

NEWINGTON TOWN PLAN AND ZONING COMMISSION

July 27, 2005

Regular Meeting

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

Commissioners Present

Commissioner Anest-Klett
Chairman Camilli
Commissioner Cariseo
Commissioner Fox
Commissioner Ganley
Commissioner Kornichuk
Commissioner Schatz

Commissioners Absent

Commissioner Andersen
Commissioner Golec

Staff Present

Ed Meehan, Town Planner

II. PUBLIC HEARINGS

- A. PETITION 32-05 1000 Willard Avenue, Paul DeFelice, 295 Orchard Avenue, Newington, CT 06111, owner and applicant request for Special Exception Section 6.7.2 Interior Lot, R-12 Zone District. Inland Wetlands Report required. Continued from July 13, 2005.**

Chairman Camilli: We're still waiting for a Conservation report. If there is someone from the public, or if the applicant is here, they can speak.

- B. PETITION 43-05 605 Willard Avenue, Newington High School (north parking lot) Newington Lions Club applicant, Special Exception Section 3.2.8 Special Event, Carnival, Contact Stan Martinelli, 72 Apple Tree Crossing, Berlin, CT 06037, R-12 Zone District.**

Chairman Camilli: Is the applicant here?

Stan Martinelli: Good evening, Stan the man from the Newington Lions Club, and it's that time of year again when the Lions Club would like to hold our annual carnival on Willard Avenue in the parking lot in front of Newington High School. This is I think, our eighth year, and we haven't had any problems, we would like to have it again. All the proceeds from the carnival go towards our high school graduate program.

Chairman Camilli: Well, they know the routine, so as long as you have everything in place.

Ed Meehan: The dates are the eighth of August, to the thirteenth?

Stan Martinelli: Yes.

Chairman Camilli: You know what else you have to do.

Stan Martinelli: Okay, thank you.

Chairman Camilli: This is a public hearing. Anyone wishing to speak in favor of this application, or against? We will close PETITION 43-05.

C. PETITION 41-05 944 Main Street, Jeffrey L. Hedberg, 27 Garfield Street, owner and applicant represented by Attorney Leon S. Davidoff, 29 East Cedar Street, Newington, CT 06111 request for zone map amendment R-12 (Residential) to B-TC Business Town Center) for property known as 944 Main Street, approximately 14, 985 sq. ft. parcel.

Attorney Davidoff: Good evening, Mr. Chairman, Members of the Commission, Mr. Meehan, Town Planner. My name is Leon Davidoff and I'm an attorney representing Jeffrey Hedberg on this petition for a zone map amendment and for the site plan approval. In light of the fact that we are unable to answer all of the concerned items in the Town Planner's staff report, we respectfully request that you continue this public hearing to your next meeting so that we can give the Commission full details and disclosure and address the concerns raised by the Town Planner. We appreciate the Town Planner's efforts to date, and we will be working diligently to complete the items that are not currently available for the Commission.

Chairman Camilli: You also have a petition under New Business. You don't have to get up and say the same thing then.

Attorney Davidoff: Right, I'd also like the same thing for PETITION 42-05.

Chairman Camilli: Okay, so we will continue PETITION 41-05 and when we get to New Business we'll have it read, and then we will continue that as well.

D. PETITION 44-05 28 Elton Drive, Adel and Colette Gobran owners, Adel Gobran, 28 Elton Drive Newington, Applicant request for Special Exception Section 3.4.4 Home Occupation use, catering business, R-12 Zone District.

Chairman Camilli: Is the applicant here?

Adel Gobran: Good evening. My name is Adel Gobran, I live in Newington, 28 Elton Drive and I came up with the idea to open, I have an extension in my garage, to open a catering business. I spoke with my neighbor and we thought it would be a good idea to open a business, my passion is food, I like to cook, I like to serve people.

Chairman Camilli: Did you get this staff report, by any chance?

Ed Meehan: These are the questions that he needs to answer.

Commissioner Cariseo: You need to answer these questions.

Chairman Camilli: This is your home, and are you going to have any other people working there with you, or are you going to do this all by yourself, are you going to have some kind of staff?

Adel Gobran: It's going to be a one man show.

Chairman Camilli: And that's you?

Adel Gobran: That's me.

Chairman Camilli: How are you going to get this stuff to your house? Is it going to be delivered to you, or, see, we are concerned about the neighborhood, okay, will you be buying the foodstuffs and bringing them home, or are you going to have somebody deliver them to you? And then another question would be, once you cook it, how is it going to get back out. So could you answer those questions.

Adel Gobran: Okay. My idea is, every restaurant, every business, if they find a good deal somewhere, they deliver the food. Otherwise, at the beginning, I will go and buy it. It's going to be no traffic, nobody to come to the place, nothing like that. Get the food, cook the food, deliver, I will deliver it. Nobody will come to the place.

Chairman Camilli: Where are you going to be doing the cooking? Do you have a second kitchen downstairs.

Adel Gobran: Behind my garage, I have a two car garage, and behind my garage I have an eighteen by twelve room, extension. It is already there.

Chairman Camilli: And that is where you are going to do the cooking?

Adel Gobran: Correct:

Chairman Camilli: Does that have to be set up by code, or anything?

Ed Meehan: It would have to be inspected by the Health Department, and any plumbing, or electrical would be permitted and inspected by the Building Department. Is that already in there, is the kitchen already there?

Adel Gobran: Nope.

Ed Meehan: Prior to the operation, it would have to be inspected.

Chairman Camilli: How about some of those other questions.

Adel Gobran: Well, according to the book, I would be allowed to hire one person, I'm not sure of that, so far it would be only me. The parking, I could have one van in my driveway, just one van with the name of the company, it's fine if not, I don't have to. Hours of operation are going to be like nine to five, a full time job. Of course I have to have all of the equipment commercial in the kitchen so I can operate.

Chairman Camilli: Some of the things that we are concerned about, we have had in the past applicants, even though they have a store, when they have their equipment making a lot of noise adjacent to a property owner, it's all legitimate, and it was on Main Street, and the property owner was bothered quite a bit in terms of coolers going on, generators, this kind of thing, so this is not to give you a hard time, but some questions that I might have is, how far is the neighboring houses, can they hear these things?

Ed Meehan: Are you going to have any outside refrigeration equipment?

Adel Gobran: No.

Ed Meehan: Is there a compressor that will be placed outside for your freezer?

Adel Gobran: No, the only thing is going to be this gas tank, propane, for the stove.

Ed Meehan: As you can see from the picture that was provided, it's a small lot, and close to the neighbor on the opposite side.

Chairman Camilli: What about odors? Are you going to do anything about odors?

Adel Gobran: No, I'm not going to do any frying.

Chairman Camilli: You're not going to fry?

Adel Gobran: No. I will keep people healthy.

Chairman Camilli: Well, the aroma.....

Adel Gobran: In a regular kitchen, when you have a commercial stove, it comes with the vents, just like your kitchen at home.

Commissioner Cariseo: But what if the odor permeates the neighborhood.

Adel Gobran: I don't think so, because it is a very small operation.

Commissioner Cariseo: How many people are you planning on catering for?

Adel Gobran: The way I operate right now, thirty people at the most.

Chairman Camilli: Any other questions from the Commissioners?

Commissioner Fox: Through the Chairman, to the Town Planner, now the applicant, if he puts in a range, he would have to have a hood and a system that would be inspected by the Fire Marshall and the Health....

Ed Meehan: Yes, it's a commercial level kitchen.

Commissioner Fox: You would have to have a health permit and I guess, and I don't know about a certificate of occupancy.

Ed Meehan: Yes, he would have to come in and get a, if this was approved, from a land use point of view, his next step would be to develop construction drawings for the kitchen, showing his layout, the building department would do a plan review, in conjunction with the Fire Marshal's office and the Health Officer. They are going to want to see the wash down areas, the drains, the sinks, and before he could operate it, he would have to get it inspected, and apply for a license, a public food license.

Commissioner Fox: And of course the vent is in his hood, to eliminate through the (inaudible) system.

Commissioner Ganley: Picking up on the remarks from the two prior conversations, this is a frame dwelling, two car garage attached to where a kitchen would be, and I think that the Fire Marshal should take a good look at this, and I do agree that a lot of detail has to be shown to us as to where the working area would go. Electricity, vents, a lot of details, and then as you get the

information from the Fire Marshal, then come back to us. I think we are a considerable distance away from being able to take a hard look at whether we ought to grant this petition for this building.

Commissioner Fox: Along that line, would he have to come before us with like a site plan?

Ed Meehan: He's not changing the site. He's before you for a Special Exception for a home occupation and because it is an extraordinary use in the residential zone, he has to address the criteria that is listed on the staff report. If that satisfies the Commission, then there are provisions in the zoning regulations which you can attach to any permit that are safeguards, to limit the time, one year, two year, three year permit, permits are not transferable, you can require that the applicant come back after the period of one year, and renew his permit through a public hearing process, so there are some safeguards in here that you can plug into any approval action if you so choose to approve it. In actually doing a plan review of the construction of the kitchen, and how it might be laid out, that's at the level of a building permit. That would be something that the building department and the Fire Marshal would look at. This is a decision as to whether you want to permit this as an extraordinary use in this neighborhood or not. When I first met the applicant, I looked at the regulations, and I'll read what it says, it says, "home occupations in professional offices, such as, but not limited to, TV and radio repair, doctors, attorneys, accountants and architects in a dwelling subject to the following," and that was that phrase, such as, that opened the door for this application tonight.

Chairman Camilli: Okay, so, Tom, that kind of negates what you said in terms of how, and our decision is whether we are going to allow the use in the neighborhood, rather than the details.

Commissioner Ganley: Yes, but I think that how he is going to conduct the nature of his business is going to tip us off as to whether or not we think this is appropriate for this neighborhood, so therefore we need a detailed plan, how extensive or not extensive is all of this catering, etceteras, etceteras is going to be, I'd like to see the stove, and where it is going to go, how big is this operation going to be?

Ed Meehan: Well, it's 216 square feet, that's the size of the room, I think it's 12 x 18. That is the extent of the area. He can't exceed twenty five percent of the floor area.

Commissioner Fox: I don't think this is in our purview, in my opinion, just as a note to the applicant, the Fire Marshal may go so far as to ask for fire stops between there and so he may be getting into a little bit more than he planned.

Ed Meehan: I don't know what the structural condition on the back of this garage is, it could be, fire walls could be required, you're putting in a sink, there would be requirements for extensions of waste pipes, service pipes. Is this area now occupied?

Adel Gobran: No, what is going to happen is when the Health Department comes, they require a commercial, like any other commercial kitchen, sink, stove, freezer, all commercial.

Ed Meehan: So is this on a slab in the back yard, or is there a basement there?

Adel Gobran: No, it's just a garage for the car, and then a separate room, attached extra room.

Ed Meehan: Is it heated right now?

Adel Gobran: No. It will, I mean, if everything works out all right, as the Health Department requires.

Ed Meehan: We have a picture of your house from the Assessor's records, it's the back part of it, the window back there?

Adel Gobran: I have two windows, if I have to open the door in the back, also I can.

Ed Meehan: You may need an egress door, not through the garage, but to the outside. Those are all issues of plan review that the Building and Fire Department will need.

Chairman Camilli: I don't know, Tom, would you want him to go that far with the plans before you say it's a permitted use in the residential zone. I mean, I think.....

Commissioner Ganley: Well, once we see what's inside the place, how it is going to look, we would have some idea of the nature of, the extent of the business that is being promoted here. If it appears to be very extensive, then maybe we would say, well, it would probably exceed what we would like for the neighborhood, so that is why I would like to see a layout, I'd like to have some idea of what this whole thing is going to look like, once it is in there. Because, once it's in there, it's in there.

Commissioner Schatz: Is he planning on upgrading the electrical part of that?

Adel Gobran: Correct.

Chairman Camilli: I would think it would have to be almost a complete rebuild to satisfy the building code requirements. Any other questions?

Commissioner Fox: Just one last comment from me, I think that last phrase, to satisfy the building department, if we think we want to permit this use, that's fine, it's up to the building permit to make sure that it is run safely and correctly.

Commissioner Anest-Klett: Would the applicant address the trash situation?

Adel Gobran: Okay, does everybody have a copy of this? I have two windows, in my garage going into that room, that room has two windows, and what I plan is to put a door here on the side, to make a sidewalk, just close to my house, to do the trash, and get the food to the van.

Ed Meehan: I gave the Commissioners a copy of the whole floor plan, so you are going to come out....

Adel Gobran: Yes, see this door, where there is a door, it doesn't exist yet, but that is what I plan on.

Commissioner Cariseo: That is in the back.

Ed Meehan: So you would build a walk along....

Adel Gobran: Yes, very simple walk to go around and not bother anyone, any neighbors.

Ed Meehan: It would be along the north side of the house.

Adel Gobran: Correct. To the driveway.

Commissioner Anest-Klett: Are you going to have a small dumpster for the extra trash?

Adel Gobran: I haven't had that idea yet, because I don't know, if I have to, I will. Because I am not really doing like big business now, it could be twice a week, it could be every day, it could be anything. It's not going to be customers coming over, it's just me, in and out. But, if I am required to get that dumpster, I guess I will have to.

Chairman Camilli: Well, I don't think you want a dumpster in a residential neighborhood.

Adel Gobran: I could put it behind, maybe in my yard.

Commissioner Fox: I agree with the Chairman, that's my point, a residential neighborhood is no place for a dumpster.

Adel Gobran: I'm not going to be running a commercial business like that, not even like a small restaurant.

Commissioner Fox: I mean, even a couple of trash cans would be okay, but once you get to a dumpster....

Ed Meehan: You get to a commercial carting company.

Adel Gobran: No, it's not going to be anything....

Chairman Camilli: If this were to be approved, we could also limit that as well.

Adel Gobran: I eliminated my personal car as well, I'm not trying to make it like a used parking lot, I have just the one car and one van.

Commissioner Fox: So the van is replacing your personal car?

Adel Gobran: Right.

Commissioner Fox: So, your wife's car and the van. Thank you.

Adel Gobran: Yes, I would like to advertise, you know, they have those magnets....

Chairman Camilli: Any other questions from the Commissioners. Anyone from the public wishing to speak in favor of this application?

Barbara Vassar, 47 Dowd Street: I'm not necessarily for this but I'm not against this either, I'm on the corner of Dowd and Elton Drive, my side yard is on Elton, and my back yard is on Elton, I'm three houses away from the property in question.

One of the things that is a concern to me is that on Elton Drive there are no sidewalks. It's not a very wide street, and a number of children who live on this street walk to the corner of Dowd Street to get the bus, and I'm concerned about any kind of increased traffic on that road. I know he said nine to five, so I don't know if that would be a problem.

The other thing is sanitation, and you mentioned about how it is going to be disposed. You also have to consider that Elton Drive runs parallel to Main Street, and parallel to that, between Main Street and Elton Drive is a brook, which contains a lot of wildlife, and I don't know if any of the trash, or garbage and how it is going to be disposed would attract any more vermin to the neighborhood, and that is a concern of mine. Also, I am concerned about the property, I know that they can have a small sign, and the idea of a Special Exception, if that Special Exception were approved, would others be allowed on the street, would other people be looking for businesses. It's not that long a street, and another concern it, would this Exception make any

change in the property values? I've been there for thirty-seven years, and we have not had any business establishments that I have been aware of on the street. It's a very quiet street and I would just like to be sure that if the Special Exception is made, that everything is taken care of so that it will still keep the same flavor of a neighborhood. I think you have covered everything else that I had on my list, I'm just concerned about the size of the business, and I just wanted to present that to you so that you could take it into consideration. I am not in favor, or against, I just want to be sure that everything is done properly. Thank you.

Chairman Camilli: Thank you. Is there anyone else wishing to speak in favor, against?

Sandra Lallier, 27 Elton Drive: I actually live across the street from Adel, and some of the items that Barbara addressed were very legitimate and if I didn't know Adel, and what he had in mind, I probably would have the same questions that she has. I have a clear idea, just from talking with him, personally what he wants to do with this business and I know that he doesn't want, he doesn't necessarily want to put a big sign out, saying, Adel's Catering, he really is looking for the American dream, of a small private company where he can work for himself. I know that he would prefer not to have a dumpster, he kind of got tripped up a little bit when he answered the question. If you said he needed to have a dumpster, I know that he would, he's very willing to comply with whatever is necessary for him. I know that from some of the food that he has made, just personally, in the neighborhood, he does not fry, there would be no fumes. He steams or bakes, very healthy cooking so it would not be permeating the neighborhood, and that was one of the concerns when he first brought this idea to me, gee, what are we going to be smelling all of the time. I know what his idea is as far as how often he wants to do this. I don't think he wants to feed five thousand people in the course of a week, he wants to do one or two parties with thirty or forty people, and cook them a good meal, and he's done such a thing, he's done it out of his home kitchen just for the neighborhood just to treat them to a home made pizza or calimari salad, leg of lamb, just good food, and I know what he is looking to do is to create a meal for a few people and be able to do it as people ask him to. He has an area in the back of his garage, I've seen it. Traffic, he wants to do it all himself, and he can do it all himself. He's fed three or four houses, you know, just gathering round, and cooking up a meal. Garbage will not be an issue, I know that in my heart there will be no extra garage, again, he's not trying to be a restaurant, he's just trying to make a buck doing it, and right now, he could have created a nice little meal for you guys to nibble on, that is what he wants to do. That is what he is looking to do, out of his house. He has the extra room on the back of his garage that he will build according to how the Fire Inspectors and the Building Inspectors tell him he should. He just wants to create things for people. I hope that you will approve this, and let him figure out how to work with the building inspector and the fire inspector to make it legal. As far as traffic, I have two children of my own, right across the street from him, and there is no more traffic, he's going to have one van that would be going in and out, and I'm sure it will not be going in and out twenty-five times a day, maybe twice a day, and it's not going to create any more traffic on Elton Drive than we already have now, between oil trucks, people zooming down to the end of the street, to realize that it is a dead end street, and turning around. There is a lot of traffic on the road right now, and his van going out to a Christmas party or a birthday party is not going to create excessive traffic, and I don't think, from talking to him, and knowing him that he is going to have anything that he cannot handle on his own. He's not looking to be the boss of twelve people. He's looking to be the boss of himself, and I hope that you will approve this for him.

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

Robert Brandenburger, 15 Elton Drive: I don't either agree or disagree at this point, but I am concerned about property values and I'm concerned about the open questions here concerning dumpsters, signs, smells, that could potentially come across the neighborhood and affect property values. I guess what I would like from the Commission is that once they look at this, you

aren't going to get the precise answer, and as somebody said here, once it's in, it's in and I would like to see this done on a time basis, and an approval for one or two years, so we can see what this turns out to be. I'm all for people having their own business in this country, I think it's good and healthy, but I do think that this is a dead end street, it's a residential area, and I think you have to be very cautious to protect the rest of the property owners.

Chairman Camilli: Thank you. I think the Planner mentioned that we could put restrictions on this.

Bob Brandenburger: Yes, and I would recommend that.

Chairman Camilli: Anyone else wishing to speak in favor? Anybody against? Okay, should we keep this open, are we going to get any more out of this?

Commissioner Kornichuk: What more can you get?

Chairman Camilli: Well, Commissioner Ganley wanted more information. Can you give the applicant some guidance as to what you want, so that he....

Commissioner Ganley: Well, it's on the record, I just want to see, based on what the plans show, the volume of business that this has the potential for, thus we get the flavor of dumpsters versus trash can, and trash cans by the way are not particularly acceptable if it turns out that there are six extra trash cans, so we have to get a handle on exactly the size or intent of this business. Once it's in, it's in.

Chairman Camilli: Well, it could be modified, so....

Commissioner Ganley: Exactly, so I would like to see a little bit more of what he is going to put in there, details of what is going in there. That is a fair request, additionally, I would like to see what the Fire Marshal has to say, I would like to see where we are going to go with trash, how much trash could conceivably be generated.

Chairman Camilli: So could you come back the next time with just a little more detail.

Ed Meehan: I would suggest maybe you could do, in this space, you could just do a layout of where your freezer, your kitchen, your stove, a floor plan might be, any doorway exiting the building, so that the Commission can get a sense of what Commissioner Ganley is asking, how big the work area is going to be. Twelve by eighteen, is about from this window up to this wall, about four panels.

Chairman Camilli: Okay, so for the next meeting, can you come back with something a little more definitive so the Commission can see it. The twelve by eighteen, just an idea, we're not going to hold you to it, because that will be the building department, but the stove, refrigerator,.....

Adel Gobran: I didn't really do a study until I saw what was going to happen,.....

Chairman Camilli: Just so we have a little better idea of what is going on.

Adel Gobran: Absolutely.

Chairman Camilli: We will keep PETITION 44-05 open, and you come back in a couple of weeks, August 10th.

Commissioner Schatz: Would it be to his advantage to consult with the Fire Marshal seeing that if it's not approved by him, then the whole thing is done.

Chairman Camilli: Well, he needs a plan to be approved.

Ed Meehan: The Fire Marshal would need the plan, the type of equipment, the manufacturers information. You would need the size, the prep tables, the freezers, the stove, that I think would give you an idea of how much business you can do out of a space, again, it's probably from this window to the wall, not that big. Put it on paper so the Commission can see it.

Commissioner Anest-Klett: Bob, would you want the Fire Marshal go out and tell him, you need say, a fire door here, a fire wall here....

Commissioner Schatz: Well, in case he caught on fire, God forbid, it wouldn't spread into the house.

Commissioner Anest-Klett: He should get some idea of what he has to do, fire walls, doors.

Chairman Camilli: Okay, all set.

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

Mitchell Page, 46 Olive Street: You can tell me if I'm out of turn here, but I didn't hear any request for public participation after petition 41-05 was given a continuance. I did want to make some comments, regarding 944 Main Street. I'm neither, I'm actually more for it than I am against it, but my primary concerns, my wife and I, live a block over and the questions that we have, number one has to do with the historic integrity of the building, especially on the west side of the building, facing Main Street. Most people know, if you pass by, as you look at the blue sign that says Newington, and then you look at that beautiful pillared building, which is 944 Main Street, I think it is not only in the neighbors best interest but also the towns to be sure that that building is maintained, at least on that side, as the historical, beautiful building that it is. Next to the waterfall that we brag about, that is probably one of the other main visual representations or symbols of Newington as an historic town.

The second of my three concerns has to deal with the signage that will be allowed. That it will not be lit, or neon, or flashing. The impression that I'm getting is that it is going to be an attractive, tastefully done sign and I just wanted to ask you to think about the size, so again you will not tamper with the visuals, and my third point is I would be more in favor of law practices, or professional offices going there as opposed to businesses that might generate more traffic. We do have some traffic issues there. I will say the new owner has done some nice landscaping there, I think it looks great and we're supportive of his efforts. I appreciate your time, thank you.

Chairman Camilli: Thank you. Anyone else who wishes to speak, either for or against Petition 41-05.

Donald Swanson, 14 Center Court: I was just worried about the traffic issues over there. It's pretty bad over there now, that main parking lot, that's my only concern.

Chairman Camilli: Anyone else? You braved with weather, you might as well speak. We are still under Public Participation, is there anyone else wishing to speak.

Barbara Vassar: May I leave my list of questions with you?

Chairman Camilli: Yes you may.

IV. MINUTES

July 13, 2005

Commissioner Fox moved to accept the minutes of the July 13, 2005 regular meeting. The motion was seconded by Commissioner Kornichuk. The vote was unanimously in favor of the motion, with seven voting YES.

V. COMMUNICATIONS AND REPORTS

None.

VI. NEW BUSINESS

- A. **PETITION 42-05 944 Main Street, Jeffrey L. Hedberg, 27 Garfield Street owner and applicant represented by Attorney Leon S. Davidoff, 29 East Cedar Street, Newington, CT 06111 request for site plan approval for professional office use and request for buffer waiver, Section 3.12.4 and Section 6.1.1E joint use parking.**

Chairman Camilli: As we said before, we are going to continue this to the next meeting. We are going to skip item B, and go on to C.

- B. **PETITION 34-2000 2374 Berlin Turnpike (vacant parcel adjacent to Wendy's) Newell and Clifford F. Stamm applicants and owners represented by Alan Bongiovanni, the Bongiovanni Group, 170 Pane Road, Newington, CT 06111 site plan approval for 2,400 sq. ft. building, July 26, 2000. Three (3) year extension to complete site work requested as permitted by Section 5.3.8 Zoning Regulations.**

Chairman Camilli: Is the applicant here?

Newell Stamm: This property has been a sore thumb on the Berlin Turnpike. We have had a lot of planning and trying to work with our neighbors, we had a customer originally and then he decided not to go in, so here we stand. We were near the E.M. Loews theater for many years, tried to get a couple of passes there, but they were having trouble, I guess it is resolved now, so we have just our property, but we don't want to lose our permit which is why we are here. We are going to try (inaudible.)

Chairman Camilli: All right, thank you.

Now we are going to go to the Capitol Region Presentation and Discussion New Britain-Hartford Busway Project.

Linda Osten: What I am going to cover in the next half hour, or shorter, we're going to give you a view of the improvements. We were before you in October of 2004, at the end of this we are going to ask you to review the land use plan, and maybe consider a committee to look at the TOD more thoroughly. Again, we covered all of the traffic and the land use plan, back in October. Just as a reminder the busway is rapid transit from downtown New Britain to downtown Hartford through several communities, of course, Newington is one of them. It's ten miles long, approximately, there are going to be eleven stations, there used to be twelve, now it will be in operation in 2011. There are, in addition to the busway going along this ten mile route, there will

be operating shuttle service, stopping at every stop, collector buses that will travel in the neighborhoods around the station and then on the busway, express service from downtown New Britain to downtown Hartford, and feeder buses that will cover the neighborhood, stop and allow people to get on the busway.

Currently the busway is a DOT project, it is not a CROG project, it is a DOT project and where they are now is that they have hired five design teams to do the busway, to divide the ten miles into five segments and the people who are doing the design are on board, there is a sixth contract that will go to a station design team that is scheduled to be awarded very shortly, and they will go into the final design by October.

One question that you had was the funding, the funding for them. Half of it is coming from federal programs, from the Federal Transportation program, FTA has a New Starts Program, and half will come from state funds. The transportation bill signed by Governor Rell didn't speak to the busway, but it helped the busway because a lot of projects in that bill that would have required state funds are now freed up, so it did help the busway itself.

So for the feds to approve half the project money, do they like the project, they love the project, they feel this is a strong project, there is justification for it, and they are encouraging other rapid transit or BRT projects, and it easily qualifies for the New Start funding, there are issues to be resolved. If this New Start program is going to fund half the busway, it is restricted to major new rapid transit projects, a subway or a busway, a busway is a subway on rubber tires, it's a competitive program, it's not formula you are not guaranteed to get the money, you have to compete with people across the country, and every year, applicants must update an application every year, even if they don't have the money yet, you still fill out an application every year. There was some news in January about the busway and the FTA rating of it, and many people thought that they were saying that they were not funding the project and that is not what they were saying at all. The FTA changed the project rating from recommended to not recommended, so if you got that far in the news, you might have thought that was the end of the project, but in fact the qualified rating had nothing to do with the project feasibility, they love the project. Their concerns were that there were outstanding design issues, the ability to finance and DOT's commitment to the project, it was taking too long. DOT has a new application that is going to be going in, in August, and they will answer the questions and we are all hoping that in January of '06 the rating will be back to a recommended rating.

So will the busway happen? The answer is, I strongly believe Yes, Governor Rell says Yes, and DOT says Yes. So why are we here, what is our role? We are working with ConnDot to make the project all that it can be and we also want to encourage the communities to leverage the busway to municipal and busway advantage, meaning allowing and encouraging what we call transit supportive land use. We also want to assist communities in overcoming the barriers to number 2, and one of those barriers can be dealing with the traffic pattern, that is what Jennifer is going to talk about and answer some of the questions about traffic at the Cedar Street Station, so with that, I want to remind you that for the past two years, CROG has been working with ConnDot for many years on the busway, so the busway design and engineering, is a ConnDot project, the station area planning is a CROG project as is the transportation circulation and accessibility project which is seen as an arm of the station planning project. So we will start with the last one, the transportation circulation study and I'll turn it over to Jennifer Carrier.

Jennifer Carrier: Good evening. My name is Jennifer Carrier and I'm a transportation engineer with the Capital Region Council of Governments. I presented this to the Commission back in October and since then we have had several public hearings, and it's going to take about ten minutes to review the latest concepts and I'm looking for you tonight to recommend to the Town Council acceptance of the transportation circulation and accessibility study.

These study components, we looked at property in the area and tried to determine where we would have a point of access. We looked at future traffic conditions, in the area, and then we identified short and long term conceptual improvements, and I'm going to focus on that this

evening, and I would just like to point out, in your executive summary, I will be discussing those items.

When I say conceptual improvements, what I am talking about is generally lower cost intersection level type of movements that could be constructed and designed within ten years. We really focused on three areas, Route 175, and Route 9 southbound on-ramp, which is really in New Britain, but it has impact on Newington because of the long queue lines, Cedar Street and Fenn Road with the Route 9 off ramp which I'm sure you are all familiar with, and Ella Grasso and Fenn Road, that intersection.

So we'll start by going over the intersection of Route 9 southbound on-ramp. The main objective here was to eliminate the off setting between Paul Manafort Drive which is south of this location, with heavy, heavy Central traffic and this intersection right here, and to reduce the southbound queuing at that, that back up into the Town of Newington.

Three options that I wanted to go over, the first one being, existing location with widening to accommodate a double left turn lane, southbound on the ramp; the second one being the realigning of the southbound on-ramp, opposite Paul Manafort Drive, and the third one being relocating Paul Manafort Drive northerly, and the existing Route 9 south on-ramp southerly. Let me just show you, this one shows the existing location with the widening, so the widening will create a double left turn lane, and this shaded area here shows the area of widening. This is a good alternative because it will reduce the queue, however, it still doesn't solve the problem of off setting intersections, people from Central Connecticut taking a left and then coming here and taking a right.

The second option that we looked at is moving the ramp southerly, directly opposite Paul Manafort Drive, and obviously it would go through the Elmer's property, this is wetlands, but it would eliminate the offsetting intersection.

The third option that we looked at was rebuilding Paul Manafort Drive through this private property and moving the south on-ramp at the same time, but this has an impact on Central Connecticut State property.

The second intersection that we looked at for improvements was the Cedar/Fenn off ramp. There is excessive queuing at this intersection, there are backups onto Route 9 during peak hours, there is a very heavy volume of traffic through this intersection and poor operating conditions during the morning and evening peak hours. So what we did, we looked at options for solving this short term and came up with two options. The first option provides a channelized movement for taking a right turn on the signal and widening also on Route 175. There were concerns by property owners. I'll show you the second, but this option constructs a southbound right turn lane and it provides widening on Route 175 to accommodate a double left turn lane off of the ramp. This is one option that we have for you, the second option eliminates the free flow and brings the right turn movement into the signal, and the widening of Route 175 is not required. You will have the same right turn lane.

The third location that we looked at, Fenn Road, Ella Grasso Boulevard and Holly Drive and there is heavy northbound left turn volume and heavy eastbound right turn volume, poor operating conditions during peak hours and a lot of accidents here and at the Mobil Gas station driveway. Again, you have two options here, I just want to take everything and put it out there even if it is conceptual. This option shows construction of an eastbound channelized right turn movement, similar to the intersection to the south, with widening on Fenn Road, and a construction of a second northbound left turn lane. By doing this, there is an opportunity to put a second southbound turn lane, and the second option that we have does not provide channelized movement but provides a northbound left turn lane.

The study, the transportation circulation and accessibility study also includes pedestrian treatments and concept, difficult to see here, but I have one on the side. This graphic, if you can see any of it, we're calling it University Station to provide better connections between CCSU, the busway station and the retail, such as the Stop and Shop plaza. The trails are adjacent to the roadways, you can see Fenn Road right here, Cedar Street, and it includes such amenities such

as street trees and lighting. This graphic shows the Fenn Road cross sections, no street trees or anything and this is after the walkway with some street trees and lights.

Moving right along, I wanted to go over some of the long term, this was a very difficult assignment to come up with regarding traffic in the future, but I think we have some great ideas here. These long term improvements are generally higher cost and have more overall impact on circulation. There are four main areas and I'll walk you through those, the first being the Route 9 ramp to and from Fenn Road, Ella Grasso Boulevard right here, Fenn Road, the concept is, when closing existing on ramps to Route 9 and at the same time provide another, this would be in combination with the existing ramp at Route 175. Actually let me go back here for one second, this alternative would require road work and property acquisition, and the preliminary estimating for dollar amounts, we're estimating about eleven million dollars, for the right away, for longer term, larger impact, improved traffic. The preliminary models indicate that this alternative has the potential to reduce as much as 4,000 or 4500 vehicles a day on Fenn Road, between Cedar and Ella Grasso, again a 4000 reduction on Fenn Road. Here's another general concept, we looked at options for the Route 9 southbound on-ramp, this is Ella Grasso Boulevard, Fenn Road, the Iwo Jima memorial is right here, we are not showing anything, because we don't have anything here. There are existing constraints such as the memorial and CCSU property, so at this point, we are not including any recommendation because of those constraints.

This concept shows the full Route 9 interchange, north of Ella Grasso, west of Fenn Road, again here is Ella Grasso, here is Fenn Road, they would be constructing a new roadway underneath Route 9 to connect to Fenn Road, okay, and then we would provide Route 9 ramps, right here, Route 9 getting off, and then this on-ramp, Route 9 southbound off, and then an intersection with southbound on. There are obvious practicality issues with this, such as going under Route 9, it has been done in the State of Connecticut, this alternative does offer a better distribution of the traffic in the area, and this is expected to cost about eighteen million dollars.

Let me just go over what we are calling the Route 175 parallel road. This has come up before and I think referred to as the Torrington Company by-pass, again, Fenn Road, Ella Grasso, we worked with the advisory committee and just showed ideas for east-west, it would involve construction of a road from Fenn to Willard, it would also provide relief for the heavily traveled Route 175. It also is expected to decrease traffic by 3500 vehicles per day on Cedar Street, and the estimated cost to construct any of these roads is seventeen to nineteen million dollars and that is exclusive of the right of way. The cost is higher because we have such things as the crossing of the busway, the crossing of Amtrack and the wetlands.

The next step and the reason we are coming to you to present this for a second time is that we want to obtain approval of the Transportation and Accessibility Concept. We will then be going to the Town Council to get their approval, and then bring it to our CROG Policy Board and they will act to adopt it. We will work with the community and stakeholders to begin advancing some of the identified improvements, trying to figure out how you can get some money for this, and we will also work to ensure that designs prioritize pedestrian connectivity in a transit oriented environment and we are going to work to advance transit supportive policies. Again, I know that I went through this quickly, but we were here in October, you have the plan before you, and I'm going to turn this back over to Linda to go over station planning and if there are any questions, I'll answer them at the end.

Linda Osten: So, the station area planning benefits the host communities, generates economic spinoff and coordinates land use with transportation, but I want to stress that the busways success is not dependent on the TOD districts, however since the busway is going to come, it's an opportunity for communities to use this as their own gain. This is the busway, pictures of the busway as it goes into Hartford from West Hartford, this is Amtrack by the way into downtown Hartford. The stations are, there are eleven stations and the darker circles are the ones you have full plans for, and the circles are important from land use perspective. The inner circles are a quarter mile from the busway, and the outer ones are a half mile from the busway station and that is the area influenced around the busway facilities, especially a quarter of a mile, people can

walk, it would be about a ten minute walk. The elements of what makes a development transit oriented as opposed to any other development, and I really don't want to bore you but we are not talking about any development, but a transit oriented development. This is the busway as it goes through Newington, and again, the circles are a quarter of a mile and a half mile. This is where the Newington Junction station is going to be. I'm not going to spend any time on that one, I just wanted to remind you of where it is, this is the busway, and actually we are joining Amtrack here, the station is the little red dot, this is Willard Avenue right here. The Cedar Street station is near Stop and Shop, this little red dot, National Acme here, and Route 175. So around the Cedar Street station there are some significant development areas here. According to the plan, there is Cedar North, Cedar South, East Street, and this entire area is influenced by a couple of significant things.

The Cedar Street station is the only station along the busway with undeveloped land. All others are developed, maybe it's vacant land like the East Street station in New Britain, but it is developed, and there are some previously developed portions here as well, but it is primarily undeveloped. Here on Cedar Street, Route 9 is here, on Cedar south, there is TOD potential, there is a large development site, there a few owners, only four owners, again, CCSU, the State of Connecticut, DOT, and there is potential for DOT to consider putting a new station here if development warranted it at a later stage. It would be a special service station here. Again, the details here would be developed on the plan, the details don't matter as much as, they are all based on CCSU's master plan. So how they desire to expand, and they are pretty land constrained, so they have to expand somewhere.

We can turn to the Cedar North area, and, again, this little dot is the station, Route 9, Stop and Shop and the busway. What is the potential here, at Cedar North. One, there is access to Route 9, and rapid transit, this is a potential area of development here. It is a large development site, only two owners, and an opportunity to turn a drawback into an asset, the drawback being the National Acme Company which has been abandoned and is potentially a brownfield. There are greenway views and will not be developed, and again CCSU will have a major impact on what is going to be happening. I also would like to call your attention to TOD districts don't generate much traffic on the site development compared to a commercial site like this. The reason for that is that in a TOD district there is opportunity for people to go without jumping into their cars. Either they can walk, or use the busway to get to work, or a combination of things, not every person will take a busway to work, but there are many studies now that show a transit oriented development generates much less traffic than if you were to have a strictly commercial development property. Now, one more thing with this slide, we are very aware that the land slopes, goes down Fenn Road, down to the back of the property where the busway station is, but we can use the slope, and the developer can provide access by having parking here, so it is not necessarily a bad thing, it may be a good thing. This is complimentary of what a village could look like, this certainly could change from what it is today, this is the station right here, this is Fenn Road, and one of the key things, this is the station right here, and this access right here is not a driveway, it's a public street that anybody can use, and up here is the part of the property that has the best frontage and that is where the commercial use would be. In summary, a development like this will be an asset to the town, nearly a million dollars a year in taxes. I want to talk about, what are the bones of that plan, because it really doesn't matter what you have there if you can create a pedestrian accessible mixed use development adjacent to the train station, and by mixed use it can be retail, office, housing, the key here is that you get a couple of them together. Development of the National Acme site is possible, maybe packing this together to create one site, the key here is that National Acme, if the front parcel is developed without concern for National Acme, it will be very difficult for the town to recapture the National Acme property and bring it back to, into any use, because it is in isolation down there, and it will be a challenge.

Housing density, a minimum of twelve per acre and jobs, a minimum of twenty-five per acre. You want to create streets, not driveways in the new development and keep building at the edge, those are the things that will make this pedestrian friendly make people want to walk there and not take their cars from one side of the street to the other side of the street. You see that in many

places that are not pedestrian friendly, people actually get in their car and drive there, across the street. You are connecting with existing development, Stop and Shop with sidewalks and streetscape design and take advantage of Stop and Shop and what is already there. Any new streets and any Cedar and Fenn ROW changes need to be to pedestrian scale, and you want to take advantage of the bike path by providing direct connections to the bike path. At this section of the busway you have a five mile bike path along side of the busway.

So, will the busway happen? We believe strongly that it will happen. So, what is the Newington Planning and Zoning Commission role? Well, tonight we would like you to recommend the traffic concept to the Council for their resolution, and also to create a committee to look at what would be the right ideas for Newington. Now this can really take advantage of what the town wants out there, a change for new zoning in this area to work along with the busway, and don't forget about Newington Junction, because the commuter rail, the long distance project, the commuter rail being planned from Springfield to New Haven, and Newington Junction is on the final plan. Now that might be a little more in the future, but don't forget about it.

There are other tasks that CRCOG will gladly help with if we can, we can determine the clean-up requirements for National Acme, potential site control and RFP for development; help with the partnership with other agencies; economic development commission work to coordinate with the plan; and capital improvement projects whether they are CRCOG oriented, town oriented, or ConnDot oriented, we would be sure that you have the right design for them. And we are asking for one hundred thousand dollars to help the towns do this planning and development and we would be happy to help the towns with maybe brownfield testing. So tonight, the potential P & Z actions, again, recommend to the Town Council the Transportation Circulation and Accessibility Study. It is on the agenda for the Council for August 9th, and to form a committee to consider TOD land use policies and plans. Thank you.

Chairman Camilli: Thank you. Ed?

Ed Meehan: There are two items that I think the Council needs to talk about and consider. The first is the suggestion to mull over the possible land use changes in line with your Plan of Conservation and Development, and modifications to implement transit oriented development concepts, and normally in the past, the Commission has done that by committee structure, a working committee that looks at zoning revisions to bring back to the entire body. That is one of the considerations that Linda and Jennifer are asking you to look at tonight, and the second one is a little more immediate, and that is the Commission's position, hopefully favorably, embracing the transportation short term concept for the Town Council's consideration when they meet on August 9th. Procedures that this body has followed in the past, when you did the corridor studies in conjunction with CRCOG, is get a working sub-committee, similar to the municipal advisory committee, get concerns and comments to this commission, the Planning and Zoning Board, you look at it, you develop a narrative and pass it, a motion, or in your case a resolution, and pass it onto the Town Council and the Town Council will take an official position on the corridor study, as with the Berlin Turnpike, Cedar Street corridor study, and in both cases, followed exactly the plan that the Planning and Zoning Commission had suggested as far as top priority projects, concerns about issues like the Berlin Turnpike, so that would probably be the analogy for the transportation part of the busway, Cedar and Fenn, Holly Drive, Ella Grasso Boulevard, tell the Town Council what your position is in regard to the station if you have one, at this point. Mike and Tom participated, I participated at the advisory level, spent a lot of time trying to come up with some practical ways to handle a very difficult existing transportation problems at Cedar and Fenn and Holly and Ella Grasso. I think the recommendations, the short term recommendations seem to be a practical way of doing something by trying to address the situation without building, but also some traffic management situations, and the other part of that is, Central Connecticut, CCSU has bought into some of these concepts, how to handle traffic around Elmer's, coming off of Manafort Drive, the campus is basically surrounded by two ring roads, Ella Grasso and Manafort, and that south campus ring road is very crucial to how traffic is getting on the ramps southbound on Route

9, so they have to be part of this traffic problem to get it resolved. The long range concepts, the very long range concepts, the ramp system on Route 9, the ramp system coming through Elmwood Welding, or even the Torrington by-pass I think are very optimistic, the other ideas, I think are doable, and certainly an off-ramp from Route 9 south and an off-ramp north down to Fenn would take away a lot of the A.M. traffic going to Central in the morning. You wouldn't have to go from Ella Grasso to Cedar Street to get to campus, but that is a big money issue.

Jennifer Carrier: We had a meeting with Central, and it is a big chunk of change, but maybe if we could get together all those involved and maybe start talking about all the solutions and get everything together, not just traffic but also TOD maybe some solutions would come up.

Chairman Camilli: Well, I want to clarify something, even a short term plan that is presented tonight, in most cases you presented more than one alternative, if we were to react to this tonight, in one way or the other to the Council, are you talking about a generic kind of approval, or one where we say, well, we like the first option, or we like the second option, because we certainly are not prepared to do that tonight.

Jennifer Carrier: Right, the generic approval would be great. We spent time, worked with the town, public, we still have to go through the official design, the long term so the generic approval would be fine.....

Chairman Camilli: When would it be one option or the other in the short term? Would that be when it goes to design, or who, what would make that decision.

Jennifer Carrier: I think we have to again, consider New Britain, Central, and Newington, get together, and talk about, what is Central going to be developing, what do they think about Newington, I mean, the traffic on Fenn Road, and try to work through that, and I think maybe we have to work together, approach the State, but what I think we have to do is approve the whole plan to ConnDot, not just the short term or the long term.

Chairman Camilli: I don't think anyone is going to argue that there are traffic problems in those areas, we would support a plan to mitigate the traffic, it's not a big deal, but you know, which plan, how, how it would finally affect Newington.
Let me ask you this, aside from the traffic part, how much do we buy into the rest of the project?

Jennifer Carrier: Well, you do have the traffic issue in Newington, and the busway is coming in, so really,

Chairman Camilli: Is that a fait accompli, you say it is coming, I understood it was up to the town as to whether or not you wanted it.....

Linda Osten: No, that is the point that I was trying to make. The busway, is very much, ninety-five, ninety percent sure that it is going to happen.

Chairman Camilli: We have been through this before, on other town projects when the town didn't want to approve Cedar Street, and another thing, you said it wasn't approved by the government, but...

Linda Osten: The FTA.

Chairman Camilli: But they are going to resubmit the application, what if it isn't approved for 2006? What if it is not recommended again?

Linda Osten: It was a recommended project up until this year, so we are hoping that was just a temporary hiatus. If not, if the project is not recommended, then the FTA New Start program can not fund it. If the program is not recommended, the FTA New Start program cannot fund the busway, it does not mean that ConnDot won't put in the money, or the fund won't be earmarked, it just means that this particular project cannot be funded by New Start. But let me tell you, the FTA said they would like to see this project happen and to fund something like this and they feel strongly.

Chairman Camilli: Again, I would like your answer, what is our obligation to the rest of the project, if we recommend to the Council to go on with this, and then the Council says okay, the TPZ recommended it and we are willing to go along with this program, as far as traffic, the conceptual idea as far as the traffic, does that inherently mean that we have bought into the rest of the project.

Jennifer Carrier: Nope, not at all. The only thing that we tried to do is solve the traffic, they are actually independent.

Linda Osten: Your recommendation to Council would only be on the traffic circulation plan, not the entire piece.

Chairman Camilli: Well, when you say plan, conceptually, but there are alternatives within the plan.

Linda Osten: No, this is definitely just the traffic.

Chairman Camilli: The other thing is pedestrian traffic. As you know, that's rather heavy traffic over there. I almost, I can't see pedestrian traffic, I know you want them to walk from Central over, and put a street and sidewalk and go over to Stop and Shop, say, that is the area where you would probably want to have some pedestrian traffic, however, that's pretty tricky, I don't know what is there now, maybe five, six lanes of traffic there now.

Linda Osten: Well, I cross five, six lanes of traffic every day going to work, so it can be done.

Chairman Camilli: Where's that?

Linda Osten: On Main Street in Hartford,

Chairman Camilli: I think the traffic is a little slower there.

Linda Osten: We have seen people walking right now, the thing of it is the environment, the stores are already there, the busway is going to happen, all the things are there for expansion, CCSU looks to expand, so people would like to walk, need to walk.

Chairman Camilli: Okay, I reacted to some of the comments, any of the Commissioners have any comments? Questions?

Commissioner Anest-Klett: You said there would be a reduction of 4,000 or 4500 cars with the new plan, could you explain that?

Jennifer Carrier: I have the scenario used by the modelers, this ramp, constructed to Fenn Road is showing a reduction in traffic...

Commissioner Anest-Klett: A reduction in traffic, where is the traffic going to go?

Jennifer Carrier: It's being redistributed, it's a very complicated model, I'm not a modeler, it's based on people leaving their house, and the routes they take, on this model, we are seeing an increase of 2000 cars per day Fenn Road north, but a reduction of about 4000 to the south, it's all based on driver patterns, very complex.

Chairman Camilli: Those are all long term figures.

Jennifer Carrier: Yes.

Chairman Camilli: In the short term, the short term solutions now, any one of the plans in general, you talked about three or four thousand vehicles....

Jennifer Carrier: The short term, right now you have excessive queuing at all intersections, the vehicles are backing up, the addition of an additional turn lane will reduce the queue and improve the whole operation, but not reduce it and that is why we had to come up with the longer term ideas, people are going to get frustrated, the queues are going to get longer, and accidents, we know that Fenn Road is a very high accident location, so we have this plan.

Chairman Camilli: So this is on the agenda for the Council for August 9th?

Linda Osten: Just the traffic part.

Ed Meehan: I thought from working on the advisory committee that the short term and I know the long term concepts, they built in, some of the possible future generation.

Jennifer Carrier: We did, yes.

Ed Meehan: That could occur around these parcels, I think it's good that the Commission consider, I think that the short term is trying to address some of the traffic concerns and safety hazards we see with peak hour traffic backing up onto Route 9, onto Cedar Street, or Fenn Road in the afternoon from Ella Grasso down to Cedar Street being a gridlock, so that is trying to be addressed, but I think also whatever land use occurs on the Koczyra piece, National Welding, and the Grody piece, and the piece just north of Elmwood Welding, the Mongillo piece which is twelve acres of tough land to get into, but given the state of vacant land that we have in Newington and its proximity to a ramp and Route 9, it's probably an ideal development site. If some of our traffic improvements have the capacity to accommodate that growth, then that is moving in the right direction, I think. It's not going to solve the problems, but unless you start laying the framework, to accommodate some of the additional traffic that could occur on the Koczyra piece if it was ever developed, or on the Grody piece, which is probably six acres, you aren't going to get development over there.

Jennifer Carrier: I think some of the models were developed with twenty year growth and...

Ed Meehan: Well, the economic development plan, the real economic development is the land use boards. If you don't make a decision on what can happen, it's not going to happen no matter how much marketing or economic incentive you are going to give somebody, but if you want economic development, the only way that you are going to get it is through marrying major decisions with traffic because people will go where traffic works for them, and we have excellent properties around Cedar and Fenn, we have a lot of vacant land, but people can't get to them and the capacity on the nearby streets is such that it is discouraging economic growth. South of Cedar Street, the Coal Yard property, you have all of Central's property, someone is going to figure out how to get in there someday, and how to make it work, and that traffic is going to have to come off of Route 9. So I think the short terms steps are one way of approaching that. I mean,

I do have reservations about the long term plans, certainly with the Torrington connector, you are talking about wetlands, the railroad tracks, the high tension wires, it's a real stretch for me. Some of the ramp systems on Route 9, up near Ella Grasso, from an engineering point of view have a high economic cost, but they aren't unfeasible. But I think, the Commission's feeling about the short term improvements, the property owner of the coal yard, the Chairman mentioned what option to pick, and he was very close to the option one, that, in his opinion, would discourage anyone trying to get out of his site. I don't think, at this point, you need to get into that much detail. I think the more generic way to go, as the Chairman said, if you are going to support these four or five intersection improvements, if you do, generically, fine, if you don't, well then the Council needs to know that.

Chairman Camilli: Well, if someone has something to discuss except me, I would like to know how the Commission feels as to whether or not the Commission endorses this. Any questions? The other thing is, no one gets something for nothing. The fact that they are going to improve our roads, I don't know whether you want to say nay or yea, but you can make up your own minds on that, the short term packet, the concepts.

Ed Meehan: What if the Council doesn't act on the 9th, you are looking for some action from the Commission tonight, and it occurred to me, that the Council is only going to meet once in August, I believe, I think last night at the meeting, they canceled the second meeting, and that pushes you into September. What does that do to what CRCOG is trying to achieve with other corridor towns and if Planning and Zoning mulled this over tonight, talked about it on the August 10th

Linda Osten: Then we could look at the September meeting. We are not on any deadline. So it doesn't, we aren't going to throw a kink in the works because we are on some time line, that is not the case. We are going to present to the Council on the 9th, and we can let them know that P & Z is mulling it over, they could act or not.

Chairman Camilli: As I said, I'm just one person and you can certainly express your opinions.

Commissioner Fox: I personally, even though I was on the planning I still, no offense, I still, now that I have seen it again, with the short term goals, I personally would like more time to study it, to think about it, and then have a discussion at the next meeting, but, as you brought up, and I think Ed brought up, if we don't get anything done, and I think most people are aware of my opinion on development, if you want improvements, I think we could study this, in the meantime, I'd like to wait another meeting.

Chairman Camilli: Bill?

Commissioner Cariseo: I'd wait.

Commissioner Kornichuk: I'll go with the will of the commission.....

Chairman Camilli: But you have your own will.

Commissioner Kornichuk: My thing is, any improvement should be looked at. As you said they are all bad intersections, so that anything that anybody can do to help us, in that area, I'm all for.

Chairman Camilli: I don't think anyone would find fault with the traffic improvements.

Commissioner Kornichuk: But it's only the traffic that we are supposed to be discussing right now, we aren't supposed to be discussing the other things. That's what I'm hearing. I would go

along with them, but I haven't really studied them, but if the will of the Commission is to wait, I can spend another week, two weeks looking at them. I have no problem with that at all. I would vote on it tonight.

Commissioner Anest-Klett: No, I would like more time to look at it.

Commissioner Ganley: I think you have to make clear, at least in my mind, that there is no connect between Newington Village and the transit study, to the extent they should make that very clear. I have very, very deep concerns about, no matter how we get this up to them, a side bar is pretty much going to be, making it very clear on the record, that there is no connect between a traffic study and the development around the station. We need to be very clear on that. I don't know how much more we can do to get that message across, because we endorse A does not mean that we endorse B. I would vote on it tonight, if we could get that message across.

Chairman Camilli: Okay, we have two.....

Commissioner Schatz: I would vote on the traffic, all the concepts, I don't have a problem with voting on just the traffic.

Chairman Camilli: I would like to have more time to study, so we will wait until the next meeting, one more meeting. It doesn't seem that this is pressing....

Linda Osten: No, there is no time limit, we don't have a limit, it was just on the agenda.

Chairman Camilli: But there is no pressure for us to vote tonight. I would rather just study it again. We will talk it out during the next meeting, so, on the 10th, I would just like to look at these again, thank you for your participation.

Linda Osten: Thank you for your time.

Chairman Camilli: Before we go to Old Business, we need a motion to add PETITION 43-05 to Old Business.

Commissioner Fox moved to add PETITION 43-05 to Old Business and the motion was seconded by Commissioner Ganley. The vote was unanimously in favor of the motion, with seven voting YES.

VII. OLD BUSINESS

- A. PETITION 31-05 330-340 Alumni Road, also known as Lots 3A and 3B Newington Business Park LLC, owner, Chris Chiulli, applicant, 435 Evens Road, P.O. Box 485 Rocky Hill CT 06067 represented by A-N Consulting Engineer Alan Nafis, 124 White Oak Drive, Berlin, CT 06037 request for Special Permit Section 6.4 removal of earth products, I Zone. Public hearing closed June 22, 2005. Sixty-five day decision period ends August 26, 2005.**

Commissioner Cariseo moved that PETITION 31-05 330 Alumni Road, also known as Lots 3A and 3B Newington Business Park LLC, owner, Chris Chiulli, applicant, 435 Evens Road, P.O. Box 485 Rocky Hill CT 06067 represented by A-N Consulting Engineer Alan Nafis, 124 White Oak Drive, Berlin, CT 06037 request for Special Permit Section 6.4 removal of earth products, I Zone, be postponed to August 10, 2005.

The motion was seconded by Commissioner Fox.

Chairman Camilli: You may recollect that the Planner suggested that we get some letters giving permission to cross over the lots, and nothing has been received. Ed, do you want to add to that?

Ed Meehan: Just that it is a matter of land use law, well established in Connecticut that the Commission cannot approve an application with a condition on it that the applicant does not have any control over, and in the case of putting crushing equipment on Lot #2, which is not owned by the applicant, you have that condition, so until they come forward with a letter granting them permission to do that on Lot #2, I would recommend that, you can keep this on your agenda as long as you can, let's just watch the expiration date,

Chairman Camilli: When does it expire?

Ed Meehan: It's expires, August 26th.

Commissioner Cariseo: Then August 10th, we'll vote.

Ed Meehan: August 24th.

Chairman Camilli: So if they don't come in with the letters, then we would have a motion to deny right?

Ed Meehan: Just to be safe, it's a good idea to have it on the record. If you don't act on a site plan, there have been cases where the court has taken that as approval.

Commissioner Ganley: The August 24th is the drop dead date.

Ed Meehan: Right.

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

Chairman Camilli: Motion passes unanimously.

B. PETITION 33-05 17 Main Street, FLH Realty, Inc., owner, West Hartford Stairs and Cabinets, Inc., applicant, contact Andre Letourneau, 17 Main Street, Newington, CT 06111 request for Special Exception Section 6.2.4 Ground Sign, I Zone. Sixty five day decision period ends August 26, 2005.

Commissioner Kornichuk moved that PETITION 33-05 17 Main Street, FLH Realty, Inc., owner, West Hartford Stairs and Cabinets, Inc., applicant, contact Andre Letourneau, 17 Main Street, Newington, CT 06111 request for Special Exception Section 6.2.4 Ground Sign, I Zone be approved based on the sign design presented at public hearing July 13, 2005. This sign design was prepared by Lauretano Sign Group, plan dated July 8, 2005 showing an overall height of 12' 8 ½ " with two panel faces each side (32 sq. ft.) a total display area of 64 sq. ft.

The sign will be located on private property and externally lighted with small ground mounted uprights.

If an alternate design with a colonial top is chosen by the property owner, this design shall be submitted to the Town Planner prior to applying for zoning and building permits.

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

Chairman Camilli: Motion passes unanimously.

C. PETITION 40-05 2920 Berlin Turnpike, Walgreens Pharmacy, Basile Enterprises, Inc., applicant, TJJJ, LLC owner represented by Attorney Vincent F. Sabatini, One Market Square Newington, CT 06111 request for Special Exception Section 6.2.4 ground sign PD Zone. Sixty five day decision period ends September 16, 2005.

Commissioner Fox moved that PETITION 40-05 2920 Berlin Turnpike, Walgreens Pharmacy, Basile Enterprises, Inc., applicant, TJJJ, LLC owner represented by Attorney Vincent F. Sabatini, One Market Square Newington, CT 06111 request for Special Exception Section 6.2.4 PD Zone be approved based on the plan entitled "Pylon Sign Details Walgreen's Pharmacy (No. 07047) Route 15 – Berlin Turnpike: dated May 2005 Sheet No. 1 prepared by A-N Consulting Engineers.

This plan shows a total sign face of 58.2 sq. ft. per side cabinet mounted between two 17' high brick columns.

Prior to placement of the sign zoning and building permits shall be approved.

The base area around the sign columns shall be landscaped as directed by the Town Planner.

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.

D. PETITION 43-05 605 Willard Avenue, Newington High School (north parking lot) Newington Lion's Club applicant, Special Exception Section 3.2.8 Special Event, Carnival, Contact Stan Martinelli, 72 Apple Tree Crossing, Berlin, CT 06037, R-12 Zone District.

Commissioner Anest-Klett moved that PETITION 43-05 605 Willard Avenue, Newington High School (north parking lot) Newington Lion's Club applicant, Special Exception Section 3.2.8 Special Event, Carnival, Contact Stan Martinelli, 72 Apple Tree Crossing, Berlin, CT 06037, R-12 Zone District be approved based on the following:

1. The carnival event will be for August 8th to August 13th at the Newington High School, north parking lot – Willard Avenue. No rides shall be operated past 10 p.m.
2. The Lions Club shall submit to the Town Manager, prior to August 3rd, an insurance binder in the form and amount required by the Town Manager.
3. Prior to opening this event to the public, the applicant, Lions Club of Newington, shall be responsible for contacting these Town Departments:
 - a. Police Department for traffic and security control.
 - b. Health/Sanitation Department for food permits and trash/liter control.
 - c. Building Department for electrical permit and inspections.
 - d. Fire Marshal for inspection of equipment rides and fire lanes.

4. The Lions Club of Newington shall be responsible for payment of any fees necessary, but not limited to extra police duty, litter clean up, portalet facilities, water supply, etc. that may be necessary to conduct this event in a safe manner.
5. If needed, restoration of damaged parking lot pavement, to the satisfaction of the Town Manager, shall be the responsibility of the Lions Club of Newington.
6. The applicant's request to waive the Special Exception fee is granted.

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

Chairman Camilli: Motion passes unanimously.,

**Bond Reduction
Strawberry Estates Subdivision**

Commissioner Ganley moved that the bond for Strawberry Estates subdivision be reduced from \$85,000 to \$57,000 as recommended by the Town Engineer. The balance of \$57,000 is for completion of the unfinished work items listed on the Engineering Department's Site Bond Estimate, Revision Dated 6-30-2005.

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

Chairman Camilli: Motion passes unanimously.

VIII. PETITIONS FOR SCHEDULING (TPZ Meeting 8-10-05 and 8-24-05.)

- A. PETITION 45-05 277 Cedar Street, known as the Eddy Farm, Lucy Eddy Fox owner and applicant, represented by Attorney Robert Randich, 363 Main Street, Hartford, CT 06106 request for resubdivision one (1) lot, R-12 Zone District. Schedule for public hearing August 10, 2005.
- B. PETITION 46-05 277 Cedar Street known as the Eddy Farm, Lucy Eddy Fox owner and applicant, represented by Attorney Robert Randich, 363 Main Street, Hartford, 06106 request for Special Exception Section 6.7 Interior Lot, R-12 Zone District. Schedule for public hearing, August 10, 2005.

Ed Meehan: This is Eddy Farm. The property has been conveyed through the estate and the Town has received the property easements through recording last week, and their position, Lucy Eddy Fox, who is the sister who acquired the property is asking for her one lot. That is all they can get.

Commissioner Ganley: Where is this going to be on the property?

Ed Meehan: You go in the same driveway you go in now, from Cedar Street, you go past the orchard and you bear right past the barn and the house, and before you take that curve, there is a little wood lot, to the left, and there is about a half acre area they are proposing to set aside for a house for a future family member. Actually there are three acres, but they are only clearing a half acre, the rest is going to stay wooded. So it basically sits behind the barn.

Commissioner Cariseo: This is permissible?

Ed Meehan: Yes, it was part of the negotiation with the family, but they can't do anything officially, on the land records, until they get the land use approval.

Commissioner Schatz: Do they still have to pay taxes? Someone asked me, and I didn't know.

Ed Meehan: Yes, but it probably won't change that much, they were paying under what they call 490, which is farm land, so the taxes will go up because they have an additional building lot.

Chairman Camilli: The Special Exception, is that the same lot, an interior lot?

Ed Meehan: Yes. They are changing the lot lines, that creates a subdivision, and then because the lot doesn't have any frontage on Cedar Street, it would qualify as an interior lot. In the R-12 Zone they would have to have at least 18,000 square feet and according to the plan, they actually have three acres. They can never re-subdivide it again in the future.

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

None

IX. REMARKS BY COMMISSIONERS

None.

X. ZONING ADMINISTRATOR COMMENTS

None.

XI. STAFF REPORT

A. Bond Reduction – Strawberry Estates

(Discussed under Old Business)

XII. ADJOURNMENT

Commissioner Anest-Klett moved to adjourn the meeting. The motion was seconded by Commissioner Fox. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary