have a larger dedicated intersection, a signalized intersection that the traffic engineer can speak in more detail about later on in the presentation. Along the gas station/convenience store it is proposed as a 3500 square foot facility with five fueling stations, in the front of the property. The proposed bank does have a drive through facility and the proposed hotel does have a canopy turn around in the front. The project is designed to take advantage of the existing grades on the site. What we are proposing is again, the two entrances at the front of the site, to have a central active corridor which will be a shallow grade and then we will proceed at a steeper grade to tie into the rear of the property which exists at a much higher grade. The property, the buildings will essentially be terraced because of the varying grades, so the grade will go up again, slowly steeper and then these will sit at a higher grade and these will sit at a higher grade in the back, again, to take advantage of the existing changing grades and minimizing the amount of earth work that we have to do on the site.

The front portion of the site is designed as a fill in terms of the grading, and that is to bring everything up and to be able to provide an aesthetic slope along the front in conjunction with, you know, the gateway to Newington philosophy, that we want to provide an aesthetic appeal to the project. So rather than a typical storm water management sense, which would develop these buildings, create all this impervious surface, collected in an enclosed drainage system and then outlet it into an open air basin, which would be unsightly, we have opted for the more costly underground storm water retention technique. So we are proposing four underground stone and pipe retention systems that will collect storm water runoff in rain events, we are proposing to hold that, we have designed it for a twenty-five year storm event per regulations, but the system this size can handle a one hundred year storm event, so in extreme flooding conditions, we can hold

more water on the site, and not have any off site flooding. We are seeking to outlet those retention systems into existing drainage along East Cedar Street and in two locations along Russell Road. That is part of our application.

General utilities, we are seeking, we will have a main sewer trunk line that will tend all of the sewage and we are seeking connection along the existing Russell Road sewer manholes that exist due to the current abandoned building that is there. We will also seek to bring gas service in, obviously water service, electric, telephone and cable service will be through this central corridor and each building will be serviced off of that.

We are proposing landscaping for the project. Again, for the gateway to Newington philosophy we will landscape the project and treed any slopes that we are creating. There are two to one slopes, in the front of the project and we don't want side slopes to return it back to the existing steep grade that exists. Those will be landscaped slopes, loamed and seeded with grass and then decorative planting as you see here. This is a schematic landscape, we can provide things in more detail.

Just jumping back to make sure that I mentioned it, in our layout we are complying with all of the zoning setbacks, we are compliant with the parking. As indicated previously, we are required to have 307 parking spaces on the site for this mixed use development, we have 308. We are not proposing a sizable overage, but we do meet the requirements, we do have an additional space. I think that is as technical as I may want to throw out there right now covering the general site development plans.

Chairman Camilli: Ed, so you want to start?

Ed Meehan: No, I just, the applicant's engineer probably just got the site comments this afternoon, and a lot of these aren't overly technical or significant. I think they are things we can sit down at the staff level and when it is convenient go through this list and get the plans cleaned up to address these things or answer questions that I didn't understand. Also at that time have the benefit of the Town Engineer to sit down because they haven't finished their review of the drainage, and I don't know how much feedback you have gotten from them at this point. Maybe you can clarify the question that I raised a little bit earlier, is there a proposal for a car wash, a drive through donut shop, anything related to the convenience store. I guess the question is, why do you need two drive through lanes around that convenience store?

Michael Frisbee: For the record, my name is Michael Frisbee, Hunter Development Company. To address your question, there is not a car wash as part of this project. It may have been referenced in the traffic study but that was in error. We are proposing a drive through facility, and to go along with one of the questions that was asked earlier, in the industry today, when you look at it, convenience store, gas station, location they are going to the one stop shop where they allow for automobile refueling, they allow for convenience store shopping, your milk, your bread, ancillary items as well as donut shops in some cases, sandwich shops in some cases, and they allow for those types of services. What appeals to us, especially for this type of location is to allow those types of services on Route 175. People can stop in here as part of a shop type atmosphere, they can do their banking, they can get their milk and bread, they can have dinner, they can go to a retail shop and buy a pair of pants, or shoes, things of that nature, all in one stop shopping, where they don't have to have four or five different parcels along the stretch of the turnpike per se, where they have to pull in and do three or four turns, in and off the major roadway. But, back to your question about the drive through. We always look at the most high, and intense use for a location like this, including that drive through, so the traffic study looks at a donut shop, which is the biggest generator for traffic in a drive through type situation. We do not have an agreement with a donut shop, but we are looking at the most high, and intense use, and when we designed this location, we designed it to be big enough, large enough to allow for those cars to get in and around our site safely. This particular location of convenience store/gas station

is located is just about 1.4 acres. If you look at a typical gas station, in New England, it is much smaller than that, and they try to do all those same type of uses on there. Again, with the cross access, one of the things that the board is not privy to is the original design that we had, and in working with staff, this site plan has changed tremendously from that. Some of the issues I'll point out. We had additional retail in the back, which allowed for a smaller hotel. We also had the setback on the canopy and the convenience store were much closer to the road. By right, we are allowed a twenty-five foot setback, we are actually almost seventy feet off the roadway. To answer the question about the gateway into the community, one of the things that we worked hard on is the building elevations, trying to incorporate into our shops a sense of consistency throughout, and as the developer I had the control to allow for that, because this is what I am going to be building. So, I would just like to point that out.

Chairman Camilli: Can you speak to the sequence at all? As to how you are going to build?

Michael Frisbee: Sure. For the benefit of the board, I have negotiated agreements with national tenants for the majority of the project, including the hotel. As part of my agreements, I had signed confidentiality agreements with these groups, and we can work through that as far as staff is concerned. One of their concerns, as far as being a national tenant is getting their name out there before the project actually, if it was a by right situation, it would be different. They wouldn't mind that, but before something goes through and gets approved, they really don't want their name associated with something that may be detrimental, somebody might come out and speak against. So as far as the sequence of construction, we are planning to develop the entire site at the same time. Obviously it will take longer to build the bigger facility such as the hotel, then it would be to build a bank and/or the restaurant, etc., but our plan is to go ahead and design and build the entire site at the same time.

Chairman Camilli: You said you have major tenants for virtually all of the retain, at this point?

Michael Frisbee: Yes.

