

NEWINGTON TOWN PLAN AND ZONING COMMISSION

November 28, 2007

Regular Meeting

Vice-Chairman William Cariseo 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

**I. ROLL CALL**

Commissioners Present

Commissioner Cariseo  
Commissioner Ganley  
Commissioner Fox  
Commissioner Kornichuk  
Commissioner Pruet  
Commissioner Schatz  
Commissioner Camerota

Commissioners Absent

Commissioner Andersen  
Commissioner Ancona

Staff Present

Ed Meehan, Town Planner

Commissioner Camerota was seated for the vacant position.

**II. PUBLIC HEARINGS**

- A. **PETITION 47-07 - 240 Culver Street JS Culver Street, LLC, 2175 Berlin Turnpike, Newington CT 06111 owner and applicant, attention John Scelza, request for six (6) lot subdivision R-20 Zone. Continued to December 12, 2007. (Commission field trip to be scheduled.**

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

None.

**IV. MINUTES**

November 14, 2007.

Commissioner Pruet moved to accept the minutes of the November 14, 2007 regular meeting. The motion was seconded by Commission Kornichuk. The vote was unanimously in favor of the motion, with seven voting YES.

Vice-Chairman Cariseo: Motion carries.

**V. COMMUNICATIONS AND REPORTS**

None.

**VI. NEW BUSINESS**

Ed Meehan: No. Let me explain why. The reason that the agenda is so light is because this is sort of a transitioning between this Planning and Zoning Commission that is sitting tonight, some members for their last time until the new board members come on at the first meeting in December, which will be December 12<sup>th</sup>. So, rather than start New Business and Public Hearings in mid-stream, to give both the applicants and the new members coming on the benefit of the full applications, a lot of items will be deferred over to December 12<sup>th</sup>.

**VII. OLD BUSINESS**

- A. **PETITION 46-07 260 Stamm Road, Integra Realty Associates, LLC, owner, Marcin Yarosiewicz, 64 Brown Street, New Britain, CT 06053 applicant, request for Special Permit Section 6.11 Auto Related Use, Used Car Dealer, I (Industrial) Zone District. Hearing closed November 14, 2007. Sixty five day decision period ends January 18, 2008.**

Commissioner Kornichuk moved that Petition 46-07 260 Stamm Road, Integra Realty Associates LLC, owner, Marcin Yarosiewicz, 64 Brown Street, New Britain, CT 06053 applicant, request for Special Permit Section 6.11 Auto Related Use, Used Car Dealer, I (Industrial) Zone District be denied, the Commission finding that the location is not suitable for motor vehicle uses because of the following reasons:

- A. The proposed parking area for display of vehicles, storage of vehicles for repair and employee parking is too small.
- B. Other building tenants must drive through the motor vehicle parking area to access their part of the building.
- C. Within the proposed motor vehicle parking area another building tenant's overhead door is located for access to their operations.

The above site limitations are, in the Commission's opinion, significant enough to have a negative impact on the safe use of this property for motor vehicle purposes.

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

Vice Chairman Cariseo: Motion carries.

- B. **PETITION 48-07 – 435 to 485 Willard Avenue, Fountain Pointe Professional Office Park, Richard Rotundo, owner and applicant, 11 Lembo Drive, Wethersfield, CT 06109, request for Special Exception Section 6.2.4 Ground Sign, CD Zone District. Sixty five day decision period ends January 18, 2008.**

Commissioner Fox moved that Petition 48-07 - 435 to 485 Willard Avenue, Fountain Pointe Professional Office Park, Richard Rotundo, owner and applicant, 11 Lembo Drive, Wethersfield, CT 06109, request for Special Exception Section 6.2.4 Ground Sign, CD Zone District be approved for a 22 foot wide by approximately 2 ½ foot high brick columns and granite stone sign

base with raised non illuminated letters. This sign is to be located at the southeast corner of the property adjacent to the intersection of Willard Avenue and Alumni Road.

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

Vice Chairman Cariseo: Motion carries.

**C. PETITION 49-07 345 East Cedar Street, Newington Gospel Hall, owner and applicant, represented by Greg Hunt, Buck and Buck, LLC 98 Wadsworth Street, Hartford, CT 06106 request for Special Exception Section 6.2.4 Ground Sign, B-BT Zone District.**

Commissioner Pruett moved that Petition 49-07 - 345 East Cedar Street, Newington Gospel Hall, owner and applicant, represented by Greg Hunt, Buck and Buck, LLC 98 Wadsworth Street, Hartford, CT 06106 request for Special Exception Section 6.2.4 Ground Sign, B-BT Zone District be approved for curved stone base of approximately 25 feet wide and 4 feet high. Total ground sign area shall be 13.3 square feet as shown on plans prepared by Buck and Buck, LLC Engineers, sheet 2 of 2 dated 8-27-07. Illumination of the ground sign shall be by ground mounted lighting.

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

Vice Chairman Cariseo: Motion carries.

**D. PETITION 50-07 - 345 East Cedar Street, Newington Gospel Hall, owner and applicant, represented by Greg Hunt, Buck and Buck, LLC 98 Wadsworth Street, Hartford, CT 06106 request for Site Plan Modification B-BT Zone District. Inland Wetland Agency Report required.**

Commissioner Ganley moved that Petition 50-07 - 345 East Cedar Street, Newington Gospel Hall, owner and applicant, represented by Greg Hunt, Buck and Buck, LLC 98 Wadsworth Street, Hartford, CT 06106 request for Site Plan Modification B-BT Zone District be postponed pending receipt of the Newington Conservation Commission's Inland Wetlands report.

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

Vice Chairman Cariseo: Motion carries.

**VII. PETITIONS FOR SCHEDULING (TPZ December 12, 2007 and January 9, 2008)**

- A. PETITION 52-07 – 190 Fenn Road, Spin Cycle Café Laundromat, Laury Rosario owner and applicant, request for Special Exception, Liquor Restaurant Use, Section 6.6. Schedule for Public Hearing December 12, 2007.
- B. PETITION 53-07 - 102 Pane Road, RBMC LLC owner, Kempokan Martial Arts, applicant, represented by Benjamin Thomas, 80 Sylvan Road, New Britain, CT 06053, request for Special Exception Section 3.19 and 3.15.6 place of recreation. Schedule for public hearing December 12, 2007.

- C. PETITION 54-07 – Assessor’s Map SE 1552, parcel north side of Wendy’s Restaurant, 26 Cedar Street Associates, LLC applicant, Newell and Clifford Stamm owners, request for Special Exception Section 3.15.4 Restaurant use with Drive Through Window Service, B-BT Zone District, contact Peter D’Addeo, 154 New Britain Avenue, 2<sup>nd</sup> floor, Rocky Hill, CT 06067. Schedule for public hearing January 9, 2008.
- D. PETITION 55-07 - Assessor’s Map SE 1552, parcel north side of Wendy’s Restaurant, 26 Cedar Street Associates, LLC applicant, Newell and Clifford Stamm owners, request for Site Plan approval for 2,285 sq. ft. restaurant use, B-BT Zone District, represented by Peter D’Addeo, 154 New Britain Avenue, 2<sup>nd</sup> floor, Rocky Hill, CT 06067. Schedule for presentation January 9, 2008.
- E. PETITION 56-07 16 Fenn Road and 712 Cedar Street, owned by Fenn Road Associates, LLC and 22 Fenn Road, Stop and Shop Plaza owned by Hayes-Kaufman Newington Associates, LLC, 1481 Pleasant Valley Road, Manchester, CT 06042 and Fenn Road Associates, LLC, applicants represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040, request for zone map amendment, I Industrial to PD Planned Development Zone. Schedule for public hearing January 9, 2008.
- F. PETITION 57-07 – 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester, CT 06040 request for Special Exception, Section 3.19.1 and 3.15.4 Restaurant with Drive Through Window Service, PD Zone District (Proposed.) Schedule for public hearing January 9, 2008.
- G. PETITION 58-07- 16 Fenn Road and 712 Cedar Street, Fenn Road Associates, LLC owner and applicant represented by Attorney Leonard Jacobs, 146 Main Street, Manchester CT 06040 request for site plan approval for development of mixed commercial uses, 15,000 sq. ft. retail, 124 room hotel, 1,600 sq. ft. restaurant and 3,600 sq. ft. bank, PD District (Proposed.) Schedule for presentation January 9, 2008.

Ed Meehan: Mr. Chairman, these, as I mentioned earlier are being set up for the commencement of public hearings on December 12<sup>th</sup>, so the new board members have the full application package. There is only one for December 12<sup>th</sup>, two, I would recommend that you at least do those two, if that is your pleasure, because we need to get the legal notices in. The next several applications are more complex. Certainly the one at the corner of Cedar and Fenn will be a complex application. That’s the Hayes-Kaufman proposed project and that does require a public hearing for the zone change, so board members may want to dedicate one or two nights of public hearing on that, I suggest that you hold that over to January.

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

None.

**X. REMARKS BY COMMISSIONERS**

Vice Chairman Cariseo: I’d like to make a remark. I’d like to thank Vincent Camilli for all the hard work that he has done for the Planning and Zoning Commission as Chairman. I believe that he has done a wonderful job. I know that he has put in more years than I have, and I’ve been on for twelve. He’s done a wonderful job, and the Commission has done a terrific job, between

Democrats and Republicans, we've all gotten along terrifically. We've done what I believe is the best for the town, and hopefully we are going to leave it in good hands.

Commissioner Pruett: I'd like to add too, thank you for your vice-chairmanship and your participation too, for the past twelve years, you've done an exceptional job also.

Vice Chairman Cariseo: Thank you.

Commissioner Fox: If I may add my compliments to Commissioner Camilli. I've been on the Commission four years as a full member, and I think a year or two as an alternate and Vinnie was the only Chairman I knew. You could always turn to him for advice, I couldn't have asked for a better Commission for the first few years on this, and hopefully we'll stay on. I know that the future Commission starting in December is going to be just as fruitful and with just as much interest, the best interest of the town in mind.

## **XI. STAFF REPORT**

### **A. Bond Reductions and Releases**

Commissioner Fox: I'd like to make a motion that we move the bond reduction and/or release to Old Business.

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

#### **Bond Release 45 Costello Road Goodwill Store**

Commissioner Schatz moved that the bond amount of \$16,000 for the site work at 45 Costello Road, Goodwill Store, be released all work having been satisfactorily completed and the drainage retention basin construction certified by the owner's engineer.

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

Vice Chairman Cariseo: Motion carries.

Ed Meehan: The annual report, this represents a lot of work on this board's part during the last fiscal year you had sixty-five petitions and incrementally, you don't realize how much this adds up to. I had occasion to speak to Rotary at lunch today, and did enjoy the invitation, but putting this together, you know, I go back to the Commission's monthly reports, as well as your meeting reports and the square footage that this board acts on, to move the development at the front end of the growth of the grand list and the projects that you have acted on, just the last twelve months, not to mention some of the bigger projects that are in the pipeline right now that are quite significant.

Commissioner Ganley: It's over 400,000 square feet. It's in the, I put it in the Chamber newsletter.

Ed Meehan: The only thing that I would just add is that this represents a lot of work, and this board has never missed a quorum, which is very impressive to me and I think that was for a very long time, so thank you for helping me do my job.

Commissioner Fox: Well, thank you Ed. You're a great staffer. We'd be lost, a great planner.

Vice Chairman Cariseo: A great planner.

Commissioner Fox: After looking at this, I remember before I got involved in the TPZ or even before I thought of getting involved in something like this, I was watching the turnpike build up, because I moved here in '72 and it was dead. Between this Commission and the Commissions, the people who served in let's say, even the dozen years or so that you have been on, and the sixteen or so years that Vinnie was on, including people like Angie Bruno and Joe Klett, that turnpike is probably one of the most sought after pieces in the country. It's gold. And it looks great and I think these people here are responsible for that, deserve the credit for making sure that the turnpike, as it is being built up is not an eyesore.

Ed Meehan: I learned today, I don't know if it's appropriate to say, the Charlie Lowe piece has closed. It was recorded, so for those who weren't at the Rotary lunch, I heard it for the first time, Hunter Development has acquired that property, as of ten this morning Charlie said.

Commissioner Cariseo: We don't know if the money has been wired yet though.

Ed Meehan: Which is a very good sign. It's a big project, it shows that the developer must have people interested in the property. I don't think he's doing it purely on speculation. We had a meeting on Monday with the Department of Transportation on the Cedar/Fenn area and Hayes-Kaufman project, and they mentioned that they are receiving traffic information from Mike Frisbee, who is Hunter Development's Traffic Engineer, and so again, it will take a little while to unravel and get into the pipeline as far as construction, but we may see something late this spring, 2008.

Commissioner Fox: When you say something, you mean like a start-up.....

Ed Meehan: We'll know better who the tenants may be and if you remember the settlement agreement was rather a complex sequence in which they can get c.o.'s. So, first they have to get through the S.T.C. hurdle, and they do have some work to clean up with the Conservation Commission for wetlands, but those two things and traffic items being taken care of, I expect that we will see building permit applications almost for the whole project because the way that the settlement was structured, they really can't operate a gas station until they have footings and walls and stuff going up on the hotel.

Commissioner Pruett: How are the meetings with the S.T.C. going for that area? I think there were like twelve or fourteen provisions we had in there for review....

Ed Meehan: I don't know what their traffic engineer has responded to yet other than they just said they are in correspondence. The way that the S.T.C. process works it's much different than at the municipal level with Planning and Zoning. They will issue a developer a set of critique comments and then when they, it's certified mail, and when they get the green card back, the clock stops. So the developer, if he doesn't respond, there is no pressure on the S.T.C. as far as the clock running, that they have you know, sixty-five days, or thirty-five days. So if a developer takes a year to respond, the S.T.C. staff just puts it on the back burner. I think that is what happened earlier this summer after the settlement was reached, I think Mr. Frisbee dropped back and said, what can I do with this piece? We didn't see any action on it, in the last month and a half we were visited by at least two different appraisal firms, obviously doing their due diligence before this closing today. It's going to take a while to figure out the traffic up there.

Commissioner Fox: So within ten years, we are going to have two hotels, possible two hotels in Newington.

Ed Meehan: Three, if the Holiday Inn Express.....

Commissioner Fox: Well, I'm talking hotels....

Commissioner Pruett: It's a hundred rooms, Fenn Road is 125 and this one is a 100.

Ed Meehan: With a conference center up on the Lowe's piece.

Audience: Excuse me ladies and gentlemen, I was wondering if there is any chance, I don't want to hold you up, reconsidering, I know there is a new Commission coming in, and I don't know how, I figure you guys have the experience, and you are in the flow, I don't know how new or young, or inexperienced the new Commission coming in is, but we're kind of on a time schedule here, as we all are, and we were wondering if that is something, our case is something that maybe you could look over and read, Mr. Meehan, we brought the copies of our, we're at 190 Fenn Road.

Commissioner Fox: You have the Laundromat.

Audience: Spin cycle café and Laundromat, and it's for the permit of beer and wine, and two weeks is really going to, I mean, it's really setting us back.

Vice Chairman Cariseo: I don't believe there is anything we can do about it.

Ed Meehan: No, this Commission has a legal requirement to hold a public hearing on any liquor license, so even if they had the public hearing the last meeting on the 14<sup>th</sup>, they may not have been in a position to act tonight, and to straddle it between two different boards could set you back even further. That is the reason it was put out until a new board is ready.

Audience: Okay, I figured, give it a try, maybe I'm underestimating the process and what it entails and I know it's not a one night thing, but I figure get it started and be that much closer. Thank you.

## **XII. ADJOURNMENT**

Commissioner Fox moved to adjourn the meeting. The motion was seconded by Commissioner Pruett. The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary

