NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting and Public Hearing

September 9, 2015

Vice-Chairman Carol Anest called the special meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 in the Newington Town Hall, 131 Cedar Street, Newington, CT.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present
Commissioner Frank Aieta
Commissioner Brian Andrzejewski
Commissioner Carol Anest
Commissioner Michael Camillo
Commissioner Robert Serra Sr.
Commissioner Stanley Sobieski

Commissioners Absent
Chairman Cathleen Hall
Commissioner Anthony Claffey-A

Staff Present
Craig Minor, Town Planner

III. APPROVAL OF AGENDA

Craig Minor: Please move Item D: Application #29-15: Special Permit for Bel-Air Manor up to the top of the Public Hearing agenda in consideration of the architect who has transportation constraints and needs to leave early.

IV. PUBLIC HEARINGS

A. Petition 29-15: Special Permit (Section 3.2.5 Convalescent Home) at 238, 256, and 268 New Britain Avenue (Bel-Air Manor). Bel-Air Manor Associates; applicant Bel-Air Manor Associates LLC and Salvatore Sbriglio et al, owners, Matthew Boggio, 88 Ryders Landing Suite 208 Stratford CT, contact.

Alan Bongiovanni: Thank you Madam Chair. For the record, my name is Alan Bongiovanni, licensed land surveyor in the State of Connecticut, representing Bel-Air Manor in this application before you this evening. I have with me Mark Petrin, the project architect, and Matt Boggio with Bel-Air Manor if you have questions for the owners.

Craig, if you could just select the fourth one down [referring to images on the monitor] that says "layout". Thank you. As I'm sure you are all aware, Bel-Air Manor has been established in town for many years. It's on the north side of New Britain Avenue just west of Willard Avenue. It's 7.2 acres and it's comprised of three parcels: the main parcel with Bel-Air Manor, the existing facility at this location; there is a brick home, I believe it is at 260 New Britain Avenue; and then a vacant lot in this area. They are all owned by related entities and the application before you is for the entire 7.18 acres in the R-20 Zone.

The existing facility has 71 beds. Zoning Section 3.2.5 allows for up to twenty units per acre, so the site would support about 144 units, and we're asking to increase the bed count by 45 so we would have a total of 116 units if this is approved and completed. What this project would entail would be major renovation of all the parking and associated drainage to the rear along the east and in the front. That existing home that is used as a management office would be demolished and that would account for the front parking area. We spent a great deal of time working with town staff so that drainage system for the improvements would renovate all storm water, not just the small increase of the impervious area but would work closely with your LID regulations so that everything that exits this site would be a vast improvement from where it is today. All of the drainage will be pre-treated prior to exiting to the east to the wetlands. We have a separate drainage system in the rear, a portion of which will be an underground detention system because of the contour of the land, and then into a bio-swale before it exits, and then the majority of the site will go into a bio-retention type pond before it exits into the wetlands. Our parking requirements for the subject property: we are required to have one space for every three beds plus one space for two employees; that yields a net of 82 spaces, and we're proposing 125 spaces for one specific reason. At holidays and weekends they have a great influx of visitors to see family members. Between that and shift changes they have always been at a deficit for parking. This would allow them to meet the current needs and the proposed needs with the new facility. The site is already serviced by MDC sewer and water. Other site improvements include putting the utilities underground as required by your regulations. We meet and/or exceed all your dimensional requirements, green space, impervious coverage and the like. With that, I'd like to introduce Mark Petrin, the project architect whose main focus is on the facility itself and the design.

Mark Petrin: If you could put my drawings up, as you know the Sbriglios bought this facility in the early 90's. It was a regular nursing home, and Mr. Sbriglio, who is no longer with us sadly, decided that he wanted to make a state of the art nursing home. So around about '98, '99 we put on a major wing and we redid the interior to bring it up to the level that Mr. Sbriglio thought that nursing care should have. Then about 2006, we added a major rehab wing, state of the art, including a pool because there is a big need for rehabilitation beds in Connecticut. There are rooms above and we tried to make it look more like a hotel than a nursing home.

Because of the changing needs of the residents and what is happening in the State, the Sbriglios need to add another level of care to their nursing home. We call it "assisted living", we call it "residential care", whatever you want to call it. Basically we are providing a one bedroom suite for people who can no longer stay home, but need some care, that people who are in nursing homes who do not need nursing home care but can live with aides in a more respectful private area. The rooms themselves are one bedrooms with handicapped bathrooms, handicapped kitchenettes, everything that a person would need if they are in a wheelchair, a walker, or just a little bit frail. The idea was to connect it to the existing building to create a continued care; both of them feed on each other. We also wanted to connect the existing building to the lower floor level at the rehab area so that they could take advantage of the rehab, the pool, and all of the amenities that we have on the lower level. We also connected it to the upper lobby of the existing nursing home so that there are two levels of connection to the existing building. We also added a port cochere, a covered drop off area, for the residents and basically it's for the protection of people coming in who are frail, and it's also a requirement of the ADA, to have a protected entrance.

Now the lower floor [pointing to the diagram on the monitor] is all of your services, your dining room, kitchen, lounges, and areas for the residents to congregate. As you go up to the next floor, a typical floor, what we did is we made a typical floor of basically the one bedroom units and we included a lounge area, laundry area and some open space for the residents. As you can see, because of the elevation change we lowered the building so it is at the same level

as the brick house, so it basically masks the nursing home behind it. The building itself, the top of the roof, is at the same level as the top of the roof of the existing nursing home because of the way that the grade works. The upper elevation [on the rendering displayed] is what you would see from the street if you are driving by on New Britain Avenue. On the left is the nursing home with the lounge area, and on the right is the proposed building. We tried to create a similar element to make it feel like it is adaptable, to make it fit in. As you can see, it's pretty much the same as the existing nursing home. We structured the building to tuck it in in such a way that we could create a courtyard between the existing and the old building to create a secured courtyard for the residents of both buildings, and kind of fit it in so that the space between the buildings creates a distinctive space for the residents and the people who live there. In that area we're planning on having plantings, and seeding; we're trying to make it a very quiet and reflective area.

As you can see, the buildings are approximately thirty feet apart, which I have to do per code, for fire separation. The idea was to break up the scale of the building by, the first floor would be (inaudible) material, that would be looking, as you drive in looking at the (inaudible). We have tried to break up the building by putting three different types of materials: brick, cement clapboard, and elements of the green roofing which we already have on the existing building. So we are going to try to tie that in with the existing building. We'll try to make it look like a conventional, very warm and appealing residential building. Every unit has a balcony, because we feel that it is important that they have the ability to either look into the courtyard or into the wetland area, so the views are still decent. The idea was to make it as compatible with the uses of the site, with the continuing care between kind of assisted living, nursing home, rehabilitation, and a synergy of uses that the Sbriglios, the owners, are looking to create on all of their sites. I think that's it. Any questions?

Vice-Chairman Anest: This is a public hearing. Is there anyone from the public who wishes to speak in favor of this application? Is there anyone who would like to speak in opposition to this application?

Albert Magnoli, 275 New Britain Avenue: This is a lot more than I expected. Needless to say, I am opposed to Petition #29-15. In 1957-58, Paul and Helen Listro, the owners of Bel-Air Manor petitioned the zoning board for a zoning change to build a nursing home. The abutting property owners questioned the presenters because three building lots on New Britain Avenue were not fully addressed. We wanted them to remain an R-20 Zone to maintain the integrity of the R-20 zone in the area. The R-20 zone has survived all these years through a number of challenges. This project will be our biggest challenge. After the home at 269 New Britain Avenue is demolished the entire parcel will become a large parking lot. I find it beyond understanding that one would accept the changing of the R-20 zone to a parking lot, no matter what the reason. I feel that a parking lot on New Britain Avenue is not in keeping with the original plan, will be a deterrent to the integrity to the area, and the neighborhood and decrease property values. I find few people who want to live across from a vibrant parking lot. Adding a new wing to the complex and two parking lots, one on New Britain Avenue and another in the back adds up to a large increase in traffic. Can the neighborhood absorb this increase in activity and commotion? The quality of life in the area will suffer greatly. We must remember that the neighborhood was residential in nature long before Bel-Air Manor was allowed to be part of it. A question for the Town Plan and Zoning Commission: at what point does a facility like Bel-Air Manor outgrow the neighborhood? When and how should the lines be drawn? I believe this project is the tipping point. Thank you for listening.

Vice-Chairman Anest: Thank you. Is there anyone that would like to speak in opposition?

Karen Buckley, 255 New Britain Avenue: I live directly across the street, so my view will be changed to a parking lot. Certainly I'm concerned about my home value. I've lived here over twenty years and everyone knows now that I live across the street from Bel-Air Manor, so I can't even imagine if you are talking about increasing the parking lot because now, people are parked all over the place. It's noticeable that there is a parking issue there and they are parked up and down the driveway, which kind of takes away from the neighborhood look. My biggest concern is safety. Living across the street, I cannot tell you how many times I have heard the screech of tires, and I sit and wait and hold by breath to see whether or not the crash is going to happen, and when it does I pick up the phone and call 911. I didn't hear anything about any studies being done, about the amount of traffic and accidents in that area, and it's a lot. I'm not home consistently, but I can tell you, there are accidents constantly. People pulling in, people pulling out; they slow down, it's a busy road, people are going. I don't know what the speed limit is, but it's probably an average of 50, 55 miles per hour that people are traveling down that street. They come up over the hill and they don't realize that people are stalled, or people wait until the last minute, they see the sign and they turn in, so for a lot of reasons there are a lot of accidents there. I certainly have those concerns. Again, thank you.

Vice-Chairman Anest: Thank you. Is there anyone else that would like to speak in opposition to this petition? Is there anyone who would just like to speak? Would the petitioner like to rebut?

Alan Bongiovanni: Mr. Magnoli is correct, it is an R-20 Zone; the entire parcel is an R-20 Zone. We're here as a public hearing item because it is a Special Exception. In all of the R-20 Zones, the zoning regulations allow this type of use, so we are within the regulations. Previous applications have come before this Commission and received a special exception. Statements were made that this is a "tipping point". As I stated earlier in my presentation, this project would be in all likelihood a maximum build out with 168 units. By zoning you could put 144 units on this property, so we are not even close to what the maximum yield could be for this piece of property. There will be parking in front, and one of the nice improvements is that in the rear of the property we greatly expanded the parking. Most of the additional parking is at the rear here. That is the existing condition of the site [pointing to diagram on the monitor], the existing house and all of the pavement that is there now in front of the building. We're going to reconfigure things a little bit, but we're not going to introduce parking that does not already exist there as the second speaker said. There are a number of cars that park in front now, and there are cars that park along the driveway at peak times. By allowing this design, we have very little parking here now. You are going to see three or four times the parking in that area, which would be employee parking on a regular day. Most of the day, sixteen of the twenty-four hours, most of the employees will be parked there. Not all of the employees will be parked there. Many of the other spaces will be reserved for visitors. Another aspect of redesign and regrading and re-pavement would make all of that handicapped accessible. Regarding quality of life issues: it's the same use. It's an upgrade to the property, it's not going to change, it's still a residential use, and we don't believe it will cause degradation to the quality of life.

With regard to accidents, the driveway location is going to remain the same. The configuration, the geometry will remain the same. We're on a very long tangent of New Britain Avenue, a straight shot from the signal at Willard Avenue to this driveway location. As you continue westerly beyond the Emanuel Baptist Church to the west, you get into a significant grade there. I'd be happy to, before your next meeting, have our traffic engineer check out the traffic accident history for this location, but in my experience, it's a very safe location. Granted, all of our east/west routes in the Town of Newington are over burdened at times. What we are looking to do here is to expand within reason, not a significant traffic count. As we said, the majority of the parking that we are looking for is to accommodate

weekend visitors, families and such, but we will, before the next meeting, see if there are any issues with traffic and if so, we will address that. Thank you.

Vice-Chairman Anest: Thank you. Commissioner comments?

Commissioner Aieta: Have you looked at the possibility of screening? I know that you might have a sight line problem coming out of there with plantings that buffer that parking area.

Alan Bongiovanni: There is a drainage easement parallel to New Britain Avenue, the first twenty feet from the highway line, that restricts us as to the amount of landscaping that we can do there, but we will be happy to look at the language of that and if we can do some mounding and screening.

Matthew Boggio: I wouldn't want to obstruct the sight lines going westerly, but we might be able to do some plantings, berms, along the edge of the parking lot and the street. We can give some kind of relief by breaking up that parking. I can understand the people who live directly across the street, their concerns, although if you drive by now there is parking pretty much there. There is a house, so it looks more residential now than after this is done.

Commissioner Aieta: This is along the lines of what we looked at up on the mountain, the Amara project, the same type of development where people will have different levels of care. This would be the maximum build out, right?

Alan Bongiovanni: I think so. I can't see a logical place with the restrictions of grade and wetlands.

Commissioner Sobieski: On the issue of speed here, I think the police department should be asked to go out and see what is actually going on, what the speeds are. You might alleviate it by asking the town to request DOT to put up hospital entrance signs, signage so that people will be aware that people will be slowing down to go in there. It's only a suggestion.

Commissioner Aieta: Just one more thing. How many units are in the new addition?

Alan Bongiovanni: Forty-five. There are currently 70, and they are all one bedroom.

Mark Petrin: Could I interject? The way that we have it set up is, if a husband and wife want to be together, they would have two units with a door between so they would have their own, call it a two bedroom unit.

Vice-Chairman Anest: You would allow a husband and wife to share a unit?

Mark Petrin: They would have two units.

Vice-Chairman Anest: What happens if they don't want two units, they want one unit with a double bed?

Mark Petrin: Then we would have to do a little redesigning. We are set up basically for singles.

Commissioner Serra: I have one question about what one of the speakers brought up. If I understood this right, cars are currently parking along the entry way on that road, as you come in and out. Would the additional parking eliminate that? Would that get those cars into parking areas?

Alan Bongiovanni: Yes.

Commissioner Serra: So there would be "no parking" signs or something there?

Alan Bongiovanni: Sure, we could sign it.

Commissioner Serra: It's residential. I don't want all kinds of signs all over the place making it look like we are in downtown Hartford. Something aesthetic, something nice that would keep the cars off there and also give more sight lines for drivers coming in and out.

Mark Boggio: On the entrance going in, on the right hand side, that's parking.

Alan Bongiovanni: This is going to be new parking, ninety degrees to the travel way, correct.

Mark Boggio: There is informal parking on the right hand side when you go in, that's what happens now, people parallel park along there now.

Vice-Chairman Anest: The existing driveway is longer than the proposed, correct?

Mark Boggio: Yes.

Vice-Chairman Anest: Does anyone from the audience want to rebut anything that was discussed?

Albert Magnoli: I think the important aspect of this is that this was a residential area long before Bel-Air Manor was here. We invited them to join the neighborhood, and I think this addition is the tipping point. The Town Planning and Zoning has to understand how much the neighborhood can absorb in reference to the addition of this project. It is mammoth, more than we expected. Thank you very much.

Commissioner Aieta: I would like to close the public hearing and move this to Old Business.

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

Vice-Chairman Anest: We will move this to Old Business for our next meeting on September 24th. It is a Thursday.

Alan Bongiovanni: Thank you very much.

B. Petition 31-15: Zoning Text Amendment (Section 3.22.1C: Commercial Vehicles in Residential Zones) to change the definition of "commercial vehicle" Newington TPZ applicant/contact. Continued from August 26, 2015.

Craig Minor: At the public hearing there were three issues coming from the Commission: the DOT license number on the side of the vehicle; utility trailers defined as "commercial vehicle"; and allowing by Special Permit a second commercial vehicle, whether it's a trailer or another truck whatever the homeowner or the individual wants. They would have to go through a public hearing, they would have to convince the Commission that this second commercial vehicle would be appropriately screened. Then it occurred to Mike D'Amato and me that there really is, in our opinion, no reason to allow homeowners to have construction equipment on their property for a long period of time. If you are building a house, fine, have a backhoe or whatever, but construction equipment really has no place in a residential zone in our opinion. So we suggested specifically listing, under the prohibited uses in the residential

zone, "earth moving equipment, cement mixer, trench and pipe laying equipment, and similar construction equipment unless being used in connection with a building permit". So those are the issues that staff heard at the hearing.

Commissioner Aieta: If someone is running a business out of their home, at some point these people should be looking at renting commercial space. If we allow them to have more than two vehicles, then they are to the point where these people should really be in a commercial zone, or renting space in an industrial park. I know that for forty years I have run a home occupation out of my house and I have vehicles, so I rent commercial space, a warehouse in an industrial park. I have commercial vehicles but they are parked in an industrial park, they are not parked at my dwelling. I think at some point, if it is a legitimate business, then they have to bite the bullet and move into a commercial zone.

Vice-Chairman Anest: Any more comments before I go back to the public?

Commissioner Serra: With a trailer, whether it is landscaper-type trailer, an enclosed trailer, whatever, if there is signage on it, is that different? I would think that it would be.

Craig Minor: That's a good question. Let's go to the regulation. I'm looking for something in the regulations, the kind of trailer landscapers use to move lawn mowers to the job site...we will have to spend more time on this. This would be a commercial vehicle, so as long as it was in the backyard and he has no other vehicles, doesn't have a pickup truck to pull it around... Or a truck with no signage.

Vice-Chairman Anest: So it's one or the other.

Craig Minor: Yes.

Vice-Chairman Anest: Unless we incorporated a special permit regulation, then, and he would have to come before us.

Commissioner Aieta: The regulations that regulate home occupations weren't set up for these types of things. They were for professional offices, doctors, lawyers, accountants, those types of businesses, I don't know.

Craig Minor: There are two kinds. You have the home occupations that come before you for approval, and then there is the kind of home occupation that is as of right, so long as there is no evidence of the business. But yes, if they also have a commercial truck, that would kick that into the kind that would require a special permit.

Commissioner Camillo: You have a contractor who has a commercial vehicle, and he has a trailer that is for after hours recreation, say he's a sponsor for his son who rides motorcycles, quads, something like that, and it's registered in his wife's name, or his son's name.

Craig Minor: But as we just found, "trailer" is not written in, because the intent was that a trailer that is being used for business purposes would be a commercial vehicle, and according to the regulations you cannot have two. But it sounds like the Commission is amenable to allowing a second one by special permit, so the person could have that trailer, but it would have to be parked in the back yard. It would be allowable, that is the important thing. It probably would have to be screened, but it would be allowable.

Commissioner Aieta: As long as they are not running a massive business out of their house, which would kick them into the area where they would have to come to us anyway.

Craig Minor: Right.

Commissioner Serra: Would that special permit be a one time thing, or would it be renewable every couple of years?

Craig Minor: That would be at your discretion. You could require them to come back after a certain period of time, or make it for as long as they own the property, depending on the vibes you get from them during the presentation.

Commissioner Aieta: Normally when we give special permits like that we give them for a year and then if there are no problems we extend it for a couple of years, and then after that we might go five years, but we like to have them come back after the first time so we have a crack at them to find out if there are any complaints from the citizens or the police department, or just to get an idea if they are doing it the right way. Most of the, like the home daycare for children, they have to come back.

Commissioner Serra: I agree one hundred percent. I just wanted to get that out there and see what the rest of the Commission felt.

Vice-Chairman Anest: This is a public hearing, so if there is anyone out there who would like to speak in favor of this petition, please come forward. Anyone who would like to speak in opposition? Anyone who would just like to speak?

John Bachand, 56 Maple Hill Avenue: Good evening. I'm a little confused now. It seems like trailers, all by themselves, have become commercial vehicles. Something has to be fixed there because there is no distinction, you are just calling a trailer a commercial vehicle. Someone may have a trailer that has nothing to do with a business. I have a few trailers. I use one around the yard to water trees with a water tank on it, and I've got another one that I go to the dump with. They are all in my backyard. This special exception thing for a trailer seems a little bit extreme. Trailers are common now, more than ever. People use them for all kinds of different things. The special exception for the home occupation, I'm a little confused about that too. I thought this was about commercial vehicles and then the trailer part of that, in the front yard. A lot of guys who have regular nine to five jobs do a little bit of landscaping on the side. They have a trailer parked in the property, and they may not meet the commercial definition in any other way, they drive a pickup truck and hook a trailer up to it, so I thought that was problematic from the beginning. Then the back hoe comment. I have a small backhoe. It's attached to a small tractor, and there are a few guys on the street that have them. We use them in our yards. We dig up stumps, some people have bigger yards, they have a small, compact utility tractor with a backhoe attached to it. It's not a piece of construction equipment but I guess someone could argue that it is. I'm not prepared to give that up. So that would have to be case by case too I guess, and they are marketing these things to homeowners basically. I think that is about it. Thank you.