Ed Meehan: Could you address the issue with Jensen Machine driveway on Russell Road. I know that I have had some comments with the adjacent property owner, I know that you have, for the benefit of the Commission, we talked about this, I think, once before. What accommodations are going to be made because of the peculiar access into that property?

Phil Caldero: I'll address that. Existing today the driveway entrance into Jensen Machine actually comes across the right of way as well as a good portion of this corner of the property. I've had a couple of meetings and conversations with our adjacent owner and we are proposing that that driveway stay the same. We are actually proposing to do some additional work in this area, on the property line, to actually widen this area so that as a benefit they would be able to get behind this building, he has an oil tank back there for heat, also to get cars in and out of the back of that property, and we talked about creating easements, assuming that we have a favorable approval from the town, to create an easement of record, to allow him to continue to do that, as well as we would make an improvements on the back lot. We talked about putting a six foot chain link fence back here, with additional plantings for the buffer, we will continue to do that and will continue to work with our neighbor to make sure that they are happy.

Chairman Camilli: Are we talking any elevations for the buildings beside what they just showed?

Ed Meehan: Yeah, I don't know how you want to structure this but before you go to the traffic, I think a lot of these sort of general site plan questions that the board has could be gone through.

Mike Frisbee: In working with staff, what we tried to create was a synergy throughout the shops and in general what we will have is, we will have a brick veneer which is an actual brick, it's not fake brick, it's an actual brick, but just a half a brick that goes along. We have wood point type siding, we have decorative details within the building, we have shingles, architectural shingles on the roof which are asphalt type shingles, and we would be happy to work with staff with regard to color schemes and things of that nature. I have a lot of ideas in mind, but in general we don't want to get too far into that, unless we actually knew the actual building design, sequence, the synergy, would be acceptable to the board.

Chairman Camilli: How much are we going to see from the Berlin Turnpike? The back of the buildings.....

Ed Meehan: One of my questions that I have is, like the restaurant, you are going to see all four sides of that, and one of my staff comments is, relocate the dumpster away from the first thing that you are going to see when you come off the ramp and either putting in a wing wall and disguising it, or putting it someplace else where it will be functional, but when the public sees that restaurant, they are going to see a façade of a typical restaurant, glass, and patrons sitting inside, and signage, they are not going to be looking at the back of a dumpster. That type of comment are things we need to go through as this evolves over the next couple of meetings, as well as at staff level. I think there is some fine tuning that can be done with this layout that will really make it a real gateway site. That's one of them. The other one is the two to one slope along that whole corner. That's a tough slope to maintain, yes, right where Mr. Frisbee has his finger. I mean, that, if it's not maintained could look like a jungle. Two to one, is what you see along some of the highways and they treat it with trap rock. There will be a lot of trap rock, but, is it going to be planted, is it going to be mowed, is there going to be a special type of cover, those are the details that I think the Commission wants to get into on the landscaping plan and also the elevations.

Michael Frisbee: For the benefit of the board, I didn't bring it this evening, because Mr. Meehan hadn't had the change to look at it, but we are working on a design for this corner here, plantings, also the signage, the Welcome to Newington sign that you have in some other places in town, I have something but I didn't want to present it without staff seeing it, but your comments are duly noted and we are willing to work with you in that regard. The dumpster is going to be in a much more, less visible place.

Chairman Camilli: Is there going to be any blasting here?

Michael Frisbee: The geo-technical aspect of this project hasn't been completed yet. We understand what is out there, but regard to construction, this is still, we civil designed it, and we got to the construction portion of it. So we know what is out there, there's different ways to work through that, so we're still working on that.

Chairman Camilli: We'd be interested in that, as well.

Michael Frisbee: This is the elevation for the convenience store, and as you can see, it is not your typical concrete block with an all glass front and a flat roof type of convenience store that you see, you see a lot more now, building though New England new construction, as you can tell, again, we are trying to keep the synergy of the shopping center, the shops if you will, so that the convenience store would fit in with the bank, restaurant, hotel. The gas station pumps and canopy doesn't how on here, but we can certainly provide that.

Chairman Camilli: We would want to see that. Will that also maintain that theme, the canopy?

Michael Frisbee: What we have proposed right now is a flat roof canopy with decorative molding. I can certainly provide elevations for that as well.

Chairman Camilli: I think the Commissioners would probably want to see that as well.

Ed Meehan: You should see it. There are a lot of details, again it comes forth in the site plan report, take this from some schematic information down to the level you normally are looking at, before you act on a plan. Mr. Frisbee talked about more development of the landscape plans, there was a schematic, he needs to get down to the level where the quantity, the type, the irrigation of the landscaping area, the treatment of the slopes, is known before you vote on this. That would be my recommendation.

Michael Frisbee: The quality and quantity of interior landscaping is noted on the plans. What we are trying to still work on with staff is especially this area where the majority of the 30,000 cars a day that come by would be looking at that first.

Chairman Camilli: We would want to see, as I said before, before we vote on it, it's going to be signage, lighting, and everything else that would go on this plan.

Michael Frisbee: We shared some of the elevations in our meetings.

Chairman Camilli: It's hard to really ask questions because it is so generic.

Commissioner Kornichuk: I have one question. Now, when you come off the highway, all you are going to be seeing is the back end of the hotel, right? The main entrance is in the canopy section, right?

Michael Frisbee: Let me talk about the hotel area just a little bit. In our original plan, we had a smaller footprint for a smaller hotel. We had additional retail set up at this point. In my negotiations in regards to the hotel, they wanted to have a larger facility to allow for meetings, banquets, etc., conferences, so what we did was, we eliminated the additional retail to allow for a parking area here, and an entrance way into the hotel, the bottom floor, if you will, so the side of this building is going to look like the balance, it is going to have some sort of decorations similar to, it's not just going to be a blank wall on the side of the building. It's going to be facing the Berlin Turnpike.

Ed Meehan: That is where the comment on the elevations come in, I think providing that will answer that question for the Commission members.

Chairman Camilli: Any other questions?

Commissioner Ganley: I just have a general comment, then I have a specific question. I'm not suggesting that the petitioner play musical chairs with the buildings but I was just curious to know why the restaurant might be located more convenient to the hotel, so that the hotel patrons could have a shorter distance to go to the restaurant. That was just a general comment, now more specifically, this drive through at the convenience store, combination donut/pastry shop, something like that that might be located there, if you were to look at, right where your arrow is, along side the building, in that lane, yes, that is the drive through lane, if that is going to be both the order and pickup area, the window located there, there's only enough room for two more cars in that space. Normally when you go to a donut shop, at least the ones along the turnpike that I have gone to, you order at one place, get around to the back of the building, to pick up which allows you additional stacking. If you look at the back, what would be the north end of that site where I guess the landscaping is, it appears to be designed too far away. That is why I'm

assuming that you order and pick up from the same window, and therefore there might be a stacking problem in that lane.

Phil Caldero: Let me address your first question about the restaurant, and then I'll get into the drive through lane. The restaurant originally was placed further back in this area here, but as far as the ability to share parking, for a busy restaurant as well as a hotel, we decided, as well as the aesthetics of this corner not being a detention pond, as our original design showed a detention pond, hence the ability to move the restaurant down into the corner. Obviously with that type of design, it's going to be more appealing, but also the ability to have a better flow of traffic on site, and have the ability for more cars to share that parking.

To address your question about the drive through, these arrows are just for directional purposes. The drive through window, the drive through lane will continue all the way around. There will be, if there is a donut shop, again, we looked at it with the worst case scenario for traffic, if there is a donut shop, the pickup window will be in this back area and the drive through lane will allow for stacking to come all the way around, ten to twelve cars. This additional lane is just a by-pass lane for anyone that may want to get out of that lane, or get around the convenience store. We've got plenty of room on site to allow for that, so there is no tie up around the building.

Commissioner Ganley: Thank you.

Chairman Camilli: Just one thing, on the drive through for the restaurant, we have specific zoning regulations for that, and I don't know, as far as I understand, is that a Special Exception in itself for a drive through restaurant, because I know that we put in the regulations on that, and I don't know.....

Ed Meehan: It's a drive through food service. They would have to apply for a Special Exception if they want to pursue that. That would come in and answer the question about queue lines and traffic.....

Chairman Camilli: That is for the drive through, if in fact .....

Ed Meehan: If it came to fruition.

Phil Caldero: As I understand the zoning regulations, the drive through Special Exception is required for a restaurant use. So if this is a restaurant, then yes, we would need another Special Exception.

Chairman Camilli: The donut shop would be considered.....

Phil Caldero: Well, the regulations also define restaurants as a place that serves food, that has seats, I believe, so we understand that whatever structure goes in there, if it has seats and it's serving food, then we are going to have to come back for a Special Exception.

Chairman Camilli: I think you will have to come back anyway, if it is a drive through, and a food use. I think you will find that you have to. I think, that's off the cuff, but I think you might have to.

Commissioner Schatz: The question I have, on the staff report, it's thirty thousand square feet, one hundred rooms.

Phil Caldero: The footprint is 15,000 square feet, it goes up four floors.

Commissioner Schatz: Okay.

Ed Meehan: Thirty thousand is from the traffic report.

Commissioner Schatz: So when I read 15,120 square foot hotel, it doesn't say it is multi-storied.

Phil Caldero: Right, that is the foot print of it, not the square footage.

Commissioner Schatz: Okay.

Ed Meehan: So that is just the footprint, as Mr. Schatz was referring.....

Commissioner Schatz: A question through the Chairman to the Town Planner, would he need a Special Exception if the restaurant was in the hotel?

Ed Meehan: No, we have not, well if it is for hotel guests, principally for hotel guests, no, I mean like the Courtyard by Marriott, that has service, I wouldn't call it a full restaurant, but no. A banquet facility inside the hotel, no.

Chairman Camilli: Are there any other questions.

Phil Caldero: We also have a presentation on the traffic issue that is being proposed.

Jim Wynn: Good evening, for the record, my name is Jim Wynn and I'm a traffic engineer with Greenman and Pedersen. I'll start here at the podium, but get into the plans as I get more into the traffic mitigation. GPI prepared a traffic study dated May, 2006 which I will go through some of the details now of the traffic study. I know that there was some discussion earlier about how the traffic study included the (inaudible), the donut shop drive through, car wash, and then we actually used a twelve vehicle fuel position gas station. The car wash actually is not being proposed at this time, and again, we included the donut shop for drive though to be conservative that you know the study includes the most intense type use. If there is not a drive though window, there would just be less traffic, and our study looked at that higher intense type of use. Again the twelve fueling positions included in the study have actually been changed now proposed as shown on the plan, actually ten pumps. So that has actually been reduced but that was left in the study as twelve.

To begin the presentation, just talk a little bit about the proposed access. Access to this development as discussed earlier will be provided by two points on Route 175. The first being a right turn in, right turn out only driveway, and the second driveway, further away from the Berlin Turnpike being a full access/egress driveway allowing all movements in and all movements out. Currently the existing use, in this location, has access onto Russell Road. In discussions with the state, one of the requirements that we were looking at is not to provide access onto Russell Road. They wanted access onto Route 175, and eliminate that access onto Russell Road. In the traffic study, there is that existing use on the property, just make a note that we did not take any consideration or traffic that would be generated by that use. Our study looked at basically our site in addition to taking some traffic (inaudible) Based on the traffic projections and the traffic that we have on the roadways, the study area included intersections along Route 175 including the Berlin Turnpike ramps, and we also looked at the driveways opposite where the full access driveway is going to go. Counts that we did in October of 2005, we looked at both the Friday p.m. peak conditions, which is generally the highest level of the week, and a Saturday mid day conditions. We also did an ATR which is an Automatic Traffic Report, it's those tubes that you put across the road to get daily volumes along Route 175. With this tube, what we were able to do is to get speeds along the road, which I will discuss a little later in my presentation, particularly as speeds relate to sight distance from the site driveway.

We looked at accidents at those study locations which I mentioned. The study intersections, except for one which I will discuss were about five accidents or less per year. There was one

intersection which is the southbound off ramp, Russell Road intersection with 175. This actually had average accidents per year of over 15, which is pretty significant. Of those accidents, about ninety percent were rear end collisions, another car rear ended someone waiting at that stop sign, which I will address and make recommendations to help that condition along.

As mentioned earlier, the posted speed on Route 175 is 40 miles per hour. As part of our study we found that average speeds along this section of roadway were between 47 and 48 miles per hour, so the average speed is considerably higher than the posted speed of 40. For the design criteria, we look at that eighty-fifth percentile, the national standards, the eighty-fifth percentile speed was found to be over 50 miles per hour, actually 53 and 54 miles per hour. That is something that we need to take into consideration for sight distance, which I will discuss next. Sight distance is measured from both vehicles traveling along Route 175, approaching the intersection, as well as someone exiting the site driveway to adequately see approaching vehicles. The driveway, as proposed in this location, is proposed in this location so that we can provide requirements not just on the posted speed limit of forty miles per hour, but actually on the observed eighty-fifth percentile speed of over fifty miles per hour. So that is why this location is proposed where it is here. There is some grading that we will do along here which I will discuss later on in my presentation.

For future conditions, we projected traffic out to the opening year condition, in addition to looking at background growth, general background growth and increase in population, we also looked at potential developments that could occur in the area. Based on discussions, there is potential use in this parcel adjacent, so as part of our study, we included traffic as background, including into our numbers to take that into consideration.

Planned roadway improvements, there has been a corridor study done along Route 175. With this, one of the improvements proposed, or suggested I should say for the Berlin Turnpike interchange was to do a single point interchange, where the ramps actually come off the highway and come to one point under the roadway. It's a pretty significant, involved, expensive project, it was actually estimated at about seventeen million dollars. At this time the State does not have any funding or plans to go forward with that project, so as mitigation as part of our project, we are looking at things to do interim, to something long term goal of the seventeen million dollar interchange improvement here.

The other improvement that was suggested as part of the Route 175 corridor study, actually a signal in this approximate location. So again, what we are proposing here as access to the site, and signal access along 175 is actually part of what was considered into the long term corridor study along Route 175.

Trip generation of the site, one of the great benefits of having a mixed use type of development is that a lot of the uses on the site generate peak traffic during different times, so you are not going to have the most intense generated time of one use to another, so you limit the traffic, using the site driveways, you limit the impact on parking. Studies have shown that these types of uses can actually have up to twenty percent of the traffic coming into the site, using more than one use. They will go to the gas station, as we mentioned earlier, people using the hotel, the restaurant, the bank, a lot of these work together, that people can go into the site for multiple uses, it's not just one. In discussions with the State, State requirements, we actually limited it to five percent, so the numbers that we have are conservative in that these types of uses can have a lot of interaction between each other but we are limited based on State requirements.

Another thing with these types of uses, particularly with a bank, gas station, a convenience store, is that there is a lot of pass by trips. Pass by trips are trips that are already on the roadway, Route 175 and the Berlin Turnpike that will come off the roadway use, they were going by the site anyway. They utilize the use and then continue on the way that they are already going. It's not a trip that comes just for that specific use.

There is an Institute of Transportation Engineers Handbook, it's called ITE. They have actually done studies for a lot of these types of uses, how much traffic is generally pass by traffic, and just to give some of those numbers, for gas stations it could be up to sixty-six percent, restaurants, up to forty-three percent, banks, forty-seven, and retail stores, up to thirty-four. Based on the State

requirements, we limited the retail type uses to twenty percent, the gas stations for forty-five. Again, this is a lot lower than what ITE says for numbers, but again, it's conservative and our traffic study looked at the worst case scenario, the higher numbers for generation. For distribution, we looked at two different distributions, one for the hotel use, and then one for the other uses, and it's defined, I won't go too much into detail. The hotel, it's estimated that most of the traffic will be orientated from the Berlin Turnpike where the retail use, gas stations, maybe more local traffic may tend to take more traffic from 175 directions. The pass by traffic that I mentioned earlier would be, we estimate that traffic coming from the existing traffic patterns on the roadway.

I knew that there was a lot of discussion earlier on, particularly with operating along 175. Our study has shown a few locations of concern. I don't know if the VOC ratios, that's volume of capacity, it's the volume of traffic on a roadway compared to what that intersection can handle. There are a couple of locations where that VOC is over one, meaning that during the peak times that there may be more volume than capacity, you are going to see long delays, you are going to see long queues, and what happens generally when you have those type of conditions, that people become aggressive and that is where you tend to see those rear end type of collisions, that people become aggressive and that is partly due to operation.

One of the improvements that I mentioned earlier is the signalization of the site driveway. As part of the signalization we would do some roadway widening along Route 175 to provide exclusive left turn lanes into the site. We also would be signalizing the driveways across the street, and they also would have an exclusive turn lane into that. What this does it to provide anyone that is turning into the site, they will be taken out of the through traffic. There will be a lane dedicated just for that site traffic and it will be pulled away from the rest of the traffic.

As part of this operation, with the signalization, levels of service, it's almost like a report card, it ranges from A to F, with the signal in place, we get a level of service which the town has deemed more than acceptable for the operation.

For the intersection of Russell Road, coming off of the Berlin Turnpike, with 175. There is currently a stop, right turn only, and there is currently a stop sign, stop condition. There is one coming in this direction, coming westbound, there is two lanes, there is a through lane and a right turn lane. On the other side of the intersection, there are two receiving lanes. With the stop sign, vehicles coming into the intersection are required to stop. Based on observations there appears, many people don't stop. Where there are two receiving lanes and only one through lane, a lot of people just use that as the opportunity to make that movement. We have a feeling that that's the tendency of why you see, in addition to operation, but why you see a lot of rear end collisions, that anticipation of what that person is going to do, in front of you. Even though it's a stop sign, someone may pull up and say, there's plenty of gap there, they are going to go and progress as well. What we are proposing to do, I'll show you this plan, it might be difficult for the audience to see, so I will try to be descriptive. Utilize the two receiving lanes, where you have one through lane, the right turn lane provide that for Russell Road to have, that they turn onto the old lane, so you can get rid of that stop sign. So basically the traffic coming from Russell Road, becomes that second through lane. So what this does is eliminate the stop sign for yield control and becomes a weave. So now, instead of being forced into traffic, and as I mentioned earlier, high speeds out here of eighty-fifth percentile speed of 50 miles per hour, being forced from a stop condition into this traffic, now you can come off here into your own lane and have a weave section of similar conditions where you would have acceptable operations. The benefit of this, not only does it improve this operation, but current queues that you see backing up past the intersection with Russell Road could be shortened, making it easier to get out from Russell Road.

Finally off of this plan, in the southbound direction, for the northbound ramps on the Berlin Turnpike, there's a lot of volume that is turning left to go northbound on the Berlin Turnpike. Just as an example, there is about 900 vehicles in a single lane trying to get onto that turnpike during peak hours, which is a pretty high volume of traffic. There are some improvements that mitigate our impact, but what we were looking to do is solutions that could fix this. In such, we were looking to do plans on, we haven't, as part of this project, we will need to meet with the State,

submit an application to the State, come up with plans and recommendations, that would solve this problem, and what that would be is having two left turn lanes going onto the highway and widening the receiving lanes onto the ramps for that. In addition you have that left turn lane, it doesn't have an actual signal control, but you get the benefits from the signal that is at the ramps, the off ramps. What the improvements we're recommending would do is actually signalize that and let drivers know of when it's safe to go, when it's safe to turn. The signal actually allows for gaps in traffic flow for people to make a left, but you wouldn't actually know that at the signal because it doesn't have a signal indication.

So with this development, as I mentioned earlier, we have plans provided here that, and I know that traffic is a big concern, but we feel that we have plans here that not only mitigate our traffic impacts, but we are actually trying to improve existing conditions for safety and have a better condition out here than what you see today and that is our overall goal with these plans and improvements as we go forward.

Again, as I mentioned, these plans will go to the State for their review as well, the State Commission for their process.

Chairman Camilli: I have a question, on the right turn in, as they are coming down, the first right there, is there any, do they go directly into that driveway from that right lane, or will you have a deceleration lane, so they don't get rear ended, because you said they are going, maybe forty-seven, whatever miles per hour, and then they decide to go in, if they are slowing down quite a bit.....

Jim Wynn: Well, we don't have that proposed, what we were anticipating with this is that you, keeping that distance away, so that you don't come right into a parking field, you actually come into the, you don't come directly into the parking field. A lot of driveways you come right off the driveway and there is parking spaces right there. As part of this plan, the benefit is that you come off, and you come into an access road, plus there will be a little bit of grade there, so you are coming up a little bit, so there is a little bit of room here. This is almost a road to decelerate, but we do not have a deceleration lane proposed.

Chairman Camilli: At those speeds, I don't know, that may be something that you may want to look at. I'm not sure, but it seems to me that if people want to go in there, all of a sudden, they are going twenty miles per hour, somebody is going fifty. That is part of the problem that we have on the Berlin Turnpike, people looking for a specific place and we don't have the room. So if there is something that you could do there, it would probably help the rear end situation.

Commissioner Pruet: You mentioned on Russell Road, eliminating that stop sign, what about the people turning left onto.....

Jim Wynn: Well, the stop sign control that I am actually talking about is going onto 175.

Commissioner Pruet: Right.

Jim Wynn: Well, there are the people who illegally make a left....

Commissioner Pruet: You can make a left hand turn coming, there is a left hand turn there.

Jim Wynn: It actually is restricted, the movement.

Ed Meehan: It's a left turn to go up the ramp and go southbound. Up Russell Road.

Jim Wynn: Are you saying this?

Ed Meehan: Yeah, you can take a left there.

Commissioner Pruet: Coming down Russell Road, you can turn left and right, you mentioned eliminating that stop sign....

Jim Wynn: Well, the Russell Road intersection here, you can make a left and right, that is not what we are eliminating. We are eliminating this movement here. There is actually the ramp beyond it, so instead of making a left, there is actually a ramp here to make that move. One of the things that we are actually proposing as well, is to put a (inaudible) to help enforce that left hand restriction because that is an illegal move to make that left, but, as I mentioned before, one of the benefits that we are trying to do here is reduce that queuing that you see backing up, making it easier to get out of Russell Road, not fighting traffic that is backed up and trying to get that traffic out of there so that people can get off of Russell Road.

Commissioner Pruet: Also, what were your traffic counts on East Cedar Street?

Jim Wynn: For a daily basis?

Commissioner Pruet: Daily.

Jim Wynn: We had, during the weekday, it's about 30,000.

Commissioner Pruet: That's a jump from the previous study, I think like 27,000 approximately three or four years ago.

Jim Wynn: The weekday was definitely higher, the p.m. peak seems to be the critical peak hour out here.

Commissioner Pruet: Now you mentioned also categories A through F, where do you see the F's in here?

Jim Wynn: Under the existing conditions?

Commissioner Pruet: Existing and if you change them, what would they go from?

Jim Wynn: Sure, the F's, even though it is a right only, that was full capacity, the lefts onto Berlin Turnpike, that was F, with the proposed improvements, we could get the weave, as I mentioned becomes a free movement, so what you analyze as the weave section, and the level of service base is B and C. C during the p.m., which as I mentioned is the busier time, and C during the Saturday and mid-day. You have all this opportunity to maneuver, if you need to, or you could just have two lanes if you are going through, there are the two lanes that continue right through the intersection. So there really isn't that need to, a lot of times you will see that and they are forced together. With this proposal you have the two lanes going right through the signal, so the only people, if you are going to the site, would want to get over, but you have that distance here. That is actually what we looked at, people trying to, that need to weave through.

Commissioner Pruet: And just one more question, that traffic light, what is it opposite? Is that Healthtrax right across the street from that or....

Jim Wynn: This is the upholstery driveway, and that is Gospel Hall Driveway.

Commissioner Pruet: Thank you.

Chairman Camilli: Any other questions? Ed, did you have something?

Ed Meehan: I'm following up on Commissioner Pruet's statement, at Healthtrax, Redan and the Gospel Hall, how is, is that signal going to control both those driveways at the same time.

Jim Wynn: No, what we are going to do is split them. We will have to split them. We could run two opposite at the same time, but we would have to split those driveways, and that was included in the study as the operation.

Ed Meehan: So there won't be any issues of weaving.

Jim Wynn: Exactly.

Ed Meehan: Also, as Commissioner Camilli mentioned, about some way of getting those west bound people that just free flow off the ramp and decide that they want to take a right turn in, if that, you might want to do a little widening there, or deceleration to get them out, because a lot of people slow down there and take a left to go into Healthtrax driveway. So if you have someone slowing down to take a right, and someone sitting there to take a left, the guy, is going to be a squeeze play. You have to protect the person taking a left.

Jim Wynn: There's a lot of green space that we can probably use, to get some deceleration for that.

Ed Meehan: So there won't be any prohibitive lefts into Healthtrax then. In other words, someone, they would still be able to get into Healthtrax going westbound, they can take that left in.

Jim Wynn: Yes. And one of the things too to look at, with the signal, even though when you get green times, generally people do tend to slow down, even on a green indication, the signal people tend to be more cautious and do slow down, so that is one of the benefits that you will get through here. When you get the red light in between the different phases, should be an opportunity with gaps in traffic, that what would happen is that the traffic, instead of having a constant flow, you kind of get the traffic platooned a little bit during the red light, and should allow people to get out of the other driveway a little easier.

Ed Meehan: The other question that I have has to do with your study on some of the external trip generations. You made an assumption on residential development feeding into the traffic signals. That may be outdated, what is the impact if that was a commercial use feeding into that intersection.

Jim Wynn: As I mentioned, what we try to do is make this intersection work with what was proposed at the time, and actually looking at that, but when this changes, whatever impact that has on the signal, this would actually have to be modified to accommodate that, so this works with what was originally proposed here on the site, if this gets modified obviously, this may need to be widened, improved, to accommodate future development there, and you know, as part of the study for this project, we would look at that, but on the table for this project, prior to that, would be what was proposed at the time, and what makes it work on our site.

Ed Meehan: What would that, widening for more side street storage?

Jim Wynn: Probably that's what it would be. You know, if the proposed use here is higher intensity than the previous use was proposed, I believe it was 204 condo units was used for the study, if the proposed use is more intense, you know, obviously you would have to look at the

driveway and it may require an additional lane, more stacking, and a different type use too, the other thing you want to consider is, as I mentioned here, you might have different peaking characteristics, so it may be that you know, the peak time of this use may not, but it may be okay, so that is something we would have to look at when this is finalized and have a detail which I believe is now in front of you.

Ed Meehan: All internal intersection control is by stop sign control?

Jim Wynn: Correct.

Ed Meehan: Okay.

Jim Wynn: One of the design features here, this driveway, designed for a right only, right in only, this driveway we are proposing, the location of it was based on the queue. We wanted to make sure that this driveway would be far enough back so that queuing from the state roads would not impact the operation of the internal driveways. So the internal driveways were taken into consideration as part of the traffic study, basically the result of the traffic study in terms of queuing determined where a lot of these internal driveways were. The owner of this parcel, they don't want to have a driveway that is blocked, I mean, they want a good operation as well. They want a condition that works.

Ed Meehan: We haven't seen those plans, if you could leave, or get me a set of the roadway plans?

Jim Wynn: Absolutely.

Commissioner Kornichuk: I have one question, how close is this traffic light coming up the hill? How close is it to the hill? You could have trouble in the winter time.

Jim Wynn: Actually, it might be a little tough to see on the plan, but it's part of this, the construction center line profile, it's very close to the top of the curve, so you can see in both directions. If you located the driveway further this way, on one side of the curve, you are going to be limited by the vertical curve in one direction, if you located it to the other, the location of this was really based on where that curve on the roadway is, because it does, it drops off pretty quickly.

Commissioner Kornichuk: Well, my comment is, people coming up that hill in the wintertime, and all of a sudden, they are going to come up that hill, and there is going to be a light there.

Jim Wynn: Well, this is near the top of the hill, so again, where that curve gets flat.

Ed Meehan: What's the stacking though, I think the question is, if you come up at five o'clock on a Friday afternoon and it's a snowy Friday night, and if you are the fifteenth car, where are you going to be, you know, fifteen cars back, times twenty, you're back a couple hundred feet. You are on the downside of the hill. You could spin.

Commissioner Fox: And knowing that hill, you may stop at the light, but if you stay there long enough, you'll be another fifteen feet.....

Jim Wynn: Yes, yes, and that is something we can look at too, what the queue is, and what the grade is at that point.

Ed Meehan: I think that was looked at in the corridor study, because that was, this light was looked at pretty intensely for that whole issue there.

Jim Wynn: And as I mentioned, we do have a bunch of improvements here to minimize those queues, but that is something that we can look at and I can present to you what that queue is, and what the grade is, and as I mentioned here we have the grading out.

Commissioner Pruet: What time frame from feedback from the DOT on all this for discussions on your plan?

Jim Wynn: Well, we are actually looking to submit very shortly to the State, and I would think in a couple of months we should get comments from them. We did meet once with the State, preliminary, before we came up with this plan, to come up with their concerns, and their concern was that you know, they wanted to make sure that we had a proper sight distance coming from the driveway, even though this is a signalized location, if anything happened to the signal, we still provide that adequate sight distance in either direction. So we did have preliminary discussions with them, but they haven't had a detailed review of what is proposed here.

Chairman Camilli: Question to the Town Planner, does the State look at this holistically, because someone said, there might be more development, we're looking at other developments in this particular area, and I know that you are looking at site specific, however would the State, would they look at.....

Ed Meehan: Well, they will have the traffic engineer provide all the background traffic, and any known developments within a certain radius or cordon line that feed into this, so they can do some trip generation. But if a project is not known to them, or on the radar scope, they won't take it into account. They don't know.

Chairman Camilli: Does the town have any obligation to notify the State that there may be....

Ed Meehan: If we have a pretty good sense that something might happen, we would talk to, like the Bureau of Engineering, and let them know that we have an application, but normally a traffic engineer will make an entrée early in the process and will sit down and get traffic counts from them, get accident counts from them, so staff probably knows that something is going on. We don't have any legal obligation. We do talk to them quite a bit, because this is not only state highway for traffic, it's going to be state highway for drainage, and of course with the town line there too, so, a lot of different entities that come into play with this.

Jim Wynn: One of the things that the State has considered too a lot of times is that you know they don't always make that person come in first to communicate projects that are coming behind, so....

Ed Meehan: They try to have some parities for the developer, some compassion, so that he doesn't get wacked with such an enormous off site traffic improvements that it makes the project not feasible. This intersection is very obsolete, the heart of it goes to the bridge. You know, all the turnpike through there is three lanes, I don't know where the bridge is on the schedule for replacement, but it should be replaced with a three lane, and then maybe they will get to that single point interchange design.

Chairman Camilli: Didn't they want a cloverleaf there at one time?

Ed Meehan: It was discussed as part of the corridor study, but the impact on private property, the takings were so dramatic that they went to this other concept of a tighter, single point of

pulling the ramps in, gets some of your movements underneath the bridge. It's more efficient, and from a land use point of view, it's better, but as we say, seventeen million, eighteen million.

Jim Wynn: Lots of times, like you mentioned, what happens instead of having the outside intersection it pulls them basically under the bridge, so a lot of the intersection is under the highway. Just another thing with the State, a lot of times they look you know, not that your development doesn't preclude if you have any projects that mitigate the impacts, but not preclude the future.

Chairman Camilli: I would be very curious about what they say about the question that Commissioner Kornichuk raised, about the queue on the hill, especially in winter. Actually, it is a big safety issue.

Commissioner Pruett: One more quick question, is it definitely ruled out an entrance from Russell Road into that complex? That is definitely ruled out, even just to enter it, not to exit it? Just to alleviate some of that traffic?

Chairman Camilli: They told us no, the State.

Commissioner Pruett: Yeah, I'm just curious if that is definitely out, or .....

Jim Wynn: In our discussions with the State, we originally had an entrance and exit planned on Russell Road, and they wanted to make sure that we would eliminate that as far as our development, they wanted to keep it all on 175.

Commissioner Pruett: Even an entrance only?

Jim Wynn: Correct. There is a grade issue there as well, getting up into the site.

Ed Meehan: Well, then you raise the issue of people trying to cut through. You have the grade issue, and the other issue is, if they ever do get to rebuilding those ramps, then they have to deal with a site driveway in the middle of their ramp system. Again, that goes back to the corridor study, trying to do access management and control traffic through that one signal, for this site, and the site to the west.

Jim Wynn: One of the other issues that they raised is they didn't want to see this until they knew this was for real, because they could spend a lot of time and effort you know, reviewing plans, making comments, and this might change based on our application, so.....

Commissioner Ganley: Just an observation. One, you can't engineer for a blizzard. That's the way it is, okay? We talked about intersections being an F, that is only because that is as far down the alphabet as they go. It's probably more like an I, and it's never going to get better, okay? The object being to make it work as best as it can for us, assuming that we approve this site plan. As it relates to traffic, if there were no traffic, this site plan would not come before us. If the Patterson-Wallace school site were vacant, this wouldn't go there, because a traffic study would determine that there weren't enough people going by it, so the reason that this is before us, is because there is a lot of traffic, so we're obliged to take a look at this thing, and work with this horrid intersection as best we can, and that's how we should be considering this site. Thank you.

Chairman Camilli: It's also incumbent upon this Commission to make sure that there is a safety factor, and that is why we travail this as much as we do, because you say we can't engineer to a blizzard, but using the roads ourselves, as just Newington residents, and trying to get up that hill in the wintertime, is a problem now. Don't go that way, and people who live in town know that.

Any other questions? We will just continue this until we get more information, and thank you very much.

- C. PETITION 47-06 45 Costello Road, former Acorn Rental, Bulley 1 LLC owner, PDS Engineering & Construction, 107 Old Windsor Road, Windsor, CT 06002 attention Timothy Mulcahy applicant, request for site plan modification for retail use, 10, 348 sq. ft. building, PD Zone District.**

Chairman Camilli: They also asked for a postponement, they don't have their drainage report ready and so forth.

## **VII. OLD BUSINESS**

- 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. Public Hearing closed June 28, 2006. Sixty five day decision period ends September 1, 2006.**

Commissioner Kornichuk moved that Petition 24-06 330 Alumni Road, Chris Chiulli, 45 Evens 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 be denied for the following reasons:

1. The applicant has not demonstrated to the Commission that the earth processing operation at this location is needed, Section 5.2.6 (A).
2. The applicant has not sufficiently demonstrated to the Commission that the earth processing operation is compatible to the existing and future character of this location, Section 5.2.6 (B).
3. The applicant has not demonstrated to the Commission that the earth processing operation will implement safeguards to protect adjacent property and will not be a detriment to this location, Section 5.2.6 (G).
4. The applicant's request for excavation of processing of earth products is based on removal of material from Lot 3A and 3B. The site plan for this lot has not yet become effective, the prospective developer of these two lots has not acquired this property, and the requirements for site plan approval, Petition 10-05 and 11-05 have not been met.
5. The applicant has not presented documentation to the Commission regarding transfer of ownership of Lot 3A and 3B to Robert Chiulli and Lot 1 to Chris Chiulli from Newington Business Park as was stated at the May 10, 2006 public hearing.
6. The applicant has not presented any documentation that rights have been granted from Newington Business Park, the owner of Lots 3A and 3B to enter onto this property to remove earth materials.

7. The applicant granted the Commission public hearing time extensions for the purpose of addressing unanswered questions and missing information discussed at initial hearings April 26<sup>th</sup> and May 10<sup>th</sup>, 2006. The applicant, and his representative, failed to appear at subsequent hearing on May 24<sup>th</sup>, June 14<sup>th</sup> and June 28<sup>th</sup>
8. , 2006. Having not appeared at three hearings and not granting the Commission any further time extension, this Petition was closed June 28, 2005.

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

**B. PETITION 42-06 14 East Cedar Street, Vito's Restaurant, Newington Development Associates, LLC, owner, Vito's of Newington, Inc. c/o Michael Maffucci, 110 Harold Drive, Newington, CT 06111 request amendment of Petition 24-96, approved May 8, 1996 for beer and wine liquor permit, and convert to full restaurant liquor permit, waiver of separation distance requested, Section 6.6 B-TC Zone District. Public Hearing closed June 28, 2006. Sixty five day decision period ends September 1, 2006.**

Commissioner Fox moved that Petition 42-06 14 East Cedar Street, Vito's Restaurant, Newington Development Associates, LLC, owner, Vito's of Newington, Inc. c/o Michael Maffucci, 110 Harold Drive, Newington, CT 06111 request amendment of Petition 24-96, approved May 8, 1996 for beer and wine liquor permit, and convert to full restaurant liquor permit, waiver of separation distance requested, Section 6.6 B-TC Zone District be approved the Commission finding:

1. Amendment of Petition 24-96 to authorize a full restaurant liquor permit will not conflict with other businesses in the Town Center.
2. Waiver of separation distances, 100 feet for similar class of liquor permit and 500 feet for church, is in harmony with commercial land uses in the Town Center and will not be a detriment to the immediate neighborhood.
3. As required by Section 6.6.4 a two-thirds vote of the full Commission membership is required to waive the separation requirements.

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

Chairman Camilli: Motion passes unanimously.

**C. PETITION 43-06 1616-1632 Willard Avenue, Stonehedge Landscaping & Garden Center, Donald F. Woods Jr. and Stephen Woods owners and applicants, 1616 Willard Avenue, Newington, CT 06111 request for Zone Map Amendment from R-20 Residential to PD Planned Development, approximately 1.75 acres frontage of Willard Avenue. Public Hearing closed June 28, 2006. Sixty five day decision period ends September 1, 2006.**

Commissioner Pruett moved that Petition 43-06 1616-1632 Willard Avenue, Stonehedge Landscaping & Garden Center, Donald F. Woods Jr. and Stephen Woods owners and applicants, 1616 Willard Avenue, Newington, CT 06111 request for Zone Map Amendment from R-20 Residential to PD Planned Development, approximately 1.75 acres frontage of Willard Avenue be approved for the following reasons:

1. The rezoning of the 1.75 acre of R-20 land to PD will place the entire parcel, totaling 3.5 acres, in one zone district which is the appropriate way to regulate commercial property.
2. The rezoning of frontage along Willard Avenue from R-20 to PD enables access from a public street through commercial property. There is no other physical way to access this property. Access to commercial parcels should be through commercial zone classifications.
3. The effective date of this zone map amendment shall be the date the site plan mylar for Petition 44-06 is signed by the Commission Chairman.

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

Chairman Camilli: Motion passes unanimously.

**D. PETITION 43-06 1616-1632 Willard Avenue, Stonehedge Landscaping & Garden Center, Donald F. Woods Jr. and Stephen Woods owners and applicants, 1616 Willard Avenue, Newington, CT 06111 request for site plan modification approval for construction of greenhouse and shade structures. Site Plan Development decision period ends September 1, 2006.**

Commissioner Ganley moved that Petition 44-06 1616-1632 Willard Avenue, Stonehedge Landscaping & Garden Center, Donald F. Woods Jr. and Stephen Woods owners and applicants, 1616 Willard Avenue, Newington, CT 06111 request for site plan modification approval for construction of greenhouse and shade structures be approved with following modifications and requirements:

1. Approval is granted for permanent all season plant growing and retail display structures approximately 25' wide by 120' long as shown on Sheet 2 of 2 "Site Plan Donald F. & Stephen R. Woods" dated 5-24-06, scale 1"=20' prepared by BGI Land Surveyors.
2. No other structures and no additional paving is permitted along the Willard Avenue frontage of this property. The area between the 5' chain link fence and new structures may be used for outside display of seasonal nursery stock.
3. No commercial vehicles and no construction equipment shall be parked or stored in the area between the 5' chain line fence and the new structures. This restriction also applies to 1632 Willard Avenue.
4. Prior to the Chairman signing the site plan mylar a landscape buffer shall be shown along the south side of 1632 Willard Avenue. This buffer shall be a minimum of 15' wide except adjacent to the existing driveway where the buffer shall be no less than 12.5 feet wide.

The motion was seconded by Commissioner Kornichuk.

Commissioner Ganley: I walked on this site. Walked all around the site, I did not see the site pollution issue raised by adjacent neighbors, it didn't seem to be there. I see in Number three, commercial vehicles, which I was not aware that they were going to do that anyway, and I

couldn't see, as a matter of good business, vehicles, debris, mulch, that sort of thing being stored in that general area. So, I'm in favor of this petition.

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

Chairman Camilli: Motion passes unanimously.

**Bond Release – Trotter Lane  
Subdivision Street**

Commissioner Schatz moved that the subdivision performance bond for Trotter Lane in the amount of \$10,000 be released the Town Engineer reporting that all work is completed. Prior to the release of the performance bond the developer shall post a one (1) year maintenance bond in the amount of \$2500.00 as required by Section 7.9 Subdivision Regulation.

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

Chairman Camilli: Motion passes unanimously.

**VIII. PETITIONS FOR SCHEDULING (TPZ July 26, 2006 and August 9, 2006)**

A. Petition 45-06 Corner of Willard Avenue and Alumni Road, front vacant parcel former Torrington Company, Fountain Pointe, LLC, 838 Brook Street, Unit E rocky Hill CT. 06067 applicant, Rotundo Developers, LLC owner represented by Richard Rotundo, 838 Brook Street, Unit E Rocky Hill CT 06067 and BGI, 170 Pane Road, Newington CT 06111 request for Site Plan approval, commercial development (3500 sq. ft. bank and 25,000 sq. ft. office) CD Zone District. Inland Wetlands Report required.

Chairman Camilli: We have one, but I think the Planner wants to make a comment.

Ed Meehan: Just to bring the Commission up to date, Petition 45-06 for a commercial office use at the corner of Willard Avenue and Alumni Road, that's the vacant land out in front of the corner of the Torrington property, the applicant has not been scheduled by the Conservation Commission yet, for wetland review, and I would recommend that you push that off to August 9<sup>th</sup>, so that the Conservation Commission can get it's work load done. Also, I forgot to mention to the Chairman, we do have a petition for a home day care that needs to go through public hearing. It's for 154 Richard Street. Maybe that is something you could do at your next meeting, early on, get them in, and have that hearing. Home day cares require public hearings.

Chairman Camilli: Okay, so we will push 45-06 out, to August 9<sup>th</sup>, and we will schedule this home day care.

Ed Meehan: So your work load for the 26<sup>th</sup> will be the continuation of the shops at East Cedar Street, Hunter Development, the Reno LLC property, Cedar Mountain, Commerce Park, and this day care hearing and you still have the Comfort Suites, the Hunter Site Plan and 45 Costello Road.

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

None.

**X. REMARKS BY COMMISSIONERS**

None.

**XI. STAFF REPORT**

Bond Release – Trotter Lane  
(Discussed under Old Business)

**XII. ADJOURNMENT**

Commissioner Fox moved to adjourn the meeting. The motion was seconded by Commissioner Pruett. The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary