

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Public Hearing and Regular Meeting

January 27, 2016

Chairman Frank Aieta called the regular 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, Connecticut.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Commissioner Frank Aieta
Commissioner Chris Miner
Commissioner Domenic Pane
Commissioner Robert Serra
Commissioner Stanley Sobieski
Commissioner Judy Strong
Commissioner Michael Camillo - A

Commissioners Absent

Commissioner John Bottalico - A
Commissioner Paul Giangrave - A
Commissioner Brian Andrzejewski

Staff Present

Craig Minor Town Planner

Commissioner Camillo was seated for Commissioner Andrzejewski.

III. APPROVAL OF AGENDA

Craig Minor: Mr. Chairman, I recommend that we add under New Business: Item D, Performance Bond for Three Angels Church, 508 Church Street.

Chairman Aieta: Any discussion on the change to the agenda? Can I have a motion to approve the change to the agenda?

Commissioner Sobieski moved to add New Business Item D: Performance Bond for Three Angels Church. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with six voting YEA.

IV. PUBLIC PARTICIPATION (for items not listed on the agenda-speakers limited to two minutes.

John Bachand, 56 Maple Hill Avenue: I sent an e-mail to Craig, and he didn't have a chance to respond, but I have one question about the project that is going on up on Cedar Mountain. I don't know what you want to call it. It can't be called Amara, I guess the Shoppes at East Cedar. I was looking at the Certificate of Action and it called for the project to be done in phases. My question is, are they supposed to complete one phase before the next one? It appears that the work that

they are doing now is in Phase Three. It's a parking lot for the hotel. They need to get it done before the wetlands permit expires so, that was just a question I wanted to throw out there. The other thing is this Young Farm issue. If you watched the Council meeting last night, some of the Councilors were confused about that 8-24 referral that is supposed to be if any project is done on town property. I think maybe it would be a good idea of someone from this Commission could talk with the Town Council. They were kind of, they didn't understand how part of a parking lot could be left under the topsoil, and obviously if it came before this Commission and there was a plan, that would never have happened. Either you wouldn't have accepted it if they said, "we plan on leaving the parking lot there", or, if there was a final inspection before they were finished, and you found the parking lot there, you would say, "no, you have to fix it", so right now we are kind of in this quandary. Nobody knows exactly who is responsible for it. I'm under the impression that the Town is responsible for it. It's our problem now. If it had been done through the proper channels - I think that's why it is important to get those results here. I don't know much about that subject. I have to research it a little bit more. Thank you.

Carol Anest, 30 Harding Avenue, Newington Town Councilmember: I just want to clarify what happened at the meeting last evening - we all know what an 8-24 referral is. We talked about it, and as a matter of fact there was one last night that we will bring to this Commission. I just want to assure you with myself having been a member of the TPZ for nine years, and Gail Budrejko, we will make sure that anything that we have a question about will be brought to TPZ.

Rose Nelson, 46 Elton Drive: Please speak into the microphones. I can barely hear what you are saying. Thank you.

V. REMARKS BY COMMISSIONERS

Commissioner Sobieski: Regarding the Young Farm - I watched a little of the meeting and I think what the Town Council needs to do is to get some type of agreement in place that when somebody does work on town property, that any soil or anything like that is not removed. That would put an end to a lot of these issues. That's just my opinion. Most of the construction jobs that I have been involved with have that. Any material that you have on that property including the spot, and then whatever is done, is done and then put back.

Commissioner Pane: Mr. Chairman, do you think we could get an update on the Shoppes on East Cedar from the Town Planner?

Chairman Aieta: Do you want to address that?

Craig Minor: Sure. The Shoppes, S-H-O-P-P-E-S, at East Cedar was approved by the TPZ back in 2008 I think. The applicant filed the mylars so he is good to go, but he was looking for a hotel tenant. He got approved for a spec hotel but the process of looking for a tenant dragged on for years. That's when the Amara folks approached him with the idea of doing a continuing care retirement community project instead. So Amara was authorized by the owner to come before you for approval, and it got approved. The mylars have not been filed yet, so although the Commission voted to approve Amara, no approval is complete until the paperwork is done and the paperwork is not done for Amara. The construction that you are seeing is technically the Shoppes at East Cedar being built. Mr. Bachand raised a good point that when the Shoppes at East Cedar was approved, it was as a result of some litigation, and there was a compromise and a stipulated judgment and part of that agreement was that the project be built in specific phases, and I don't remember the order and one, and I'll make this up, so forgive me. The gas station had to be built first, then the hotel and the free standing bank, then the free standing restaurant pad site, it had to be built in a very specific order, and Mr. Bachand's point is that it looks like one of those buildings is being built out of order. I will confirm that.

Chairman Aieta: Any additional Commissioner remarks?

Commissioner Serra: Just one thing I wanted to bring up. We've been talking about solar farms off and on, and there was an article in Monday's Courant about the Berlin solar farm, titled "Ground-based Solar Projects Halted." What Berlin did was put a half year moratorium on the ground based solar projects, not home solar units, the ground based large solar farms. I just wanted to bring that to everybody's attention.

Craig Minor: As the Commission members know, this was an issue that the Commission started talking about a few months ago, and they directed me to come up with some regulations. Frankly it's on the back burner, but I'll move it to the front burner if the Commission wants. In the meantime, I will send a copy of that article to the Commissioners.

Chairman Aieta: I've just scanned this article on the Berlin situation with the solar farms. It's almost comical that they are bringing it up now when they have I don't know how many acres of solar farm on the old Emhart property. Mr. Minor and I have talked about it, gone over some things, and we've had communications with the people in Berlin trying to get some additional buffering on the site to try to alleviate some of the sight lines from the residents that are affected in Newington and Berlin on Rowley Street. We'll see where that goes, but it's almost a little too late.

Craig Minor: Speaking of that, I just confirmed today that I am meeting with someone from the solar company on Tuesday on the site in Berlin to talk about extending the arbor vitae hedge around the property to screen it better.

Chairman Aieta: Any other Commissioner remarks?

VI. PUBLIC HEARING

- A. Petition 01-16: Special Exception (Section 3.2.9: Group Day Care Home and Child Care Center) at 680 North Mountain Road, Autism Families Connecticut, applicant, Rondeau Investments LLC owner, Mary Helen Richer, P.O. Box 370162, West Hartford, CT, contact.

Chairman Aieta: Is the applicant here? Please come forward, state your name and make your presentation to the Commission.

Mary Helen Richer: Thank for this opportunity. I am the executive director of Autism Families Connecticut. I have with me this evening Leah Moon, our board president and one of the co-founders, as well as Jackie Crosak, our director of programming and another co-founder. Autism Families of Connecticut is a non-profit organization. We provide recreational and social programs for children and teens with autism. We began six years ago in response to the growing need for children who have been diagnosed with autism to have opportunities to get active, to participate in group activities, and have fun in a judgment-free zone. Many of the children who attend our programs are not able to participate in sports and other group activities like their peers. Over the years we have grown from providing one recreational program to six unique programs that provide multiple recreational and social opportunities for both children and teens ages three to twenty-one.

Most of our programs are held on week-ends or after school, these times being when traditional extra circular activities would happen. We specialize in high quality programs so we hire trained clinicians who understand autism. These clinicians design and execute our programs. We work to ensure that all of our participants have the support that they need to be successful in our programs, so we have a large group of volunteers in addition to our staff. We consistently have at least a 3-1 participant to staff and/or volunteer ratio and we keep our programs small,

averaging 8 to 15 participants so that everyone in our program gets the individual attention that they need.

It's also important to note that we are not a respite facility nor are we a drop off or day care facility. Rather, we require our parents or caregivers to stay at our programs. Because we are non-profit and because we want our programs to be accessible to all families who are living with autism, we are currently renting or borrowing space for our program which means traveling throughout the Greater Hartford area, and we have been doing that for over five years.

We have now grown to a point where having a place of our own is a real needed next step. Not just for us, but for our participants. Some of our participants struggle to adjust to a changed location, and some individuals with autism require routine and consistency. Having our programs move from location to location through the Greater Hartford area actually seems to hinder the progress that we would otherwise expect our participants to make.

It is time for us to put down roots and create a home for our programs; a consistent place for our participants to have fun, practice social and recreational skills, and make friends. After nearly a year of searching we have found what we believe is truly a great location, 600 North Mountain Road, right here in Newington.

Newington is a great location for us and for our families because it is easily accessible from I-84, from I-91, and from the Berlin Turnpike. I live way out in Coventry, and I can easily get here which is just wonderful. The space on North Mountain Road is also an ideal location for our programs because it is situated up near the Hartford/ West Hartford and Newington line. It's a fairly sizable piece of real estate. The piece we would be using is about 3300 square feet on two floors and it would allow us to offer all of our after school and weekend programs in that space, as well as have room to accommodate our parents who are required to stay, the siblings who may come to our programs as well, and our offices, all under this one roof.

The North Mountain location has adequate program space and sufficient parking for our current and our future needs. Our lease with Rondeau Investment states that we have 15 dedicated parking spaces, which is sufficient for us on a typical day during normal business hours. It's unlikely that we would have more than five or six individuals during business hours in our space working at that time. Our lease also gives us the entire parking lot to use after business hours and on the weekends, which is when our programs typically run. During our programs we could have as many as twenty-five cars in the parking lot, and the lot holds at least that many cars, so it is ours to use after business hours.

We've been in conversation with the owner of 600 North Mountain Road for several months, and we have signed a lease that is contingent on the decision of the Zoning Commission. Just so you are aware, the lease has a suggested start date of February 1st, so we ask that you consider that as you make your decision. I believe one of our parents wrote a letter, and she was not able to be here this evening, but we would like that also to be a part of the record.

Craig Minor: Do you want to read it into the record?

Mary Helen Richer: I'd be happy to do that. The letter is from Julie McKenna at 106 Sunrise Circle in Newington.

"Dear Mr. Minor, I am writing in advance of the Newington Town Plan and Zoning Commission meeting on January 27th. Unfortunately I am unable to attend the meeting and the public hearing regarding an application from Autism Families CONNECTicut (AFC) to lease office and program space on North Mountain Road. It is my sincere and

enthusiastic wish that you and the Commission members will carefully consider and support AFC's application.

As the mother of an 8 year old boy with autism, I consider myself very fortunate to live in the town of Newington. As you are likely aware, your colleagues on the Newington Board of Education have made and continue to demonstrate a firm commitment to providing high quality, evidenced based educational services to our autistic students in the district. While many districts in the state still rely on expensive outplacement programs for students with autism, my son Billy thrives in a small classroom at Elizabeth Green Elementary School, where all of his programming is tailored to his specific needs. At school he is making tremendous strides in learning to read, hold a pencil or crayon, count, use the bathroom properly, socialize with other children, and communicate via various tools such as an iPad, as he cannot do so vocally.

The support he receives in school is tremendous. But Billy also needs and participates in services and activities outside of school hours. A favorite among these extracurricular activities has been AFC's "Playing on the Spectrum" series, which provides opportunities for structured indoor play on weekends during the winter months. Over the past few years we have attended "Playing" sessions in West Hartford, South Windsor, and New Britain. I have been delighted with the qualified professional and staff (occupational and behavioral therapists) and volunteers – staffers and local college students – who guide and encourage our children as they develop social skills, improve gross motor coordination, and expend pent-up energy from being indoors. During the play sessions parents have an opportunity to support one another and to consult staffers regarding our children and local resources available to assist our families. Our family has also participated in a wonderful event called "Wings for Autism," a collaboration among AFC, Bradley International Airport, the Transportation Safety Authority, and major airlines to provide families of autistic children with the opportunity to familiarize themselves with airports and planes in order to mitigate the stress and sensory overload our children experience while traveling. This was a valuable opportunity for our family and we are very grateful to AFC for organizing it for the benefits of families like ours.

In addition to being Billy's mom, I am also an Assistant Child Advocate at Connecticut's Office of the Child Advocate. It is common for me to hear from my callers that they are desperately in need of community based support for their children with developmental disabilities. Families travel far and wide seeking the high quality, non-judgmental, professionally supported, and friendly programming that AFC offers. In addition, students who aspire to careers in treatment and education of children with developmental disabilities find invaluable volunteer and internship opportunities with organizations such as AFC.

Being home to Autism Families CONNECTicut will strengthen Newington's reputation as a center of excellence in education and community supports to families of children with autism. Therefore I urge the Town Plan and Zoning Commission to vote "yes" on AFC's application for a Special Exception permit.

Thank you very much for your consideration. Please do not hesitate to contact me with any questions.

Sincerely, Julie McKenna"

Chairman Aieta: Is there anything else you wish to add?

Mary Helen Richer: I don't think so. I would be happy to answer any questions.

Commissioner Serra: Just two very quick questions. Number One: you mentioned several times that business hours (inaudible) at North Mountain Road. What are their normal business hours? Number two, when would your students be arriving?

Mary Helen Richer: My understanding is that business hours for 600 North Mountain Road are nine to five. If we have a week night program, our programs have a 5:00 or 5:30 start time. Our weekend programs happen during the day on a Saturday or Sunday.

Commissioner Serra: I was just curious about the overlap of the parking.

Mary Helen Richer: If it's a weekday program, it is also a smaller program.

Commissioner Serra: Okay.

Mary Helen Richer: So we probably, at 5:00 would not be using more than our fifteen parking spaces.

Commissioner Serra: Okay, thank you.

Commissioner Pane: Everything is inside, correct?

Mary Helen Richer: Yes. Everything is inside. In your packet are two programs: running and swimming, which happens outside. 600 North Mountain Road does not have a swimming pool, and I'm not envisioning anything like that, and there is no place for a track. We would have our track program some where else. This is all inside.

Commissioner Pane: Thank you very much.

Chairman Aieta: Any further comments at this time? We will now hear from the public and then we will give you the opportunity to rebut.

Mary Helen Richer: Thank you very much.

Chairman Aieta: Is there anyone from the public wishing to speak in favor of this application? Please come forward, state your name for the record.

Frank Marci, 72 Southwood Road, Newington: I am a public school teacher with a Masters in Education. I'm also the parent of a nine year old, non-verbal child with autism. I have known the founding members of AFC since its inception, and I can speak to the quality of their programs. These are wonderful people and they have provided many great opportunities for my son. I think the Town of Newington would be lucky to have them located here. I think this would be a great win-win for everyone involved, and I can say with full confidence as an educator and as a parent with a child on the spectrum that this is a great thing. I hope you will consider their application. Thank you very much.

Chairman Aieta: Anyone else wish to speak in favor of this application?

Ray Tierney, 3 Horizon Hill Road: I am the parent of a ten year old boy with autism. Our son has participated in a number of Autism Family CONNECTicut programs in West Hartford. Our family was very excited about the proposal for a location here in Newington. There are very few programs offered in town for disabled children and teens. Whenever we see programs advertised either on the Internet or in publications, we're often disheartened to find that they are too far away or going to be at a great cost. We have had to regularly travel to other towns such as Plainville, West Hartford, and Tolland. Even West Hartford was a challenge due to the traffic and parking in

the Blue Back Square area when we were attending a class at the library there. The activities and programs through Autism Family has helped our son increase his confidence, his social skills, interacting with others, and the staff have been nothing short of outstanding. The proposed setting would be a great asset to the Town and I feel that would help provide professionally conducted and low cost social and exercise activities and would put Newington on the map as a town concerned with and supportive of autism families in the Hartford area. Thank you for your consideration.

Chairman Aieta: Anyone else wishing to speak in favor of this?

Shelby Rondeau: My husband and I are the owners of Rondeau Investments, so I can answer any questions on the building. We are in full support of it, we are excited about it; we think it's a great addition to the Town of Newington and working with the women, just signed the lease, they have been extremely organized and easy to deal with. I believe that they will be excellent tenants. We're really excited that they selected our property for it, and they were very selective. As they said, it took them over a year to find a space, and we feel that our space is the perfect fit for them. To answer your question about the overlap of parking - you see the front building with the dark roof [pointing to aerial photograph on the monitor]? That tenant is out of there at 4:30 p.m. In the back building where Autism Families of CONNECTicut will be, that tenant rarely stays past 3:00 p.m.; they arrive very early in the morning, between 6:30 to 7:00 in the morning, until about 3:00. There shouldn't be any, it's rare I think that they would even be there at 5:00. Any other questions for me? Thank you.

Chairman Aieta: Anyone else from the public wishing to speak in favor of this application? Seeing none, I'll entertain anyone from the public that would like to speak in opposition to this application. Normally we would allow you to rebut if someone spoke against your application, but we will skip that portion. I'm going to ask the Planner, are there any technical difficulties with this application?

Craig Minor: The only concern that I had when I started doing the review, and Ms. Richer addressed this, was where are parents going to drop off their kids, but the answer is, they are not going to be dropped off. That's usually a question with day care, but not the case here. I have no other issues with this application.

Chairman Aieta: Do the Commissioners have any concerns with this application?

Commissioner Serra: I do not have a problem with this, but I just have to ask this question. The other businesses that are located in these facilities in this area – is there anything there that would be a conflict or question about the environment there?

Craig Minor: Good question. I can't speak to that, but I think Ms. Rondeau knows something about the neighbors.

Shelby Rondeau: The abutting properties I don't know about, but the two buildings on our property are the one in front and the one in back [pointing to aerial photograph on the monitor]. The front building is AKR Associates - they do installations and training for their sales reps for water heaters and boilers and things like that. They have a sales meeting there every now and then, but other than that, it's just a general office. They have a small warehouse in the back of that property, right in the back of that building. The other building in the back, the right half is where the Autism group would be, and the left side is used by the American Radio Relay League right here in Newington as their warehouse. They have several people who work in the warehouse, moving products, but there is only one very small office there and the rest is warehouse.

Commissioner Serra: I just wanted to be sure that there was no manufacturing or smell or anything that could affect them. It's a safety issue, we want to be sure.

Shelby Rondeau: Yes. The front is mostly office and training, and the back warehouse is just storage of catalogues and their radios.

Commissioner Serra: Thank you very much.

Commissioner Pane: Mr. Chairman, I think this is going to be excellent for the Town of Newington and I'd like to make a motion that we move this to Old Business for action tonight.

Craig Minor: Do you want to close the hearing first?

Commissioner Pane moved to close the public hearing 01-16. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with six voting YEA.

Commissioner Pane: Now I would like to make a motion to move Petition 01-16 Special Exception (Section 3.2.9 Day Care), 600 North Mountain Road to Old Business.

The motion was seconded by Commissioner Serra.

The vote was unanimously in favor of the motion, with six voting YEA.

Chairman Aieta: This is not the normal way that we proceed with a public hearing, but we know that you are under some time constraints so to help with you with that, we will move this to Old Business and act on it tonight.

VII. APPROVAL OF MINUTES

A. Regular Meeting January 13, 2016.

Commissioner Sobieski moved to accept the minutes of the January 13, 2016 regular meeting. The motion was seconded by Commissioner Strong. The vote was unanimously in favor of the motion, with six voting YEA.

VIII. NEW BUSINESS

A. Petition 41-15: Special Exception (Section 3.2.9: Adult Day Care) at 26 Church Street, New Life Adult Day Care Inc., applicant, Vaishnav Parivar of Connecticut Inc., owner, Sachin Patel, 69 Cherrywood Drive, Nashua NH, contact. Continued from December 9, 2015.

Chairman Aieta: This petition had three public hearings, and the public hearing was closed at the last meeting. This is an opportunity for the Commissioners to discuss this application. I'll open it up for the Commissioners' remarks.

Commissioner Sobieski: Thank you Mr. Chairman. I still have an issue with this is a business in a residential zone. It's one thing to have a church there, but we're putting a commercial business, Monday through Friday in a residential zone. I feel that it will have some negative impact on the residents. I don't think this is a good fit.

Commissioner Camillo: I feel the same way, I don't think it fits.

Commissioner Serra: I was pretty much going to say that same thing. No matter how you slice this, it's still a business in a residential zone and I just don't believe that it is a good fit.

Commissioner Strong: I agree.

Commissioner Pane: Thank you Mr. Chairman. This was a very difficult application. I think that it's extremely hard for everybody to keep the two things separated, the problems with the residents are totally different subjects so you really, really have to keep these two items separate. As far as the business is concerned, I don't know if we can take financial things into account, whether it's a business, non-profit, for profit. I know of several churches that have child daycare in their churches, and they receive rents from it to supplement the church, so I think this is something similar to that. I think the impact is extremely low since there will not be child drop off, and they will be collecting the adults in buses and bringing them in. I do have some concerns. I would want to see a fence as a condition. I would also like them analyzing the lighting around the property to make sure that it's not detrimental to the residents in the area. I just think that we might be overstepping our bounds by denying this for the church. I think it's a very good thing for the community, for people who go to the temple, and it is open to the general public. They have a right to use the church. I know that the profit and non-profit thing is sticking in your heads, but I just don't think we have the right to do that, and especially since I am aware of other churches that supplement their bank or their funds to run their operations. There's one in the center of Newington which has the NECCI program. I think the Town of Newington pays rent to that church for the NECCI program. I know across the street from the temple is a day care, and they receive funds from kids to supplement their church. So I think we really need to look at this closely. Thank you very much Mr. Chairman.

Chairman Aieta: I would like to respond to a couple of things that Commissioner Pane brought up. Unfortunately we have no control over what this Commission previously passed for different churches, or if they even came to this Commission for approval, number one. Number two, we don't know what zone these churches are in. The church in the town center which has the NECCI program is not in a residential zone. I think that members of this Commission can differentiate between the two issues that are before them; the one with the day care, and the one with the problems that we are having with the services and the gatherings there. We're talking about an operation where the church is bringing in a third party, a business; for profit, nonprofit, that's really not the concern of the Commission, but it's still a business with a third party. We don't know if the church in the town center, whether their operation is run by the church with the people themselves. This is a separate entity outside of the realm of the temple congregation. This is an outside vendor, an outside concern that is coming in to sublease on a daily basis in a residential zone. I think that is what the Commissioners have a concern with.

Commissioner Serra: I understand Commissioner Pane's comments and concerns. However, I want to assure the Commission and the people watching at home that my comments, my feeling on this is strictly based on the day care only. The other issues are for another day. That has nothing to do with my opinion on this. Whether it is for profit, or not for profit, as the Commissioner said, it's a third party coming in, leasing space for this. It's not the church running it. That's completely different. So my position is strictly based on the merits of the day care, of the church, and the fact that it is not the church running it, but rather they are bringing someone in. Yes, it is for profit, and they said that when they were here, but the fact is it's not a church function, it's not the church doing it. Because of that, because it is an outside company coming in, that makes it a business in a residential zone, and I cannot vote yes for that.

Commissioner Sobieski: Chairman Aieta, I just want to make it clear that my decision has nothing to do with the other issues that are out there with the residents. My feeling is based on the fact that it's a business in a residential zone. I want to make that perfectly clear to everybody. Thank you.

Commissioner Pane: I appreciate all the comments from all of the Commissioners. As far as it being a the third party coming in to run this operation, it was stated the reason a third party has to come in and run this is because of the strict regulations governing day care, and the State of Connecticut governs those. They have to apply for a license from the state, which is for only two years. The church couldn't operate a day care for adults. They have to have specialized people to do that. I just want to get that on the record. Thank you.

Chairman Aieta: That might reinforce the point that this might be an activity that is not conducive to a residential zone. It's not part of the purpose of having a church in a residential zone. It's for religious purposes, not for business purposes.

Commissioner Serra: Just one more thing I want to clarify, and this is in our packet, under Section 3.2.9, Section D, second sentence: "the permittee must apply to the building department for a permit renewal." So it does not come back to us; once this gets approved by us, we're done with it. That goes back to what you were saying about the two years. I have strong opinions on this, and I respect your opinion, but I still have the same feelings. I can't vote in favor of this.

Commissioner Pane: Through the Chair to the Town Planner: for special exceptions, we have the right to put a condition on it that they have to appear in front of this Commission in two years so that we can review it to make sure that there have been no problems before we renew. Is that correct?

Craig Minor: That's correct. It has been done in the past.

Commissioner Pane: Thank you.

Chairman Aieta: Any other Commissioner remarks? Is there a need for this type of operation in the Town of Newington? Yes there is, we can't dispute that. It's something that is needed, but the location is lacking, surrounded by residents in a residential zone. The residents came here and they voiced their opinion, whether they wanted it or not. I know, just from the past that other churches or religious organizations have come in and looked for day care, child day care, Sunday school, religious instruction, and they have been granted, but this is a different animal. At this point I'd like a motion to move this from New Business to Old Business at the next meeting for further discussion and action.

Commissioner Sobieski moved to move Petition 41-15 from New Business to Old Business for the next meeting. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with six voting YEA.

B. Discuss Zoning for TOD (Transit Oriented Development)

Craig Minor: This is a follow-up to a discussion started two weeks ago on the draft "TOD Overlay District" regulation. At the last meeting Commissioner Pane suggested a couple of changes which I have added. I didn't make any other changes so as not to make it a moving target for the Commissioners.

Chairman Aieta: You added something that I think Commissioner Pane brought forward in reference to the 2020 Plan of Conservation and Development.

Craig Minor: Right.

Chairman Aieta: I will open it up for Commissioners' discussion. Any comments on this?

Commissioner Pane: Mr. Chairman, I have a couple of comments. I see under Section A that we are designating properties; this TOD district is going to be for the streets adjacent to Fenn Road. Then when we do the next transit area, it's going to be for the other area, is that correct?

Craig Minor: Correct.

Commissioner Pane: So should that also be noted at the top, that this section, 3.1.9 A "Transit-Oriented Development" is for the Fenn Road area, and then when we set up the next one, we will have the heading for the other area.

Craig Minor: Sure.

Commissioner Pane: Then, after it says, "adjacent to Fenn Road within walking distance or a half mile radius of Connecticut Fastrak", could we say, instead of "half-mile radius", the area designated by this Commission? Because we are going to have a map, we are going to designate the area and it might not be a half mile radius. I would think, when we determine what we want, that we would want to reference it instead of "half-mile radius".

Craig Minor: Which line is that?

Commissioner Pane: It's A, after "Fenn Road that are within walking distance".

Craig Minor: Oh, the very first line.

Commissioner Pane: "Walking distance" is okay, but then it says "half-mile of Connecticut Fastrak." Instead we might want to say, "area designated by the Commission". Otherwise, everything else looks good. Thank you.

Chairman Aieta: Do you see anything else that would have to be added to this to move it forward?

Craig Minor: At the bottom I have, under the dashed line, terms and notes, that terms and phrases used in this regulation should be defined. The first one is mixed use, the second is dining and entertainment cluster, and the third one, obviously still in brackets is high tech and research. I think if you are ready for this to go to public hearing, I will come up with a more concise phrase than just high tech research in brackets. Mixed use development, I made these notes at the bottom as I was composing this and at one point had the phrase mixed use development would have to be defined, so I think there should be a definition of mixed use development so that non-planning people know what we mean by mixed use development. I will address those two items and I will have it, well, I'll have it back for you to look at one last time next meeting, but if you rather.....

Chairman Aieta: We have to make the determination of what pieces of property, they have an outline of the zone.

Craig Minor: Do you want to talk about that now? Mr. Chairman, you suggested using the Amtrak line as the eastern boundary. It's pretty clear, everybody knows where it is and obviously it stops short of residentially zoned property, so that is a good thing, and we also talked about going as far north as Milk because that is still within a half mile, because rule of thumb, you don't want to be any further than that because you want to attract pedestrian friendly mixed use, so perhaps we can define it on the east by the Amtrak line, on the north by Fenn Road, on the west by Route 9 and on the south by East Cedar Street.

Chairman Aieta: You want to get to the other side of....., you want to include that other piece of property, the vacant piece, in the light green.....

Craig Minor: Then we can use the property line how about that?

Chairman Aieta: Is there wetlands there?

Craig Minor: Probably. This dark area is flood plain, and it's probably off to the west.

Chairman Aieta: If we could define it with a map, and we could define it verbally I think we are headed in the right direction.

Craig Minor: Okay.

Chairman Aieta: If we could get that done, we could get the definitions, I think we would be ready to move this forward to a public hearing. I'd like to see some advertisement, or some way for the public to be able to come in and comment on this, although the way that we have written this regulation every applicant that comes in, that wants to come in under this overlay zone would, the public would have an opportunity since this would be a special permit and the public would have the opportunity to come and voice their opinion for or against any of these properties, so maybe we could have a conversation with reporters from the Hartford Courant and Newington Life and tell them what we are doing, that we are moving this forward. Can we move it to a date, what date are you thinking about?

Craig Minor: Well, because it's an amendment to the map and regs within 500 feet of an adjacent town, it has to be referred to CRCOG thirty days before the hearing. So if I sent it to them on Monday, February 1st, we would be able to have the hearing at the first meeting in March. That would then be more than 30 days, so the first meeting in March.

Commissioner Pane: Should we be able to look at the changes one more time at the next meeting and then send it to CRCOG?

Chairman Aieta: No, I think we should send it to CRCOG, we're agreeing tonight on the changes that we are looking at. We will define the pieces of property that we are looking at, we'll have an opportunity at the next meeting, these are just definitions, if we have problems with the definitions, we can make some tweaks to them.

Craig Minor: And you can make those tweaks at the public hearing.

Commissioner Pane: Okay, sounds good.

Commissioner Sobieski: Through the Chair to the Planner, maybe we could get a couple of pictures of what, so the general public and everybody else is on board, to see what we are talking about when we say high tech research, picture what that building might look like. Same thing with dining and entertainment cluster?

Craig Minor: Okay, I can do that.

Commissioner Sobieski: It's nice to put words out there, but if people have questions, and they want to compare it with something, I mean, we don't need a giant size book on it, maybe one picture of each.

Craig Minor: Okay.

Chairman Aieta: We're moving along on it. This is something that we have to get done, and then start talking about Newington Junction property. That is going to be a little harder than this particular regulation, but we'll get through this and maybe we will get some activity down in that area. We're moving stuff forward and that's good.

Any other remarks on this subject?

C. Discuss on-going review of Zoning Regulations.

Chairman Aieta: The Planner had given you a Section to review.

Craig Minor: At the previous meeting. I was not able to make much progress on the second half of it, I'm about three or four sections into it, but I haven't been able to finish it. If you want to, we can still talk about the section that was distributed at the last meeting.

Chairman Aieta: This is from the beginning of the regulations through, Section 2 and 3 of the regulations. We have gone over this, it's been on the agenda for over a year, I'd like to move this. A lot of these are small technical changes that don't affect the regulations, a lot of the changes are making the regulations easier to read, clarifying some areas, and if the Commissioners choose, we could go through this very quickly, page by page. There's not that much to change. If you have questions, on the changes that the Planner has underscored, or bolded out, we'll discuss them, and see if we can get through this tonight so that we can move onto the next section. I'm hoping that we can get through the regulations so that sometime in April we have a finished product.

Craig Minor: It depends on how interested the public is in some of these changes. They may be concerned with some changes that we thought were just technical. I think it's doable.

Chairman Aieta: Okay, so why don't we just go through page by page, if there are any questions, we will go over the items that are bolded and struck out, and then the bolded and underlined areas. The areas that are deleted have been bolded and struck, and the additions have been bolded and underlined. Let's start with the first page. Most of you have read these, if any Commissioners have any problems with the changes or if you need clarification, then we will get that done. We'll see how far we go in the next fifteen, twenty minutes.

Craig Minor: All right. Well, starting with page one, no changes, same for page two. Page three we are changing the length of time that you can have a construction trailer from 30 to 90 days.

Chairman Aieta: If any of you have questions on any of these, raise your hand or say something and we will have the Planner give us an explanation. If not, we will just go right through them.

Craig Minor: I'll just keep turning pages slowly until someone has a question.

Commissioner Pane: On Section 3.2.4, radio and TV antennas, you struck that whole area out, and I was wondering why you did that?

Craig Minor: Let me see if I can remember because that was a year and a half ago. I think, and I'll double check, I think it's because these are now regulated, they are so conventional, so common that they are regulated by statute by the building department and that we felt that this was now moot, but I'll refresh my memory for next meeting and give you a better answer than thinking these have become moot. I'll double check that.

Chairman Aieta: Just make a note that we will revisit that. Page 5 is where we made the next correction.

Craig Minor: This change was made because it became apparent to the Commission that there are organizations out there that are not either charitable or civic but religious, yes, are adding the phrase social, so that a social club, or religious club would be eligible for a, in fact for any charitable event. We went on to add the phrase that any permits authorized shall be for hours and duration as the Commission may determine is reasonable but not longer than 10 days. The previous regulation did not have any limits so the Commission thought it would be appropriate to put a number on that, of not longer than 10 days.

Commissioner Pane: Question to the Planner. Would this be an example of 3.2.8, where for example Holy Spirit Church wanted to have a big social event? They would be required to come in here and tell us what they were going to do, and how it would affect public safety, and the hours of operation, and things like that, correct?

Craig Minor: Right.

Commissioner Pane: Thank you very much.

Chairman Aieta: Most of the other changes on this are cleaning things up. Page 7 you made some changes. Page 6, you eliminated something on that page.

Craig Minor: Right. We took out the no boat, the regulation that currently says that no boat, trailer, camper, recreational vehicle over sixteen feet long or ten feet high may be parked in the side yard. We're changing that to be more straightforward. No boat, trailer, camper RV vehicle may be parked or stored in the side yard without providing a six foot high fence. Any such vehicle needs to have a fence.

Moving onto 7, we are creating a new line F which goes with the page before, the use of residence for personal business purposes. Currently in our zoning regulations we have what I call two flavors of home businesses. There is the simple one, which you can do as of right, you just need to tell us about, and then there is the more complicated one where you need to come before the Commission. We're letting people know when they read 3.3.3 that there is another kind of home business that if your business that you are anticipating isn't described in here, there is another place you can go in the regulations where you might be able to get permission to operate the business that you have in mind.

Chairman Aieta: You made a change in the private stables.

Craig Minor: Yes. Just felt that this gave more structure to the contents being regulated and more specific. That is the land, as well as the buildings being regulated.

Chairman Aieta: Now this is tied back to a certain size parcel of land though.

Craig Minor: Let's see. Private stables is Section 3.4.2 only. As you can see, 3.4.3 talks about commercial stables, but 3.4.2 is private stables. Someone with a large house and they want to have a horse.

Chairman Aieta: Should we look at that as far as putting a lot size?

Craig Minor: Well, you need one acre now, a minimum of one acre for each animal in addition to the minimum lot area. So, if you are in the R-20 zone, you have to have an acre plus 20,000 square feet.

Chairman Aieta: Okay, so there is language in there that defines the lot size.

Craig Minor: Page 8, we are expanding the description of a home occupation. We're deleting TV, radio and electronic because there isn't a lot of TV and electronic repair going on these days. There is music, art, language and dance instructions, so we are adding that to the description of the kind of home occupations that allowable under 3.4.4.

Moving on to page 9, under the regulation for group homes, the regulation 3.4.6 B, currently says that drug treatment or criminal rehab facilities are expressly prohibited, and we're just changing that to criminal facilities, because you can't prohibit a drug treatment facility. That's one of the reasons that the law was passed in the first place, so that towns would have to allow places for people that are in rehab under a neighborhood group home setting to be able to operate.

We deleted the word retarded because it is archaic.

Next item, 3.4.7, conversion of older homes, I just reworded it in a way that I thought was better and the Commission agreed at the time. So that it is for permitted uses in all zones.

Now we are on to Section 3.5, Uses permitted in the R-20, R-12 and R-7 Residential Zones.

Didn't make any changes to that.

Next section, Special Exceptions Permitted in R-7 Zone, just kind of re-worded paragraph B a little bit with the re-subdivision of parcels containing, just making it clear that we are talking about those kind of parcels.

Chairman Aieta: And you cleaned up the language under the open space.

Craig Minor: Yes, we made it clear what kind of land the developer can get credit for in calculating his open space.

Chairman Aieta: The spacing modifications, you took that whole section out.

Craig Minor: Yes, because only the ZBA can vary the zoning regulations.

Chairman Aieta: And the wavering of buffers.....

Craig Minor: Again, same reason.

Chairman Aieta: Page 13, some cleaning up of the language.

Craig Minor: We actually spent a lot of time talking about Item 5, near the top. Homeowners must pay their pro-rated share of all maintenance costs, because the Commission realized that the current regulations, which says that homeowners must pay their pro-rated share of the cost, didn't make a lot of sense, so the Commission decided that all maintenance costs was what it should say.

On fourteen, I'm suggesting that we add language defining what it means to be affordable. This is a standard definition, eighty percent of the area of median gross income, adjusted for family size. That's pretty typical. Page fifteen, a definition of affordable housing, is defined as housing that is affordable to residents with gross income 80% or less of the area median gross income. On page 16 again we just clarified again as to what kind of land a developer can get credit for when he's showing that he is providing the minimum amount for open space, or in this case, density.

Nothing on 17, nothing on 18, 19 just removed some waiver language, nothing on 20.

On 21, 3.12.1 A, the reason that I am deleting the phrase, and by special exception the uses permitted in 3.11, is because I'm making that it's own paragraph further in, to make it clear that permitted uses are in one section of the regs, special exceptions are in a different section of the regs.

Page 22, again a waiver, a waiver provision is being removed.

Page 23 again, waiver language being deleted.

Page 24, just some housekeeping, changes under 3.12.8.7, subject doesn't change anything.

3.13.0, that's an odd number because I needed to squeeze something in between heading of 3.13 and the first section, 3.13.1. This section didn't really have a heading, didn't really say what it was about, so I added this new line, 3.13.0, special exceptions permitted in Section 3.11 may be permitted in this zone, just to make it clear.

Chairman Aieta: When we're finished with this, the whole regulations, are you going to go back and renumber these or no?

Craig Minor: Probably not. That would be very labor intensive for my secretary and she will probably, she'll almost definitely have to renumber it again anyway when this is all done because probably there will be some more changes made to it.

Page 26, just added the word multi-family because it seemed to me to be the intent so I just made it clear that we're talking about a multi-family residential buildings for the elderly. Page 27.....

Chairman Aieta: You are referring back to other sections of the regulations.

Craig Minor: To make it clear what the regulation is referring to. And, another waiver regulation deleted.

On page 28, I'm suggesting that we eliminate 3.14.3 Frontage because that is a given, that is already in the bulk requirements. You have to have at least 100 feet of frontage in the BT Zone, so there is no point in putting it in a narrative, it's in the table of minimum front setback areas, and so forth.

Now, 29, we are rewording the kind of physical facilities, gyms, training facilities, health clubs, etc., that are allowed in the Berlin Turnpike zone. We're splitting up what is now a rather long section that talks on various, not too similar uses, we're splitting up into two separate sentences. So, amusement enterprises is split off from 3.15.6 and made it's own section, 3.15.7.

Page 30, nothing.

Page 31, nothing.

Page 32, the waiver deleted. Also on 32, the item about utilities being buried underground, we talked about this a couple of times. Currently the regulation says that all electrical and telephone utility installations shall be located underground, except required or necessary light standards, etc. So, we are adding the phrase telecommunications, and taking out the word telephone because telecommunications is more encompassing, and telephone, that's by no means everything that is, that requires utility support these days, there is a lot more out there that is served by wire. So this takes care that all of it has to be underground.

Chairman Aieta: When you get to 34, you removed the whole section on the fuel refueling stations.....

Commissioner Pane: Mr. Chairman, if you are going to talk about that, I'm going to recuse myself from the meeting if you don't mind. Thank you.

Chairman Aieta: Section 3.17.9, Fueling Station location adjacent to a shopping center, is a whole section that we removed, that you relocated in a different area of the regulations.

Craig Minor: Well, 3.17 removed completely from this section because this is the Industrial Zone section, and there are no shopping centers any where the Industrial zone.

Chairman Aieta: That's right.

Craig Minor: This used to be an important regulation, back when there was Industrial land that was near the Stop and Shop shopping center.

Chairman Aieta: We changed the zone.

Craig Minor: Right, this parcel that is now colored red [pointing to zoning map], Planned Development, used to be zoned Industrial and was owned by the same entity that owns the Stop and Shop Plaza. So it used to be important for the regulation to allow a fueling center in an Industrial zone because there was an Industrial zone that could have been used as a fueling station on Fenn Road. But Mr. Hayes recently got the property re-zoned to PD, so no longer needs to be in the Industrial Zone regulations.

Commissioner Pane returned to the table.

Chairman Aieta: Page 36, uses permitted in the PD Zone.

Craig Minor: Okay, 3.18.2 A, again, I'm deleting that line because there is going to be a separate section further down.

Chairman Aieta: On page 37, Special Exceptions Permitted in the PD Zone, under 3.19.3, subsection B 2, you are defining it so that they can't use the unused portion as part of their density...

Craig Minor: But they can use it for open space.

Chairman Aieta: Right. That clarifies that.

Craig Minor: Yes, will not be used in computing the total number of dwelling units, but may be used to provide the required open space.

Commissioner Pane: Should the language be, "shall not be used for computing"? That's the language that we have in the 2020 Plan I believe.

Craig Minor: Okay.

Chairman Aieta: Next, on page 40, Permitted Uses in the CD Commercial Development Zone, 3.20.2 subsection E,

Craig Minor: This is the kind of subjective language that the judge struck down from the auto related use regulation.

Chairman Aieta: Page 41 we have.....

Craig Minor: Another waiver that we are taking out. Section 3.20.9, the Commission may authorize building...this is another one that the Commission is not being held to it's own regulations, this is basically a waiver, which the Commission can't do. Page 42, another waiver. Also, page 42, now we are getting into an issue that I brought up a few times before which is a difference between a building structure. Our regulations, we regulate all structures, not just buildings, and so that is why I suggested that we take out the word building, and replace it with structures.

Chairman Aieta: We went over that and had an explanation at the time.

Craig Minor: And I'll get into this at the public hearing because I'm sure it will come up, which is good, it should. But we will talk about why this wouldn't apply to a mail box or a bird feeder or something like that. It's a good question, and we will cover it at that point. Page 43, storage units,

Chairman Aieta: This is storage units in a residential zone?

Craig Minor: Yes. Currently the storage regulation says that storage uses are permitted only in the rear half of the lot and behind the principal building. So, we are tweaking it to read, rented or privately owned storage units are permitted only behind the principal building for not more than sixty days. So, in other words, instead of saying it the rear half of the lot, which people could scratch their head, what's the rear half of the lot, instead we are going to say, behind the principal building, behind the house. That everybody can understand. Has to be behind the house, and it cannot be for more than 60 days, which currently there is no limit to how long you can have your POD or your storage unit on your yard, on your lawn.

Page 44, I'm just changing it from "approved by the Commission", because we're just making it clearer.

Under the section of trailers and mobile homes, we're adding the phrase recreational vehicle, and that is something that is prohibited. You cannot live in a RV.

On the last page, these are prohibited uses, and what is prohibited in the storing of junk, including junk motor vehicle hulks, which shall mean any inoperable or unregistered or registered motor vehicle. Currently that goes on the say, which is not moved from the site on its own power within 30 days. We actually had people who were able to find loop holes in that phrase, so we are proposing it be changed from, which is not moved from the site on it's own power within 30 days, to, which cannot move from the site on its own power. A little more strait forward, a fewer words for amateur lawyers to play with, and says the same thing.

Chairman Aieta: We went through that whole section, and before the next meeting.....

Craig Minor: I will have the rest of it for review.

Chairman Aieta: Maybe have an item under New Business so we can go over the next portion just like we did tonight. We got through it in 25 minutes, so we will make some progress on this.

Craig Minor: We have one more item of New Business, the performance bond for Three Angels Church.

Chairman Aieta: Before we start, I'm going to recuse myself, because I'm an abutting property owner.

Vice-Chairman Pane: So that is the performance bond for Three Angels Church at 508 Church Street. We'll have the Town Planner give us a review of this first.

Craig Minor: The Three Angels Church building is finally finished, and they're ready to move in, but they haven't completed all of the site work. Our practice in Newington is, if a developer is ready to occupy the building but there are still some outstanding issues, they post a bond in the amount equal to, usually a little bit more than, the value of the work that remains to be done. There is roughly \$33,000 worth of work outstanding, so I'm recommending that the Commission agree to allow them to post a bond in that amount, so they will then be able to occupy the building. There is a draft motion for approval in the packet that you have.

Vice-Chairman Pane: Any questions from the Commissioners?

Commissioner Pane: I have a few questions. The drainage that is not finished on the project, they are trying to get an easement from the property next door?

Craig Minor: Correct.

Vice-Chairman Pane: Can they do the drainage without the easement, so if they can't obtain the easement can they still get the drainage accomplished?

Craig Minor: I don't know. My guess is, if the engineer who designed the project in the first place could have figured out a way to do it within the limits of the property, he would have done it that way. I think if the neighbor ultimately says no, I'm not going to sell you the land or give you an easement, I think they are going to have to have a hard time finding some other way to drain the property.

Vice-Chairman Pane: It would be nice to have the Town Engineer here right now to answer that question, wouldn't it?

Commissioner Serra: Yes, absolutely.

Vice-Chairman Pane: I have another question. Would this be a conditional CO because the downstairs is not finished? How would that operate?

Craig Minor: I would be out of my expertise to answer that question.

Vice-Chairman Pane: Another question that I would image that the building official could answer. There is a sidewalk here, which would direct the handicapped people up to the front of the church. I would like to know if the grade is at a proper, not too steep. If you look at the front door there, there...

Craig Minor: I've been out to the property, on the south side of the building at the portico?

Vice-Chairman Pane: Seems to be like an inch and a half lower than the threshold, and I'm just wondering if they will be able to get wheelchairs over that? I see we have someone from the church here, would you like to answer some questions?

Jeff Linthwaite: I can answer a couple of them. My name is Jeff Linthwaite, I'm a property manager for the applicant. To the drainage question, like Mr. Minor, I'm assuming that the design is the most cost effective design, primarily because it ties into an existing town catch basin that is on Pane Road. If we were try to stay on our own property, I believe it would require an additional catch basin to tie into the storm drainage system, which is very expensive. But, Mr. Minor you are correct, if it comes to that, we go back to our engineer to redesign the drainage. We have been talking with the abutter, we've had a couple of meetings, we're going back and forth to see if we can obtain (inaudible).

You had a question about the basement. We're not seeking occupancy for the basement. We met with the building department over a year ago and modified the plan. Our mechanical systems are in place, the fire alarm is there, there is lighting, it is safe. The building inspector has been through it, but we're not looking to occupy the basement at all.

Chairman Aieta: My concern was, how does the building department regulate that? In other words, it will be a conditional possibly, so that you can only use the upstairs, but would they inspect it every now and then? Would you have signage to make sure no one uses the downstairs area because it's not safe, and it's not finished?

Jeff Linthwaite: Yes to both of those. We don't have access to the basement, it's not usable.

Vice-Chairman Pane: Question for the Planner, you probably did not add anything extra to the bond if they have to redesign the drainage, correct?

Craig Minor: Correct.

Jeff Linthwaite: If we can't build it as approved, we'd have to come back.

Vice-Chairman Pane: Okay. Could you address the small little overlap in the front there, to get in the front door?

Jeff Linthwaite: Right at the front door?

Vice-Chairman Pane: Yes.

Jeff Linthwaite: We can take a look at it. It has to be code compliant, it has to be safe, and we have our final building inspection, and the building inspector has been through, but not for a final.

Vice-Chairman Pane: Okay. Thank you very much for coming in and answering our questions. Any other questions from the Commissioners?

Commissioner Serra: I will have one, but I'm not sure this is the right time, about the signage?

Vice-Chairman Pane: No, this is not the right time yet. Anything else from the Planner? Thank you very much. This was under New Business; does anyone want to make a motion to move this to Old Business?

Commissioner Sobieski moved to move the Performance Bond for Three Angels Church to Old Business. The motion was seconded by Commissioner Serra.

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

IX. OLD BUSINESS

**A. Performance Bond
Three Angels Church 580 Church Street
Jeff Linthwaite, applicant.**

Commissioner Sobieski moved to approve the Performance Bond for "Three Angels" church on 580 Church Street in the amount of \$33,000.00

Conditions:

1. The bond shall be in the form of cash, check, passbook or letter of credit only.

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

Chairman Aieta returned to the table.

**B. Group Home and Child Care Center
Autism Families Connecticut
600 North Mountain Road**

Commissioner Pane moved to approve Petition 01-16 Special Exception Section 3.2.9 Group Day Care Home and Child Care Center at 600 North Mountain Road, Autism Families of Connecticut applicant, Rondeau Investment, LLC, owner, Mary Ellen Richer P.O. Box 370162 West Hartford, CT.

The motion was seconded by Commissioner Strong.

Chairman Aieta: Any questions from the Commissioners? I think this will be a great addition to the Town of Newington and we're happy that you decided to move to our town.

The vote was unanimously in favor of the motion, with six voting YEA.

X. PETITIONS FOR PUBLIC HEARING SCHEDULING

- A. Special Permit (Church Bulletin Board) at 580 Church Street, Southern New England Conference Association of Seventh Day Adventists, owner/applicant, Jeff Linthwaite, P.O. Box 1169, S. Lancaster MA, contact.

Chairman Aieta recused himself from the Special Permit for 580 Church Street.

Vice-Chairman Pane: This is just for scheduling. Any questions or concerns on this? This will be presented at our next meeting, correct?

Craig Minor: Yes.

Commissioner Serra: There is one thing.

Vice-Chairman Pane: Maybe we should address it at the public hearing?

Commissioner Serra: This is something that they should be aware of.

Craig Minor: So they can make a more complete presentation?

Commissioner Serra: Correct.

Craig Minor: Okay, good, then continue.

Commissioner Serra: There is a description of the type of sign that they want, which I'm fine with that, but the last sentence in the paragraph says, "at some date in the future, we anticipate adding LED lighting, being very careful not to affect drivers on Pane Road".

Craig Minor: So you want the applicant to recognize that our regulations are pretty specific about lighted signage?

Commissioner Serra: Correct.

Craig Minor: I think he will address that in his presentation.

Jeff Linthwaite: I will now.

Commissioner Serra: That's why I wanted to bring it up.

Jeff Linthwaite: I was under the impression that lighting was not regulated, so I will follow up on that.

Vice-Chairman Pane: Thank you very much.

Chairman Aieta: We don't have anything else that came in?

Craig Minor: Correct.

XI. TOWN PLANNER REPORT

A. Town Planner Report for January 27, 2016.

Craig Minor: The first item I'm report on is the Hindu temple on Church Street, and I'll just read my report.

"Earlier this month Attorney Paul Doyle submitted to me the attached proposed "Memo of Understanding" with list of issues and proposed remedies. He also sent this document and list to the temple's neighbors as he reported to you at the final public hearing on the adult day care application. I have forwarded it to the Acting Town Manager for her endorsement as I told you I would in my previous Town Planner report."

In your agenda package is that "Memo of Understanding" and the spread sheet listing a couple dozen issues and how the congregation plans to address them. This is just for your information, no action is required. I know you told me at the last meeting that you want the temple leadership to come to you before their next major holiday to explain it to you and to prepare everybody for it.

Commissioner Sobieski: Mr. Planner, about the noise; I thought Newington had a noise ordinance after ten o'clock.

Craig Minor: Well, it should go without saying that they have to comply with the noise ordinance, but the problem is, the noise that the neighbors are complaining about often does not rise to the level of violating the noise ordinance. It would almost be easier if it did, because then folks could just call the police and they would solve the problem. The problem is, this is a different kind of noise.

Commissioner Sobieski: Okay. The second thing that I have is, you say traffic control where they hire police, but what's the cutoff, 100, 200, 500? I think that was part of what we asked before or had asked earlier - what level of occupancy is the temple rated for? I think Commissioner Miner was going to check with the fire marshal to find out.

Commissioner Pane: As the Commissioners know, we received a schedule of events from the temple. There was three pages. There were events that had fifty to seventy-five people, there were events that had about 200, 300 people, and they had one of those 200 - 300 person events recently and there was no problem. Then on the third sheet, they have six events on eight different days ranging from 500 people and over. What I recommend, if the Commissioners think it is a good idea, in the memorandum of understanding, it should be understood that any of the events that are listed on that third page, those six events, are required to come in per Section 3.2.8 for review, so they can explain to us exactly what they are going to do on the property, to make sure that it is going to be safe for the residential neighborhood and the surrounding area and that things are going to be safely taken care of.

Commissioner Sobieski: Let's say a function is supposed to have 500 people, and they wind up with 700. At some point the town has police officers on their (inaudible) after a certain number of people. We might want to consider, for any function over 200 people, they be required to hire a police officer.

Commissioner Pane: I think that each of those six functions on the third page, I think those are going to require a police officer.

Commissioner Sobieski: One of them I think is pretty close to 1,000. You're not going to get them all in the lot.

Commissioner Pane: Correct. That's why I'm saying they should present each one individually.

Commissioner Sobieski: That's correct. That's what I'm looking at.

Commissioner Pane: In that way, we could know what kind of conditions to put on them to make everybody safe.

Commissioner Sobieski: My main concern is safety. That's my big concern. The final one here where it says "pursuing permit for tents for large religious services". Now, does mean that if they own the tent they can leave it up there like they have in the past, or is their permit going to require dates just for a certain amount of time? How is that going to be enforced?

Commissioner Pane: That would be through our permission when they come in. We would put a condition on each event, okay, that tent is only good for X amount of days, depending on what they requested.

Commissioner Sobieski: But my question is, who is going to enforce it to make sure it comes down?

Craig Minor: That could be a condition of approval of that event. I don't think our regulations allow tents year round. I'm pretty sure we don't allow that.

Commissioner Sobieski: I'm sure if you look at Google Earth, you will see that it's been up there for quite a while.

Craig Minor: The one that they have at the temple?

Commissioner Sobieski: That's correct.

Commissioner Pane: There isn't one there now, correct?

Commissioner Sobieski: I haven't looked at Google Earth in a while.

Commissioner Serra: I don't believe it is there.

Commissioner Sobieski: And the final one is the garbage removal. This says they can't modify the time of pickup, but we did set it for Middlewoods at after seven o'clock because several of the neighbors complained about the trucks. I think that can be a point that should be modified. I'm sure if I lived next to them I wouldn't want to hear a truck with the backup alarm at 4:30, 5:00 in the morning. Thank you.

Commissioner Serra: I have some notes here and I want to piggy back on what Commission Sobieski said. Number ten: the garbage pickup issue I did highlight, because it does say early garbage collections cannot be changed or eliminated, but in their adult day care application letter, they stated that they made arrangements for garbage pickup to be at 7:00 a.m. It's just a conflict between two pieces of paper, so they should straighten that out. The other one was Number 13 concerning fires. Is it possible that they could designate an area where they are going to have their fires? This way, if there was an issue, the fire department would have a plan, they know where it's going to be.

Craig Minor: That's a reasonable thing to ask.

Commissioner Serra: My other question is on number 14 about tents. "The temple leadership will take permits from the Town of Newington for all tents erected for their large religious

services". My question is, what is considered large? What's the number on that? Should it be for all tents? That's all I have on that.

Chairman Aieta: Any other comments?

Craig Minor: The next item in my report is on the Town Center Streetscape Project Phase VI. This is a grant-funded project, which I will brief the Commission on in future reports. As I said in my last report, the project has been narrowed down to three options representing different configurations of amenities and project limits, all within the budget. These were presented to the Mayor and the Acting Town Manager a couple of days ago, and then to the "stakeholders", local residents and merchants, at a public information meeting a week from today in this room at 7:00. The final design will be presented to the Town Council for its approval. That's where we are with that project at this point.

Chairman Aieta: Are you going to give an overview to TPZ at some point?

Craig Minor: Yes, I can do that at your next meeting if you would like.

Chairman Aieta: Just so we have the same information that the Council is getting.

Craig Minor: The last item in my published report is about the solar panels at Corbin Russwin in Berlin. I have been in touch with the Town Planner in Berlin and then today with someone at the company Eversolar. He is in town every couple of weeks, and he will be in town on Tuesday next week, so I will meet him down there to walk the site and point out the areas where we would like them to plant some additional arbor vitae. He didn't seem to have a problem with it because he is happy to meet with me and to discuss it, so hopefully at your next meeting I will have some more information on that.

There are a couple of other items I want to talk about which came up recently. As most of you are well aware, we have a unique regulation in Newington on the Berlin Turnpike. Elsewhere in town you can have a pylon sign identifying your property pretty much anywhere on your property that you want, up to within a few feet of the property line, except along the Berlin Turnpike. On the Berlin Turnpike you can't have any signage in the front yard setback which is 35 feet. Now, you are probably thinking there are lots of signs along the Berlin Turnpike that are much closer to the street than 35 feet, and there are. They are all grandfathered. They have been there since before that regulation took effect, decades ago. So we have quite a few old signs that are non-conforming because they are too close to the street. They're not too big and they're not too tall, so in the past this Commission's practice has been to allow existing signs in the front yard along the Berlin Turnpike be made larger, within the limits of how large a sign can be, and to go taller, but no taller than the regulations allow. This has been the practice for a while. But if we keep letting people enlarge their non-conforming signs, we're not eliminating non-conformities as quickly as is "fair", which is the word used in the statute. So, the staff is suggesting that the Commission make a conscious policy change. Change direction. Stop allowing people to enlarge their non-conforming signs, so that eventually they will be eliminated. This will probably, possibly be controversial among the business community, but it's a policy that can be flexible or not flexible. You can evolve; you don't have to make it a draconian, unchangeable decision tonight, but this is a direction that the staff thinks you should consider going in if you ever want to get the Berlin Turnpike to be less cluttered than it is now. We have an application pending right now where there is an existing sign which actually is on DOT property, and I'll let DOT fight that fight but presumably the owner has permission from DOT to have the sign in the right of way. It's a small store where the owner wants to expand the sign to allow signage for his other tenant. We have that application on hold, and we'll probably tell the owner that we're not going to allow him to do it.

Chairman Aieta: As the Planner says, non-conforming uses, per the statues, at some point we should eliminate by attrition; that's the route that we should be taking. If you live long enough you will eventually see all of them disappear because eventually they would all have to come before us. On the sign regulations, we have to get a handle on it. We have problems with the rest of the sign regulations. How do you see us proceeding? Do we have to have a hearing? Can we just make a policy decision of the Commission?

Craig Minor: Mike D'Amato and I talked about this. If we deny requests to increase the area of non-conforming signs, they will probably go to ZBA. That's what one does when one runs up against a zoning regulation that one can't live with. That takes it out of TPZ control, because you have no control over what ZBA does. I don't mean to say that they "give away the store" nor the opposite, that they are draconian, but they are not you. You have no control over what happens there. So I suggest that you think carefully before you drive people into the arms of the ZBA, because you don't know what they will get from the ZBA. So, you might want to come up with a flexible policy of which non-conforming signs to allow to expand slightly, and which ones not to. I don't mean you should be subjective, but that is the nature of zoning; it's not as black and white sometimes as it seems to be.

Commissioner Pane: For the reasons stated by the Planner, I think that's a good reason to have these situations come to this Commission so that they can be analyzed, and also, just for reference, under Section 5.1, Non-conforming lots, land use and buildings and structures, it already states in our regulations right now, it is further the intent of this regulation that non-conformity shall not be enlarged upon. So we're just complying with our regulations. If each situation comes in, it's very possible that we may have ideas where it won't enlarge the non-conformity but we might be able to give them an idea of how to correct the situation and the problem so that they can achieve what they want to achieve.

Craig Minor: What I suggest is that since the ZEO comes before you every month, every time he gets an application for a sign on the Berlin Turnpike that is not conforming and wants to expand, it won't be that often, but it will happen occasionally, that he tells that applicant that he is going to bring it to the Commission during his monthly report, and see what the Commission's response is. Let's keep it that way rather than formally have the applicants come before you. Let's see how that works, and if it doesn't, we can tweak it.

Commissioner Sobieski: Mr. Planner, I would strongly suggest that before this comes before this board that this property owner gets a letter from DOT stating that they are going to allow that sign to stay there. The liability is tremendous within their right of way if that sign remains there and something happens, so I would like to see the Town covered on that.

Chairman Aieta: I heard what the Planner said and I heard what Mr. Pane said; we just have to be careful that we're not arbitrary in the way that we interpret our regulations, because we want it to be a level playing field. If it's not allowed, and you are not going to allow an expansion, then you are not going to allow an expansion. I don't see any condition that, I don't see any application coming here that would convince me that they should expand a non-conforming use. I just want to make sure that we are treating all of the people on the Berlin Turnpike, or anywhere in town, fairly. We can't have special rules for different people. It's got to be consistent. I think that is how some of the problems that we have had in the past, that sometimes we are not consistent in how we regulate. I think that is unfair to businesses in town because one person has something and then six months later someone comes in looking for exactly the same thing and we have a change of heart and we don't allow them to do it. So I think we should err on the side of going with the regulations as they are written today. I don't see a situation where you should allow expansion of a non-conforming use. Let's say there is a sign that is three feet by three feet, and they wanted to change the name on the sign, that wouldn't be an expansion of the non-conformity, so in my estimation, the person who wanted to make a change on the sign by

adding an additional amount of signage to the pylon, now if he really wanted to help his tenant, he has a certain amount of square footage on the sign now, and he can take the sign that is there now, and take his name, whatever it is, and in the same space put this other tenants name and that is how you could get around, not get around, but that would not be an expansion of a non-conforming use. It would be within the confines of the grandfathered, you are just changing the name on the existing sign. So, there's an option for him at this point that wouldn't require TPZ approval, but any expansion, or any increase in the actual sign itself, we're not going to look favorably on, it's up to the Commission, but my opinion would be not to do that. We could give them an option.....

Craig Minor: Such as have the sign that they have.

Chairman Aieta: Do you see that as a problem?

Commissioner Pane: No Mr. Chairman, that's exactly where I was heading with that. Any Commissioner see a problem with that? It would be exactly the same size with different lettering. It happens all the time. We have non-conforming uses where they change the name on a sign, and it never comes to this Commission, it comes through the Building Department, so he is not completely boxed out of being able to help his tenant if he so chooses.

Craig Minor: Okay. Mike gave me an e-mail with some last minute items that he wanted me to pass along to the Commission. Ashley Furniture has agreed to remove the piece of metal on the existing sign as had been requested, so that will be removed when the new sign is built. The ZEO has issued a notice of violation to the property owner where the Taco Tequila truck is. , I'll read this to you:

"A notice of violation has been sent to the property owner where the taco truck (Taco Tequila) has been operating. Asked them to vacant. As an aside, they did receive the proper vendor's permit from the Newington PD, which is appropriate, the police department does not enforce zoning regulations."

Commissioner Pane: I was just going to state that there is a list of approved areas for food trucks.

Craig Minor: There is a list of approved streets where food trucks can go with no zoning approval, because those locations have been pre-approved by TPZ, but they still need a vendor's permit. This one is on private property, which also needs a vendor's permit. The police probably didn't think to ask us if they had received zoning approval, or maybe they asked the landlord who said, oh yeah, we got approved last year. But that was for something different. The third item: the ZEO talked to the owner of Doogie's regarding the flashing window trim at 2550 Berlin Turnpike, and he has agreed to resolve the problem, which I hope means getting rid of the sign. That's all I have for my report.

XII. COMMUNICATIONS

None

XIII. PUBLIC PARTICIPATION (For items not listed on the Agenda, speakers limited to two minutes.

John Bachand, 56 Maple Hill Avenue: I just wanted to compliment the Commission. You handled a ton of work in a very efficient manner. I was impressed with the discussion about the adult day care . I was impressed with both sides of the argument. Regarding what I brought up earlier with the Town Council and the 8-24 issue, I should have realized that Carol of course is

very well versed in that. I wasn't inferring that they are uninformed, it's just that they were struggling with it; the questions that I heard seemed like they were struggling to understand how this contractor could have left the site in the condition that he did, so I think it would be helpful for a lot of people if TPZ got that referral. I was studying a little bit about it. It's pretty simple, I mean it has to come to the Commission to be approved. If it came to the Commission you would have a plan, and the plan would have to be adhered to. That's why what happened, happened. You were talking about the zoning amendment; I didn't see that in the agenda packet this week, and I thought I had seen it before, because I remembered when you had talked about it. Maybe I just didn't see it. This week I heard an interesting thing, was it for a horse, or a stable, and you referred to only one acre plus whatever the zone was, but I thought we had a discussion before that to have a farm animal you need a minimum of five acres.

Chairman Aieta: That is for a farm. This is for a residence. There is a section in the regulations that a resident can have a horse, but you have to have a certain amount of area plus the underlying zone. The Planner clarified it by saying if you are in an R-20 zone, you need 20,000 square feet plus one acre.

John Bachand: Is that a change?

Craig Minor: No.

John Bachand: Well, you guys might start to see a mini-donkey on Maple Hill Avenue or a baby goat. I thought I needed five acres - I could definitely meet that requirement. I'm sure there is a requirement about how far from other houses it needs to be kept or something like that. So, where can I find the proposed changes?

Craig Minor: There's 35 pages so I didn't put them in the package, but if you would like, I can e-mail them to you.

John Bachand: The Memo of Understanding that you brought up briefly, I just looked at that quickly. Is that something, because you mentioned that they don't have to take any action here, you don't have to answer me here, but I was just curious, it seemed like there is no teeth in that. Everything that they agreed to was, they will try to do their best, they will try to do, improve, but if they don't, it doesn't say what would happen, so I'm just curious. It seemed like a legal document that we have to have our Town Manager sign. You talked about signs. I'm concerned about all these "lost pet" signs. I'm very sympathetic to anyone who loses a pet, but this weekend they were plastered all over town, high visibility cardboard backgrounds on every intersection, and I think we could still allow it, it's not that they are supposed to put it up at all on utility poles. I don't have a problem with that, but maybe a time limit, or when you find your pet you are required to go and remove those signs. This weekend they were all over the place. The last thing, those bag dumpsters, there are still a couple of them; at least one that I know has been there for over a year in someone's front yard on Cedar Street.

Chairman Aieta: That's a blight issue.

John Bachand: It doesn't bother me too much, it's just curious that it has been sitting out there for so long. Thank you.

Chairman Aieta: Anyone else from the public?

XIV. REMARKS BY COMMISSIONERS

Commissioner Serra: When we were going through the regs for the Amara project, we changed the density from 20 units per acre to 30. We thought that was for the B-BT Zone only, but we

later found out that it is a blanket, so we need to go back and look at that and see what we want to do with that.

Craig Minor: I remember that there was some confusions about it. The density change is everywhere. The additional height, however, was only in the B-BT Zone, and I think maybe...

Commissioner Serra: I thought that it did reflect that when we looked at it, and we were going to change that.

Craig Minor: Okay, when you say "go back and change it", do you think what when the staff typed up the revised regulations we got it wrong?

Commissioner Serra: Correct.

Craig Minor: So these are permitted uses in all zones - let me look at the computer...

Chairman Aieta: While he's looking that up, John Bachand brought up an interesting observation on the Amara piece, that they are constructing out of sequence.

Commissioner Pane: Aren't they doing the work in the wetlands area, and that is what they are permitted to work on?

Chairman Aieta: I think they are doing work for Phase Three at this point, and Phase Three is what, the hotel? I think that is out of sequence. I think that is something that we should take a look at.

Craig Minor: I will check to see that they are not constructing the parking lot out of sequence, which was Mr. Bachand's concern. Page fourteen, Special Exceptions in All Zones, Section 3.2.5 B: Height of Buildings: "No principal building may exceed the height of three stories or 35 feet, or five stories, 75 feet in the B-BT Zone." Maybe we could word it better, but what we are trying to say is that in the B-BT Zone you can go as high as five stories or 75 feet, but anywhere else in town you can only go up three stories or 35 feet. Are you saying it should be worded more clearly? Or that that is not what you thought you were approving.

Chairman Aieta: You want to go back to what it was before?

Commissioner Serra: I thought it was something with the density, where it was supposed to be for that area only, and we didn't do that.

Chairman Aieta: We did it for that whole zone.

Commissioner Serra: But I don't think, if I remember right, because I know we went though this, it wasn't printed that way. It came out that it was town-wide.

Craig Minor: Yes, the greater density is eligible town-wide, in any zone, but the greater height, the five stories, is only eligible in the B-BT Zone.

Chairman Aieta: Then we have to reexamine it, because 35 units per acre town-wide is not what the intent was.

Commissioner Serra: Right, we only did that, for that project.

Commissioner Pane: It was 30, not 35 right? But at the time that you changed it, you didn't just consider that property, you looked at the entire town...

Craig Minor: Rights, it's for all zones.

Chairman Aieta: That was not the intent. The intent was for just that zone.

Commissioner Serra: Correct.

Craig Minor: That was certainly in the back of your minds because that is why you are here talking about it now, but as the Planner, I'm telling you that the intent was town-wide, because that is my job, to make sure you are thinking globally and the regulation was amended for all zones.

Commissioner Serra: Well I'm going to agree to disagree and suggest that we go back and look at that, while we are looking at the regs.

Craig Minor: We can go back to the minutes.

Chairman Aieta: What section is that in?

Craig Minor: 3.2. I'll look into it.

Chairman Aieta: We will revisit that, and maybe make some changes.

Commissioner Serra: Councilor Anest said that that was at the March 25th meeting.

Craig Minor: When the amendment was approved?

Commissioner Pane: John Bachand mentioned that the Memorandum of Understanding is a little weak, and I mentioned earlier where maybe in that Memorandum of Understanding, I'm not sure if the other Commissioners agree with me, that maybe any event over 400 expected people should be brought in front of this Commission under Section 3.2.8. I'd like to hear what the other Commissioners think about it.

Chairman Aieta: Let's define what the Memorandum is for, okay? This is an understanding between the church and the Town, but it is not an understanding between the church and this Commission. So, they have to comply, so this is an understanding to protect and alleviate some of the problems with the residents, but that has nothing to do with this Commission. They will have to come before us on any of these events that exceed their parking regulations and their occupancy levels.

Commissioner Pane: I'm just wondering if that should be referenced somewhere in here, so that they understand when they have to come in front of the Commission.

Commissioner Sobieski: What's the police department's requirement on this? I thought after so many people at a function they had to have a police officer there. Am I correct? Commissioner Pane, do you know for sure?

Commissioner Pane: I think it's based on when they come in for an event. If it wasn't the church, if it was some other business on the Berlin Turnpike, and they wanted to have a special event, then they would have to come in front of us. If that was a requirement, based on the information that they provided us, and we felt that for a safe event that we wanted one or two officers, then that would be a requirement that they would have to abide by.

Commissioner Sobieski: That's what I was alluding to earlier when I asked the question. Again, from what I have heard, it does get rowdy there, and I'm saying is, it's part of trying to keep the peace and keep it normal. Maybe we should put a limit, anything above 200, you have to have a police officer. That's what I'm concerned about. I just want to make sure that this is all going in the same direction, and all of a sudden it doesn't go up in smoke. As Chairman Aieta said, that's between the town and them, not between this Commission, and that has to be made clear.

Craig Minor: I think the suggestion that the Chairman made earlier, that any Page Three event has to be brought to this Commission by the temple prior to that event and at that point it would be made clear that they would have to have shuttle busses, and everyone will understand so there will be no misunderstandings.

Commissioner Pane: So if you want you could put a number on it. You could say any event over 350 people. Now you are going by their estimates. So that would put it, anything over 350 people, and reference the month and the events in particular, there are six of them on page 3.

Commissioner Sobieski: That's at the present time there are six, there may be more.

Commissioner Pane: These are religious holidays, you could say that if these should alter in any way, you would have to come before the Commission.

Craig Minor: That seems reasonable. I think referencing the memorandum of understanding is a good idea.

Chairman Aieta: They have to understanding that we want, if they want to proceed with the events that are more than 350 people, that they have to come to this Commission and show how they are going to be able to handle it.

Craig Minor: Right.

Chairman Aieta: If it is an event with 1,000 people, in my opinion, they should be looking to move that event to another venue. The property is not adequate to handle that amount of people and the traffic. There are a lot of questions to be answered for the off-premise parking and permits - who is liable; do they have permission from the entities where they are parking; street lighting; the list goes on and on and on. They should come before us and show us that they can do it responsibly. They should be on notice that any of these events on page three, they would have to come before us. Anything else?

Commissioner Sobieski: Just for your information, Commissioner Camillo and myself attended a CRCOG meeting in West Hartford and some items came up that were of interest. One is the zone usage, and the other one is overlay zones. This will help you understand what the zones are for and how they are created. One of the big issues that they brought up was the floating zone and the lady was saying that this was used quite often. When you have a floating zone and somebody wants to build in a zone and land it there, it will affect that whole area. This sounds like spot zoning, and most other towns and cities have gotten rid of that because spot zoning is not a good idea because all of a sudden in the middle of a residential zone you could have a business. The other issue that they were talking about was a "road diet". I know Commissioner Anest when she was here was referring to road diets. A road diet is being looked at for North Main Street in West Hartford. It has an approximate volume of about 18,000 vehicles per (inaudible). With a road diet the number of lanes gets reduced; this happens to be four lanes down to two. The additional traffic would then be dumped onto other roads such as Trout Brook. Traffic is like water; when it hits an obstacle it will find another way around. Road diets are becoming more and more popular but until the traffic gets reduced, all you are doing is moving it

from one area to another. Also, some of the towns had not appointed members, so by the next meeting, all of the representatives should be there.

Chairman Aieta: I'm glad that you and Commissioner Camillo are attending those. We should probably have on the agenda an area where they give a report. I want to hear from them every month.

Craig Minor: Do you meet monthly?

Commissioner Sobieski: No, it's every other month.

Chairman Aieta: Just remind us that when you go to a meeting so at the next meeting you can give us a report. It's interesting stuff. That floating zone, it's just a way of getting around spot zoning for a specific piece of property.

Craig Minor: Mr. Chairman, before you adjourn: if anyone did not get a white notebook with the zoning regulations and POCD in it, I have three of them here.

Chairman Aieta: I think you got them for Commissioner Bottalico and Giangrave.

Craig Minor: I have a third one here, if anyone needs it.

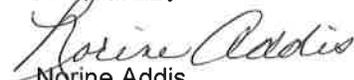
XV. CLOSING REMARKS BY THE CHAIRMAN

None

XVI. ADJOURN

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Strong. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,


Norine Addis,
Recording Secretary