Commissioner Aieta: We keep raising more questions than answers, so I would suggest that we keep the public hearing open until we get some answers on the trailers. We have regulations that regulate vehicles in the residential zone now, but it doesn't define "commercial vehicle", and what we are trying to do is define them, so that when the Zoning Enforcement Officer gets a complaint he can say, yes it is, or no it's not, because right now I believe he can't. The regulations don't allow commercial vehicles in the front and basically it's like a one part of the regulations says you can't have any commercial vehicles and then it is up to the Zoning Enforcement Officer to say what a commercial vehicle is without it even being written down anywhere. I think what we are trying to accomplish is a definition of what a commercial vehicle is. The regulations say that if it's in the back yard like where Mr. Bachand has most of his equipment, and the things that he uses to run his business, there is

a back yard so that wouldn't even be a consideration of the Zoning Enforcement Officer, right?

Craig Minor: Basically the regulation concerns the parking of vehicles in the front yard. There are many inter-related issues that the ZEO is concerned about. The description of accessory uses permitted in residential zones specifically says that a commercial vehicle not larger than a certain size is allowable, which then means that anything else is not allowable, such as a backhoe or a tractor. I think as of now, what Mr. Bachand described is not allowable. I think we should either allow them with controls, well, I think we should do something about it because there is no regulation for backhoes and trailers or tractors.

Commissioner Sobieski: Mr. Planner, the type of tractor that Mr. Bachand referred to, I see quite a few of them around town, quite a few people have them. I definitely think we should put a limit as to the type and the size. I know people who use them for yard work, snow removal, they do have the attachments that you can add stuff on to, so I wouldn't want to penalize everybody. I don't want to see a huge front end loader or a backhoe, a backhoe for heavy duty construction, but I think what Mr. Bachand is talking about, for a homeowner's use, should be exempt.

Vice-Chairman Anest: And if you have a trailer that you use to haul things to the dump, that you are not using it for business or trade, is not a problem. If you are using stuff as a homeowner, it should be allowed. We will leave this open and have another hearing on the 24th.

Commissioner Serra: Maybe it would help if we were able to get some brochures from somebody, John Deere, any of these companies, that shows the size of these different tractors. There are all different models, so it maybe would give everybody an idea of what we are talking about when we say "tractor". They have some kind of home use, and then they have the commercial end. It will give you a visual of what we are talking about.

Vice-Chairman Anest: Good idea, thank you.

C. Petition 33-15: Renewal of Special Permit #51-13: Child Care at 82 Candlewyck Drive, Agnieszka Kaim, 82 Candlewyck Drive, Newington CT owner/applicant/contact.

Vice-Chairman Anest: Would the applicant come forward and state your name and address or the record, please?

Agnieszka Kaim, 82 Candlewyck Drive: I would like to renew my special permit for a child day care.

Vice-Chairman Anest: Craig, do you have any comments?

Craig Minor: This was approved several years ago with the condition that Ms. Kaim come back for renewal. Another condition was that arbor vitae be planted to screen the property from the neighbors to the east. The ZEO and I were out there the other day and these are the pictures that we took of the property [displayed on the monitor] so that the Commission can see that there are arbor vitae along the northeast side, and this is the east side. I have not received any written complaints or questions about the application.

Vice-Chairman Anest: Since this is a public hearing, is there anyone where who would like to speak in favor of the application. Anyone who would like to speak in opposition? Anyone who would just like to speak? Seeing none, what is the pleasure of the Commission?

Commissioner Aieta: I would like to close the public hearing and move this to Old Business and act on this tonight, and possibly extend the length of time before she has to come back again.

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

Vice-Chairman Anest: What would you like to extend the time to?

Commissioner Aieta: We have it now that she's coming back every year. I would say give her four years, and just have her touch base with us in four years and if there are no problems we'll extend it. If you sell the house or move or something, the buyer does not have the right to operate a day care center.

Vice-Chairman Anest: We will be voting on this, this evening.

D. Petition 34-15: Resubdivision of Parcel at 45-47 Monte Vista Avenue. Jacques Morreale 123 Cherry Hill Drive, Newington CT, owner/applicant/contact

Vice-Chairman Anest: Would the applicant come forward and state your name and address for the record, please?

Jacques Morreale: I live at 123 Cherry Hill Drive. I used to live at 45 Monte Vista and then I moved to 47. I bought the house in July of 2000. Since then I have improved the property and when I completed the last project, I bought another house and started again. It always stayed in my mind to separate the properties. A lot of the properties in the neighborhood are also separate. Then I ran into a friend of a friend who became a friend and I offered to sell him the property. He couldn't get approved for it, so I thought it might be a good idea to separate it and make it more accessible to purchase. That's where I am today.

Craig Minor: The only problem with the application is the surveyor forgot to indicate a number of items on the plans, such as water service for one of the two halves, and some of the setbacks are mislabeled, but these are just paper issues. There is no problem with the application.

Commissioner Aieta: Do you have a sale pending? If we didn't act on it tonight would it be a hardship?

Jacques Morreale: No no, not at all.

Vice-Chairman Anest: Since this is a public hearing, is there anybody who would like to speak in favor of this petition? Anyone who would like to speak in opposition? Anyone who would just like to speak.

Commissioner Aieta: I'd like to close the public hearing and move it to Old Business for our next meeting. The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with five voting YEA.

Vice-Chairman Anest: So on September 24th, which is a Thursday, we will be voting on your application.

V. **PUBLIC PARTICIPATION** (for items not listed on the Agenda, speakers limited to two minutes.)

Rose Lyons, 46 Elton Drive: I may have mentioned this before, but it's worth repeating. There is a lot of talk about what is going to happen to Town Hall when it is rebuilt. I think I mentioned this before and we were just wondering if anyone had asked the Commissioners what your needs are for the rooms that are going to be used for these meeting. It's very difficult to see what is going on up here. I hadn't thought to ask that question, if anyone had asked the boards and commissions what their needs are.

VI. REMARKS BY COMMISSIONERS

None

VII. MINUTES

None

VIII. NEW BUSINESS

A. Petition 30-15: Site Plan Modification at 80 Fenn Road. Fenn Road 80 LLC owner/applicant; Joseph Sullo, 312 Murphy Road, Hartford, CT, contact.

Russell Heintz: I'm a licensed land surveyor in the State of Connecticut, and my address is 1227 Burnside Avenue, East Harford. We were here at the last meeting and you asked some questions that I could not answer in regards to what was going in there, so you asked me to come back. We have, since that last meeting, gotten comments from the Town Engineer and we are working on those comments, so there is nothing in his report that we can't take care of, so we have no problems with what he is asking us to do.

Patrick Callanine: Good evening. We are currently located at 209 Pickering Street in Portland, Connecticut and if approved we will be the majority tenant of this building.

Vice-Chairman Anest: I know that the Commissioners had some questions at our last meeting.

Commissioner Aieta: Please give us an overview of what your business entails. We've gotten some conflicting information, we were told it was demolition debris and we want to know exactly what you are doing, how the operation works, the amount of vehicles going in, and the size of the vehicles. We want to know exactly what you are doing there.

Patrick Callanine: We're a transportation company. We specialize in environmental (inaudible), which includes material from remediation, recycling, lab services, everything that pretty much goes with contamination. What we are concentrating on now is recycling for the Fenn building. The warehouse would incorporate pretty much a [inaudible], some storage space, and then space to support our operations. The operations at 209 Pickering in Portland is the core of our transportation. At any time we could have up to ten vehicles on the road, which includes tractors. We have two trailers that are, it fluctuates, but mostly it's like U-Haul size box trucks, like a Mitsubishi size, 15 x 20 feet, we have three of those in our fleet, and one larger 28 foot. We also have two Volvo power units, tractor units, and then one small tanker truck. We do haul hazardous materials if necessary, if it's part of the remediation, if it is part of the transportation contract that we have. We are fully permitted in Connecticut by the DOT and the EPA to haul such material.

Commissioner Aieta: What such material? Give us an example of it.

Patrick Callanine: Lead contaminated debris. We also haul flammable liquids, solvents of sorts, asbestos, PCB debris; pretty much anything that you can find in a clean-up job.

Commissioner Aieta: Okay. I have a building that you are going to remediate. It has asbestos, it has lead, it has PCB's around caulk joints; it's been remediated by some contractor and then they take this material and put it into some containment and then you come and, I'm not putting words in your mouth, I want to know what you do? You come and pick it up? Or do you do the actual remediation?

Patrick Callanine: We don't do a lot of asbestos. We do a lot of soil remediation. We don't do mold, we don't do radiological, anything like that; specifically, if you are talking about asbestos we would be just a transporter in that case, in a DOT regulated container, as you said, in a box or drum. We would be the person who transported it. Within the regulations of Connecticut we have 72 hours to transport it to a disposal facility. For most of these we usually use our Lowell, Massachusetts facility so at any time we could have a number of jobs in a truck that is heading up to Lowell. What we have now, we have a gated yard, site security, closed circuit televisions, locks and things of that nature. We have a written security plan in compliance with Connecticut regulations. Within the confines of the property nothing would be transferred, nothing would leave the trucks; we're not looking to process any of that. That is what our operation is currently at our Portland facility, so we are trying to blend these two, we'll call them divisions. This building would be used for the foam recycling operation. We currently have a Connecticut manufacturer that we purchase off spec foam from, which is a polyurethane foam, and we process it. It's just taking the cardboard roll out, bailing it, and then shipping it off in truckloads or trailer loads, so we're bringing in a trailer, pretty much processing it and sending out a trailer. The facility will also be used for supplies. We have very light equipment, generators, maybe some power washers and personal protective equipment, material handling supplies. This will all be there as well as our office for administration.

Commissioner Aieta: So as far as the new building that they are renovating right now, you will not be off loading any hazardous materials into that building? What is the building for, what are you doing inside that building?

Patrick Callanine: The building would be for the foam production, for the recycle.

Commissioner Aieta: Just for the foam?

Patrick Callanine: Yes. In support of the hazardous material transportation, we would have our supplies that would include vermiculite, which is a great packing material, any sort of spill containment we would also have, as I said, supplies and light equipment that might be used during remediation. Some cleaning supplies, different rags, if you are familiar with the environmental field we would have that stored. There's no hazardous waste, hazardous materials that would enter that building. There's no truck-to-truck transfer, nothing would leave the truck once it is picked up from the generator or from whatever remediation site that we are on. We have 72 hours to transport it to a disposal facility.

Commissioner Aieta: So if you are doing a job, you take the materials to this Fenn Road site, and then take it up to Lowell Mass, or wherever you dispose of it?

Patrick Callanine: Right.

Commissioner Aieta: And soil, you're talking about contaminated soil from gas stations...

Patrick Callanine: We do a fair amount of soil work. A lot of time we will sub it out; we're not huge on the heavy transportation such as roll-offs, and larger triaxles, or stuff like that. Our largest container usually is a box truck.

Commissioner Sobieski: So there would be no chance of spillage or anything, right?

Patrick Callanine: There would be no chance, and if there was, there would be some kind of safety device put in place. We have no spills, knock on wood, outside of our vehicles. We have full hazmat training kits if there were to be one, God forbid, so everybody has the proper training to react to a spill and to respond to anything needed. But everything is in secondary containment, within the trucks which are locked and in a fenced area, so as far as deterrents, we have everything in place for that. As far as spilling, there really wouldn't be any issue with that because there are multiple levels of containment.

Commissioner Serra: As you said, at your Portland location, this is going to be a fenced in lot, gated and locked. Will there be security cameras at this location? Will you have all that here, or will this be scaled down a little bit?

Patrick Callanine: We will have the same: the closed circuit television, the cameras outside, and through the landlord, we're working to have a gated area, completely around the rear of the building plus obviously the truck security of being locked with padlocks.

Commissioner Serra: With the security cameras: will you have a security person watching these cameras? You know, cameras are only as good as who you have watching them.

Patrick Callanine: Correct. We don't have anything in place where we are now, but you can pick up your phone and check five or six different cameras.

Commissioner Sobieski: Do you have (inaudible) trucks too?

Patrick Callanine: Yes, we have one.

Commissioner Sobieski: What's that, a trailer?

Patrick Callanine: No, it's a 2200 gallon truck. We used to have a split stainless that has been decommissioned.

Commissioner Camillo: When it's full, where does it go from here?

Patrick Callanine: We never store a full tanker truck on site, it would be a direct call. Say we have a waste water job. We would go directly to the Meriden facility that we use, or the Bridgeport facility. There are a few up in Stoughton, Mass.

Commissioner Camillo: On the property, are there floor drains? Are there drains in the parking lot? Do they have separators or anything like that?

Patrick Callanine: I wouldn't be able to speak to that.

Commissioner Camillo: If you have a spill, so it doesn't make it to a stream, it has to go through a separator or a dry well or something.

Patrick Callanine: I would have to defer to an engineer to answer that.

Commissioner Camillo: That is a concern. You are near the wetlands, near the tracks, the busway, etc.

Patrick Callanine: We would have some containment, obviously, if there was a spill. The materials we have inside have drain covers, and we have a boom that goes around it.

Commissioner Camillo: You said you are going to shred the Styrofoam?

Patrick Callanine: No, we wouldn't be doing any shredding. It's a baling process.

Commissioner Camillo: If you bale it, you'd have dust.

Patrick Callanine: No, it's polyurethane; we're just compressing it and baling it.

Commissioner Camillo: Down in Shelton they buried it all. Are you aware of that?

Patrick Callanine: No, I'm not aware of that.

Commissioner Camillo: They contaminated the ground, and now they can't sell the property because there are fine, minute pieces because when you are shredding it, when you are baling it, some of it is going to come apart in some pieces. Open the door, the wind catches it and it ends up in the parking lot.

Patrick Callanine: We did put some engineering controls in place for that, but we don't shred too fine. I think the smallest shred is probably 2 x 2 inches.

Commissioner Camillo: Right, little pieces will come off of it when you do rip something, you get minute pieces and eventually, at the volume that you are talking about, it will be airborne.

Patrick Callanine: Well, it wouldn't be flying around like sawdust or anything like that, it would be sweepable.

Commissioner Camillo: I'm asking because when you mention environmental, flags go up.

Patrick Callanine: Absolutely, I understand.

Commissioner Aieta: In the site plan you are showing for 36 Holly Drive, the existing building. You propose to use Holly Drive as your main entrance and you are going to construct some type of a roadway or a right of way into this other parcel. Do you need that to make the operation work? Why couldn't you just come off of Fenn Road?

Russell Heintz: It's for convenience, the size of the box trucks, and the limited space that we have to back up and turn around here. It's much easier for them to come through the back of the Holly Drive property and back up into the loading docks. If it's a tractor trailer truck or if it's a large box truck, it's just much simpler to make its maneuver.

Commissioner Aieta: I noticed when I went by 36 Holly Drive there were a great number of tractor trailers. Are those part of that operation, or is that part of 36 Holly Drive?

Patrick Callanine: That is part of our operation. That is the backlog of us trying to find a place to get this division rolling.

Commissioner Aieta: Those are not permanently going to be there?

Patrick Callanine: No, once we get a larger permanent spot, those will disappear quite quickly.

Commissioner Aieta: What are you storing in them now?

Patrick Callanine: Rolls of felt. The product comes in on large rolls; we either unroll them or take the cardboard core out, and then chain them together with steel banding per our buyer, that's the way that they want it for their use.

Commissioner Aieta: Where does it go after that?

Patrick Callanine: We have a purchaser in the Philadelphia area, and they use it for carpet foam, so they shred it up and recycle.

Commissioner Aieta: We're not trying to beat you up here, but when you start talking about hazardous materials, we want to know exactly what is going on. All of the property that surrounds your piece is owned by the Town of Newington, so we have some concerns. There are wetlands there. We're concerned about exactly what the operation is. I've seen other construction debris operations that I would not like to see in the Town of Newington where they bring in concrete from knocked-down buildings, and some of the stuff that the Manafort's do down on Christian Lane. We don't want to see that type of an operation.

Patrick Callanine: It's less than a single truckload of drums and smaller containers.

Commissioner Aieta: So we wouldn't be looking for a whole lot of activity outside?

Patrick Callanine: No. The parking, and the morning crews getting their gear.

Commissioner Camillo: What would be in the 55 gallon drums?

Patrick Callanine: Depending on what the project is, it could be the contaminated debris that we spoke about. We also do collection from some hospitals.

Commissioner Camillo: How long would it be on the property, and would it be inside?

Patrick Callanine: No, it would never be inside. It would always be in a truck and no longer than 72 hours within the confines of a truck. We never transfer it to another truck per Regulations. Whatever truck we pick it up with, it must stay on that truck.

Vice-Chairman Anest: Any other questions from the Commissioners? What is your pleasure?

Commissioner Serra: I would say leave it open for one more meeting to give the public a chance. Oh right, we still need the Town Engineering review part. Let's wait and get all the information that we need.

Vice-Chairman Anest: We will keep the application open for our next meeting on Thursday, September 24th.

B. Petition 32-15: Site Plan Modification at 50 Rockwell Road. Reno Properties LLC, applicant, 50 Rockwell Road LLC, owner, David Occhialini, Reno Properties, 170 Pane Road, Newington CT, contact.

Craig Minor: I see that Mr. Bongiovanni has left, but he has submitted one copy of the revised plan I reviewed earlier today. I could pass around what you saw the last time.

Commissioner Aieta: Are there changes to that plan?

Craig Minor: Today I got an email from the Town Engineer stating that he is satisfied with it but he does recommend that it be approved with the stipulation that the applicant's engineer revise the LID calculations, and that the resulting grading plan be to his satisfaction. My comments have been addressed on the revised plans. I have a draft suggested motion for you if you would like.

Commissioner Aieta: I would like to move this application to Old Business and act on it tonight with the comments from the Town Planner.

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

C. Discuss Format of TOD Informational Session on September 24, 2015.

Craig Minor: I prepared a press release last week and sent it to all the local newspapers. I have an idea what the format of the meeting should be but it is obviously your show, so I put on the agenda to discuss the format. I believe it is in the agenda package, so I will turn the floor to the Commission for your comments or suggestions.

Vice-Chairman Anest: Let me read the suggested agenda:

1. Call the Meeting to Order
2. Greeting and goal of the meeting
3. Brief explanation of TOD (Town Planner)
4. Public Comments

There will be a sign-up sheet at the entrance for people who want to speak. Two minute limit, then anyone who is not signed up can raise their hand and be recognized by the Chairman.

5. Comments by TPZ Members
6. Concluding remarks
7. Adjournment

Commissioner Serra: As our regular meetings, "public comments" is restricted to two minutes. For this particular meeting I suggest that we make it three minutes. Give the public a little bit of a chance. I mean, three minutes isn't a ton of time, but it's going to be very busy. I don't think we can give much more time than that, but I think three minutes would be appropriate.

Vice-Chairman Anest: And if time permits, we can let them come back up.

Commissioner Aieta: Item 2 says "Greetings and goals of the meeting". What would that entail? Just give me an idea.

Craig Minor: I put that in there because I was sure the Chairman would want to say something to the public.

Commissioner Aieta: Are we going to give them anything, or are we just getting information from them? Okay, basically getting information from them and then we will digest what the public has to say. We're not really giving them, well, this is our vision.....

Craig Minor: Right, I wasn't planning on having any handouts.

Commissioner Aieta: Just trying to figure out, that's fine.

Craig Minor: Greetings and goals of the meeting, two minutes at most; brief explanation of TOD, two or three minutes at the most,

Vice-Chairman Anest: And then let it go to the public, because I think that is what we want. We want to hear from the public what they want. We know what they don't want; we want to know what they do want. I think that could be emphasized, and from there we can start working on the Cedar Street and Newington Junction.

Craig Minor: We have reserved the big meeting room. I have been in touch with Newington CPTV and they will broadcast the meeting live, and then also get back here for your eight o'clock meeting, because your seven o'clock meeting has been kicked back an hour to allow two hours for this special meeting.

Vice-Chairman Anest: As long as we emphasize that this meeting is Thursday, September 24th, at 6:00 p.m., not our normal Wednesday night. See if on our web page, on the front of the web page, where they list like upcoming events, if they could put a separate line item just for this. Thank you. Anything else?

IX. OLD BUSINESS

A. Petition 32-15: Site Plan Modification 50 Rockwell Road Reno Properties LLC. applicant; 50 Rockwell Road LLC, owner, David Occhialini, Reno Properties, 170 Pane Road, Newington CT, contact.

Commissioner Camillo moved to approve, with conditions, Petition 32-15: Site Plan Modification at 50 Rockwell Road, Reno Properties LLC, applicant; 50 Rockwell Road LLC; owner, David Occhialini, Reno Properties, 170 Pane Road, Newington CT, contact.

Conditions:

1. The applicant's engineer will revise the LID calculation and resultant grading plan to the satisfaction of the Town Engineer.

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

B. Petition 33-15
82 Candlewyck Drive
Agnieszka Kaim, owner/applicant

Commissioner Aieta moved to approve Petition 33-15 renewal of a special permit 51-13; Child Care at 82 Candlewyck Drive, Agnieszka Kaim applicant 82 Candlewyck owner/applicant.

Conditions:

The applicant must return in four years to renew the special permit instead of two years.

The petition was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with five voting YEA.

X. PETITIONS FOR PUBLIC HEARING SCHEDULING

A. Petition 35-15: Special Permit (Section 3.11.6: Restaurant) for "Subway at 63 East Cedar Street, Newington Sovereign Bank Plaza LLC, owner Terrence McMorrow, 433 Old Mountain Road, Farmington, CT applicant/contact.

Craig Minor: Petition 35-15 is for a Special Permit for the Subway which is currently at the corner of Cedar and Willard to move down to 63 East Cedar. The bank is on the corner, so this is going into the next building. I recommend the hearing be scheduled for your next meeting on the 24th.

XI. TOWN PLANNER REPORT

A. Town Planner Report for September 9, 2015.

Craig Minor: Zoning Enforcement Issues raised at the last meeting: None.

Second Item, Old Performance Bonds: I think we have resolved as many of the Old Performance Bonds that I inherited from the previous Town Planner as we are going to, without getting the Town Attorney involved which I do not recommend doing. Most of the outstanding items are either the second course of pavement, parking lot paving that hasn't been installed, or deceased plantings. I have warned many of these persons that their delinquency will impact any future applications for TPZ approvals. I have attached to the package the spread sheet, giving more detail on what the outstanding issues are, but it's mostly parking lots and landscaping.

Commissioner Aieta: So we just let this money hang in there?

Craig Minor: Yes, I don't think it's worth having the Town Attorney getting involved.

Commissioner Aieta: At some point, couldn't we just take the money?

Craig Minor: Take the money and do the work ourselves? We could, but again, do we really want to get into the paving business, especially with a hostile property owner who might have his attorney there to stop us from doing it? That's why I say, we have probably gotten as far as we can go with these.

Commissioner Aieta: Okay, so when any of these people come in for any applications we would have to...

Craig Minor: Right, that would be our opportunity.

Commissioner Aieta: Global Granite, they are coming in for something, aren't they?

Craig Minor: Right. That is what I was alluding to when I said that I warn individuals that this would impact future applications.

Commissioner Aieta: The only thing we have going for us is that all come in, eventually, and then we will get these cleaned up because the Planner is right, we can't send these to the Town Attorney, we can't go and do the work ourselves, but we can make sure we keep enough money if we have to jump in and do the work.

Craig Minor: That's a good point. There are some bonds that came in since I have been here, such as Bonefish; we have a couple of thousand dollars from Bonefish for grass, which is by now well established, it's been mowed more than three times, so that money is ready to be released. They probably forgot about it, so I had Mike go out and inspect the property and we can remind Bonefish to ask that the bond be released.

Commissioner Aieta: We have to stay on top of this. We don't want the list to get any bigger than what it is.

Craig Minor: Right. Okay then, the next item: at the last TPZ meeting I told the Commission that I would like to address eight specific goals and strategies in the 2020 Plan of Conservation and Development. I then asked the Commission if any of these should be tackled sooner than the others, and I was asked to look at the first two first. The first one is:

1. Amend the Zoning Regulations to incorporate an impervious coverage standard to control rain water runoff from roofs, roads and parking lots."

I did a little research on that and I discovered that there is a ten percent minimum impervious coverage requirement which was in effect when the POCD was written, and I'm not sure why the Commission felt we needed to do more than that, but we are actually doing more than that with the new LID regulations. We do address the goal of protecting ground water and streams from degradation.

2. "Develop a program that permits with Conservation Commission's wetland approval, the cleaning of streams of debris, fallen trees and silt."

I discussed this with the Town Engineer because he is the staff to the wetlands commission. Newington does have a process called "General Permit Number One" where the Highway Department is able to clean and maintain the streams without having to go to the Conservation Commission officially. They have to talk to the Town Engineer to make sure what they want to do is appropriate under General Permit Number One, but the point is there already is a mechanism to make it easy for the highway department to maintain streams. However, that same process does not apply to private property owners. So I am in the process of talking to the Town Engineer about possibly suggesting to the Conservation Commission that they come up with a similar process for the private property owners to be able to do the stream maintenance without having to go through the considerable expense of hiring an engineer and then going before the Conservation Commission. This can take months and months just to do simple stream maintenance. So, I'll be working with the Town Engineer on that. Then the remaining six I haven't gotten to yet, but I will. And that is my report.

Commissioner Sobieski: Mr. Planner, the Town Highway Department must be directed to go into cleaning up these streams, is that correct?

Craig Minor: I don't know whether they are self directed, or whether they respond to complaints.

Commissioner Sobieski: I know in the case of Piper Brook they have never gone in and cleaned it. As I mentioned to you a little bit earlier, the stream is meandering east so it is washing away trees that are falling in and blocking the brook.

Craig Minor: Do you want me to suggest that the Highway Department……

Commissioner Sobieski: No, I don't know the mechanism, that's why I brought this up earlier and asked how we get to it.

Commissioner Aieta: I think they have a mechanism, but they don't do it. I mean, there is a stream behind that new development, that Gateway piece on the Berlin Turnpike and Rowley Street, there is a stream there that's blocked with shopping carts and all kinds of stuff, and I don't believe anyone has ever looked at any of that stuff.

Commissioner Sobieski: The other issue is detention ponds that the Town is responsible for. They have never been cleaned. If we are looking for LID which is what we put on all these businesses and homeowners, this is part of LID. There is one at Elizabeth Green that is all fenced in, trees growing up, it looks like a forest in there. So, at a minimum, it should be cleaned at least every other year like the retention basin on Route 15 is. There is one in back of FoodMart, there is one on Willard Avenue up there, there are a whole bunch of them.

Craig Minor: I can ask the Town Engineer or the Highway Superintendent if there is a schedule that they are working off of.

Commissioner Sobieski: This would fit into LID. I mean, if we are asking homeowners to do this, I think the Town should comply.

XII. COMMUNICATIONS

None.

XIII. PUBLIC PARTICIPATION (For Items not listed on the Agenda; speakers limited to two minutes.)

Rose Lyons, 46 Elton Drive: Regarding the Town Planner's report about taking care of the retention ponds streams and brooks, I have been speaking and speaking and speaking to the Conservation Commission. The Town of Newington does not, in my opinion, hold itself to the same standards that it holds the residents of the town. This General Permit Number One, only once have heard referred to, and that was when the Town had been dumping some materials near the tennis courts. I have been told that the Town does not have the manpower nor the equipment to take care of these streams and brooks. I have seen a poor woman sit right where I am right now and be grilled by the Conservation Commission because she spent ten thousand dollars to have somebody come in and do work but there are rules that you can't do this and you can't do that. I hope that somebody comes up with an answer, because right now the State of Connecticut has come in and done the work because the Town of Newington did not enter into an agreement twenty years ago, and now they are in danger of losing certification, so if push came to shove, somebody has to step up and take responsibility.

One suggestion: maybe the people who are having problems with the dying arbor vitae could talk to the lady who was here earlier tonight. I don't know what her secret is, I've never seen any so green, and when the press release goes out could you stress that you want input from the public. I'm hoping that you get a crowd. There are people who sit back and say, I don't want this and I don't want that, but they don't come up with a solution, and they don't come out. Thank you.

John Bachand, 56 Maple Hill Avenue: I agree with Rose. I hope people do come out, that is what we were discussing back there, I hope there is enough interest that you need those two hours. I'm glad that you increased the time that the public has a chance to speak. I'm not sure if I have the answer of what I do want to see, I do know what I don't want to see, so I hope that is not counter-productive but I don't think that's a bad thing, just to say what we don't want to see. We might not have the solution, but if we can prevent something that we think is detrimental that's part of the solution anyway. Last night at the Town Council meeting I brought up this epidemic of crime in our neighboring city of Hartford, and I was kind of belittled by a town councilor. He mentioned building a wall, it wasn't my idea, you know, I don't want to get to far into this because it is kind of related to what I will bring up at the public meeting on the busway, but today again there was another editorial in the Hartford Courant about high density housing being the thing, it's a good idea, it's being pushed and pushed and pushed by these people who have nothing to do with Newington, this happens to be from the editorial department itself, I just think that, I don't think it is being too paranoid to give serious consideration as to how closely we want to be assimilated to our neighboring city. I'm okay with supporting their programs there, whatever needs to be done, but I just don't know if I want to expand that into Newington. Thank you.

XIV. REMARKS BY COMMISSIONERS

Commissioner Serra: Just a question for the Town Planner. Plaza Azteca: do you know what is going on with them? Have you heard anything from them?

Craig Minor: I was supposed to publish a legal notice for tonight as a public hearing, which is the mechanism TPZ needs to go through before we revoke someone's permit, but I forgot. I spoke to the Chairman about this earlier today, and it can be on the agenda for the 24th if you want, but that is a little bit crowded. I'm going to suggest that you consider putting it off for a while.

Commissioner Serra: I don't want them to think, out of sight, out of mind. I want to get them in here and hold them accountable for this.

Craig Minor: So, I will schedule it for the next meeting. Okay.

Commissioner Aieta: I want to discuss with the Commission the Galaxy Carpet signage situation and also their consistent violation of the temporary sign regulations. The minute four o'clock comes they must know that Craig gets in his car and goes to Bristol, because they put up their flags, and now they have a four by eight sign that they hang between the pylon sign and something else, a sale on remnants. It's been up the last two weekends. It starts Friday or Saturday morning and then miraculously Monday morning when people are back to work, it's gone. It's every single weekend. And the other thing I want to talk about is I don't believe the ZEO used the right calculation to determine the signage on the building. I saw what he proposed, but I think he misinterpreted the regulations when he said he used the side of the building just because there is a door there. I took it upon myself to find out what the door was, and it's not something that the public uses, it's a door that was there from the previous tenants. He misconstrued it as something to allow them to have more signage, but the area that you would consider the front, that faces the Berlin Turnpike and the angle

piece, not the side that is 190 feet long, and it's a problem. It's a problem because he has already allowed them to put the signage up. You know, we have to live with his interpretations and as far as I'm concerned, his mistakes, forever. No one in their right mind can drive by there and say that this building is within the sign regulations, it's definitely not. They even have signage painted on the building from years and years ago. It's way oversigned. They put flags up on weekends. I have asked the ZEO to go there on the weekend and pull the things out of the ground that are anchors, but they are still there. They use them every weekend, they just go out and put up their signs. I know they don't have permits for these signs.

Craig Minor: ZEO Mike D'Amato will be at the next meeting.

Commissioner Aieta: I want to hear from the Commission about this. Should I just let it go? I don't really want to let it go.

Commissioner Camillo: I looked at that too, and they have too much signage.

Craig Minor: Did you also look at the door that Frank is talking about?

Commissioner Camillo: That's not a door used by the public. That side of the building is the street. If that were a public door it would be correct, but as Frank as found out, that is not a public door.

Commissioner Camillo: About the TOD meeting next week: we all seem to know what we don't want, so it would be really nice if everyone looked around the State, on the internet, and found what we do want, because that is really important. We're going to hear all of the things that people don't want, so it would be nice if we could bring up some positive things.

Commissioner Sobieski: About Galaxy: you can call the State and have them remove those signs? Because most of them are on the DOT right-of-way.

Commissioner Aieta: Is the pylon sign in the DOT right of way?

Commissioner Sobieski: I'm not sure, but the metal things that are in the ground are. The other issue with the streamers and stuff, I know that the work force is probably stretched to the maximum, but those things need to be taken care of. I remember a couple of years ago, maybe three, DEEP would come out and clean up some of that, and give the homeowner and the Town, so you may be able to get that, and they would place rip rap there. It is going to be more of a problem west of Willard Avenue in that big open space and if the stream starts to erode you would have a huge wetland there. There wouldn't be any channel that is clearly defined.

Commissioner Serra: Just to follow up on the temporary signs: I have to agree with Commissioner Aieta and Commissioner Camillo. It's getting out of control. Our ZEO can't be everywhere. He is running around like crazy, so maybe we need to seriously look at not allowing temporary signs. That would free him up to do some of the other things that he needs to do in town. I really think we should look at eliminating temporary signs.

Commissioner Camillo: I like that.

Commissioner Aieta: I agree with that. What I am looking for is some direction from this Commission. That building is oversigned, and why should we have to suffer with a decision [tape malfunction]...

XV. CLOSING REMARKS BY THE CHAIRMAN

XVI. ADJOURN

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Serra. The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary