



**TOWN PLAN AND ZONING COMMISSION**  
**PUBLIC HEARING AND REGULAR MEETING**  
**Thursday, October 13, 2016**

**Town Hall Conference Room L-101**  
**131 Cedar Street, Newington, CT 06111**

**7:00 p.m.**

**A G E N D A**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL AND SEATING OF ALTERNATES**
- III. APPROVAL OF AGENDA**
- IV. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**
- V. ZONING ENFORCEMENT OFFICER REPORT**
- VI. REMARKS BY COMMISSIONERS**
- VII. PUBLIC HEARING**
  - a. Petition #40-16: Show Cause Hearing to Revoke Special Permit #03-04 at 174 Francis Avenue. American Muscle Inc., permittee. Continued from September 28, 2016.
  - b. Petition #41-16: Special Permit (Section 6.2.4: Free-Standing Business Signs) at 2545 Berlin Turnpike (Artisan Vapors). George Emerson, owner; Image 360/Signs Now, applicant; Randy Hamilton, 2434 Berlin Turnpike, Newington CT, contact.
  - c. Petition #43-16: Special Permit (Section 6.6.2: Alcoholic Beverages) at 3375 Berlin Turnpike (Wood 'N' Tap). WNT VIII LLC, applicant; Furniture Executives No. 4 LP, owner; Michael Hamlin, 287 Chesterwood Terrace, Southington CT, contact.
- VIII. APPROVAL OF MINUTES**
  - a. Regular Meeting of September 28, 2016

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NEWINGTON LAND RECORDS

2016 OCT -6 AM 10:43

*Traci M. Alves, A.S.T.*

**IX. NEW BUSINESS**

- a. Petition #47-16: TPZ Approval (Section 3.23.1: Accessory Outside Use) for Tent Sale at 3388 Berlin Turnpike ("Rizzo Pools"). Albert Rizzo Inc., owner; James Galvin, 3388 Berlin Turnpike, Newington CT, applicant/contact.
- b. Proposed Revisions to Section 6.2: Signs

**X. OLD BUSINESS**

**XI. PETITIONS FOR PUBLIC HEARING SCHEDULING**

- a. Petition #44-16: Special Permit (Section 3.11.1: Fitness Center) at 161-169 Lowrey Place. Tyler English Fitness LLC, applicant; Lowrey Place Realty LLC, owner; Tyler English, 5A Cheryl Drive, Canton CT, contact.

**XII. TOWN PLANNER REPORT**

- a. Town Planner Report for October 13, 2016

**XIII. COMMUNICATIONS**

- a. CRCOG Zoning Reports to Berlin, Farmington, Hartford, and West Hartford TPZ.

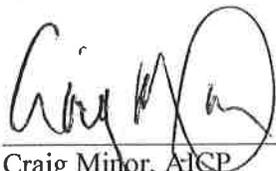
**XIV. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**

**XV. REMARKS BY COMMISSIONERS**

**XVI. CLOSING REMARKS BY THE CHAIRMAN**

**XVII. ADJOURN**

Submitted,



Craig Minor, AICP  
Town Planner



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP *CM*  
Date: October 6, 2016  
Re: **Petition #40-16: Show Cause Hearing to Revoke Special Permit #03-04 at 174 Francis Avenue. American Muscle Inc., permittee.**

---

### **Description of Petition #40-16:**

American Muscle, Inc. has been in violation of Special Permit #03-04 in numerous and substantial ways, over a long period of time. This public hearing has been scheduled to give the permittees the opportunity to "show cause" as to why Special Permit #03-04 should not be revoked.

### **Staff Comments:**

We met with the permittee last week to review the list of violations, and the conditions of approval. At that time we did not discuss a possible timetable to bring the site into compliance, but I did send him a suggested timetable via email a few days later.

A full-sized copy of the site plan is attached, as Commissioner Pane requested. Also attached are the portion of the minutes from the TPZ meeting on October 8, 2003 when the right-of-way parking prohibition was discussed. I put an arrow at the place where that discussion begins. If anyone wants the entire set of minutes from that meeting, let me know and I'll provide it.

cc:  
file

Phone: (860) 665-8575 Fax: (860) 665-8577  
townplanner@newingtonct.gov  
www.newingtonct.gov

NEWINGTON TOWN PLAN AND ZONING COMMISSION

October 8, 2003

Regular Meeting

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

I. ROLL CALL

Commissioners Present

Commissioner Andersen  
Chairman Camilli  
Commissioner Ganley  
Commissioner Hebert  
Commissioner Kornichuk  
Commissioner Whalen  
Commissioner Fox

Commissioners Absent

Commissioner Cariseo  
Commissioner Pruett  
Commissioner Schatz

Staff Present

Ed Meehan, Town Planner

Commissioner Fox was seated for Commissioner Cariseo. Commissioner Andersen read the procedures for public hearings.

II. PUBLIC HEARINGS

- A. **PETITION 42-03 American Muscle, Inc., 174 Francis Avenue, applicant, 174 Francis Avenue, LLC owner represented by Matthew Kriedel, 174 Francis Avenue, Newington, CT 06111 request renewal of Special Permit PETITION 52-2000 issued November 20, 2000.**

Chairman Camilli: Is the petitioner here?

Robert Randich: Good evening, I'm Robert Randich representing the petitioner. At your chairs is a letter of explanation, I was retained by Mr. Kriedel only last Thursday, and I haven't had a time of time to get my arms around this, and I want to give the original letter to Mr. Meehan. Essentially the letter kind of supplements our application, and I would like to just kind of go over the high lights. Mr. Meehan was kind enough to fax me a copy of his staff report this afternoon, so the letter does try to address some of the issues.

The permit from a couple of years ago was granted to Mr. Kriedel individually, he submitted this application in the name of a corporation which is doing business as Cashway Motors. If you look at the original Certificate of Action, he got the original approval in his own name and Cashway Motors, and I have explained to him a corporation is different than an individual, there has been

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2003 OCT 16 A 10:45

Tanya D. Kane

no assignment or transfer of this permit, but going forward, he would like to have the permit in the name of the corporate entity. He does own all the stock in the corporation.

I know that a lot of the issues that resulted came about from confusion that was created at the time of the original application of the permit. Mr. Kriedel was formerly represented by an attorney who represented to the Commission that there would not be any inoperable cars coming to 174 Francis Avenue. I have tried in this letter to set forth a little bit clearer exactly the nature of Mr. Kriedel's business to show the various things that are done, and part of that does include inoperable cars being delivered to this site for a period of between five to ten days. The letter indicates that if there is a minor correction that will return the vehicle to operability, Mr. Kriedel does not intend to do any repairs to these cars, and essentially, at this point, is representing other people at auctions, buying the cars on their behalf; the cars are coming to 174 Francis Avenue for a period of five to ten days, and then leaving.

We understand that this is a sensitive issue for the Commission and from the Commission's standpoint at least, it is felt that this type of use wasn't going to happen, based on the original permit, and what we are requesting is a quality discussion on that issue to see if we can't reach agreement under certain conditions which would allow that particular use to occur.

Another issue that has come up, is the status of Mr. Kriedel's license. As he went through his licensing procedures, and this has been quite a long drawn out process. He got approval in November of 2000, but Mr. Kriedel didn't close on the property until July of the following year, and then began, once he owned the property, to pursue these licenses. He had to show the State of Connecticut, to get a used car dealership license, that he had a Certificate of Occupancy for the property, which at the time that he was doing it, he didn't have. Apparently in August of 2002, that Certificate was issued, but he wasn't aware of that.

During the most recent go-around, where he was cited by the Town to appear at a hearing, within the last month, that was when he first learned that, in fact, the Certificate had been issued, and issued over a year ago, at that point.

So, he did appear today at the Town to have his site plan signed by Town Officials, that he needs to bring to the State and then get the papers to obtain a used car dealership license, with be finalized, and ready to file with the State. So, he understands and he is pursuing, and hopefully in a very short, near future, he will have the used car dealership license. At that point, he would then like to pursue some of the other uses that he indicated that he wanted to do with this property when he originally filed, and that was to buy the cars in the company name, and perhaps even sell, on a small basis, sell them over the Internet, and some retail. At this point, he is not doing that at all, because he has no license. He can only represent others in acquiring the cars. I think the last issue, well there are a couple more minor issues, again looking at the original Certificate, the Certificate does indicate that no storage of vehicle parts is permitted at this location. We would like to have a limited exception to that, because it is envisioned that he will be doing some repairs to vehicles at the site, that he be allowed to store parts in an indoor setting. We understand, and he is not intending to turn this place into a junk yard, or chop shop or anything like that, but he does want to be in compliance with all the regulations that are on it, and this is to have absolutely no storage of vehicle parts, it's pretty tough to run a repair shop, even in a limited fashion that he does, and not have any ability to store parts.

→ The last issue I believe, is the former Francis Avenue right of way used to run right past the front of the buildings, and because of that, the parking at Cashway for years and years was on the town right of way, and the town assumes the ability and therefore the original permit granting, it was provided that no vehicles be allowed to park in the Francis Avenue right of way. We understand that, and we are about to undergo a process to investigate possibly acquiring that right of way. If that proves to be cost prohibitive, from my time on the council, I believe the procedure is that the piece gets appraised, and if it is within budget that the client can afford, we would probably move for the acquisition of that parcel. If that is economically infeasible, I think we would perhaps like to reach an agreement whereby we provide insurance, and we understand that that would be something that the Town Council would have to approve perhaps before this body, but if you would like keep in mind that we understand that the board will not allow it in it's

current state, but either to acquisition, or through agreement with sufficient insurance with the town, that he be allowed to use those spaces for himself and his business invitees, not for purposes of putting vehicles for sale, or using it just for parking. It does give the building the appearance that the business is up and running, is viable. I think to have a building, and not have any cars in front of it all day, kind of gives the opposite feeling to some extent. If we can move these issues out, it would be to see that this is a viable business, and with that I take my leave.

Chairman Camilli: Ed, do you have anything.

Ed Meehan: Let me just start the conversation off with reporting to the Commission that in the packet that I provided to you, and Attorney Randich, is the complete set of TPZ minute records when this was before the board back in 2000. It was before the board at several meetings, where testimony and explanation was provided as to how the business would be operated. Also in this packet is the copy of the Special Permit that was issued to Mr. Kriedel, with the various conditions, and a copy of the Certificate of Action for the site plan. I have on the wall the site plan for the property which identifies the building, parking and the various outbuildings on that site. Also at the Commission's request, staff secured pictures of the site last week, which you asked to have, and it does show demolished cars on the site at that time. It also shows that the site plan work in the front has not been completed. The site plan shows some landscaping that was not done, so that is another side issue here. I would suggest that, there is a lot of material before you here, in the way of Attorney Randich's letter, as well as the record of this particular situation, but just to give you a quick overview, and much of this has been very well summarized already, but the real issue here is the operation of the site, as to what the Commission expected to happen, and what was given to you in testimony, and how it has turned out. The record is that the property owner was cited in May for not operating the property according to the approved Special Permit site plan. The case was dragged on through the summer, finally got before a hearing officer in September. The hearing officer was Ed Seremet. He basically canceled the citation, he found an error in the notice, that had to do with the citation records for the zoning regulations, there was an error, so he did not move forward with applying any fines to Mr. Kriedel. What he did do was direct him to reapply to this board, because at that point the one year permit had expired, back on August 20, of 2003, and he directed this site to be cleaned up. So that is why Mr. Kriedel is before you. His one year permit has expired, and that one year permit was issued for a dealers operation as a wholesaler of operable vehicles, as explained in the minutes.

The issue of the Certificate of Location and the Certificate of License from Motor Vehicles, subsequent to getting approved by the Planning and Zoning Commission, the applicant went to the Zoning Board of Appeals as recorded in the staff notes and did receive a Certificate of Location, which is required by statutes in the Department of Motor Vehicles, to operate any sort of auto related uses. In fact, that was issued December 12, 2000, no appeal was taken so it was a good Certificate of Location and then the following winter, March 21, 2001, Motor Vehicle form was signed by the Zoning Enforcement Officer, who is the proper officer to sign the DMV forms, along with the Chief of Police. Mr. Kriedel apparently never activated that, to my knowledge, he doesn't need a Certificate of Occupancy to get a motor vehicle license. What he needs is a Certificate of Location, and if that is correct, he has been operating his business for well over a year without any DMV license, which, is not really an issue for you, it's probably more between the Department of Motor Vehicles and Mr. Kriedel, but that was presented to this board and the Zoning Board of Appeals.

The other issue here is the type of operation, and what we are hearing tonight is a departure from what the board approved as explained, by Attorney Randich, for basically bringing in, for a period of time, inoperable vehicles and however the operation is to exchange them or resell them to another party. I believe under the statutes, the motor vehicle statues, he is really going to be classified as a motor vehicle recycler, not a motor vehicle dealer or broker. There is a statue that covers that and the section is at the very end of my report, it's Section 14 67.G which defines



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Tanya D. Lane  
Town Manager

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP *CM*  
Date: October 6, 2016  
Re: **Petition #40-16: Show Cause Hearing to Revoke Special Permit #03-04 at 174 Francis Avenue. American Muscle Inc., permittee.**

---

### **Description of Petition #40-16:**

American Muscle, Inc. has been in violation of Special Permit #03-04 in numerous and substantial ways, over a long period of time. This public hearing has been scheduled to give the permittees the opportunity to "show cause" as to why Special Permit #03-04 should not be revoked.

### **Staff Comments:**

We met with the permittee last week to review the list of violations, and the conditions of approval. At that time we did not discuss a possible timetable to bring the site into compliance, but I did send him a suggested timetable via email a few days later.

A full-sized copy of the site plan is attached, as Commissioner Pane requested. Also attached are the minutes from the TPZ meeting in 2003 when the current special permit was approved.

cc:  
file

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townplanner@newingtonct.gov  
www.newingtonct.gov



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Tanya D. Lane  
Town Manager

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP   
Date: October 6, 2016  
Re: **Petition #41-16: Special Permit (Section 6.2.4: Free-Standing Business Sign) at 2545 Berlin Turnpike ("Artisan Vapors"). George Emerson, owner; Image 360/Signs Now, applicant; Randy Hamilton, 2434 Berlin Turnpike, Newington CT, contact.**

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### Description of Petition #41-16:

The applicant would like attached an additional sign onto the existing "Sleepy's Mattress" sign at this location. Section 6.2.4 permits a free-standing sign in any non-residential zone.

### Staff Comments:

1. The existing free-standing sign is non-conforming, because it is located in what is supposed to be the "landscaping only" area. It was approved back before the zoning regulations prohibited any structures in the front yard setback area on the Berlin Turnpike.

The applicant wants this pylon signage because the angle of the building makes it hard for south-bound motorists to see the building until they are past it. The following is from the applicant's statement:

"The existing pylon sign on this property containing two buildings has only space for one tenant, Mattress Firm. Because the business Artisan Vapor can only have one building sign (channel letters facing south) and that the building is on an angle, it is very difficult for Artisan Vapor to be seen by drive by traffic, especially those heading south. The building is also set back a long way making it even more difficult to be seen. A sign audit was done and it was determined that the square footage allowed for the two buildings combined was not at the max. The original request for a sign to be added to the existing pylon was larger than the one being requested in this petition.

It is our intent to add a double sided lightbox to the existing pylon sign, directly below the Mattress Firm illuminated sign. We will use appropriate fastening hardware which will be fully detailed in drawings that will be provided when the formal sign permit application is filed. This new sign will

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townplanner@newingtonct.gov  
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utilize the existing pole and electricity and will be structurally sound. The new sign will be UL approved. There will still be adequate clearance below the sign. It is set back very far and is not in the sight line for southbound traffic as the parking lot entrance/exit is north of the sign location. The addition of this sign will still result in being less than the total sign square foot allowance for the entire property."

The Connecticut court has ruled that non-conformities should be eliminated "as quickly as the fair interest of the parties will permit." (Raymond v. Zoning Board of Appeals, 2003). And it could be argued that the rent for this building is lower than it would be if the building had better visibility from the street, so the tenants have already been "compensated" for the lack of visibility. I would only say that while we do not know how many other older signs there are on the Berlin Turnpike in the "landscaping only" area, these 35 square feet would probably not be much of an addition.

2. I asked the ZEO to verify that the amount of signage requested conforms to the maximum amount allowed on the property under the sign regulations. It does not. The applicant based his calculations on an incorrect interpretation of the rule that allows additional signage for a building with a side entrance. He has been notified of this. As of this writing I do not know how he plans to address it, but it could be addressed by simply removing some existing wall signage, or making the requested sign smaller.

cc:  
file



CR# 21302

Petition # 41-16

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 2545 Berlin Tpke ZONE: B-BT

APPLICANT: Randy Hamilton TELEPHONE: \_\_\_\_\_

ADDRESS: Image 360/signs Now 2434 Berlin tpke Newington, CT 06111 EMAIL: Randy@image360newington.com

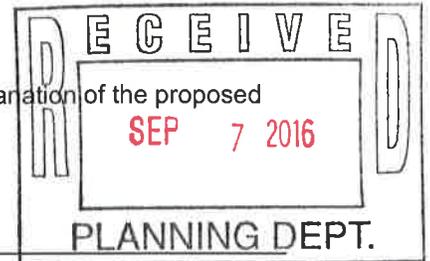
CONTACT PERSON: Randy Hamilton TELEPHONE: 860.667.8339

ADDRESS: 2434 Berlin Tpke Newington CT EMAIL: SAME cell: 860.214.5996

OWNER OF RECORD: George Emerson geoemerson@hotmail.com

**THIS APPLICATION IS FOR (CHECK ONE OF THE FOLLOWING):**

- Zoning Map Change from the \_\_\_\_\_ to the \_\_\_\_\_ Zone (Public Hearing required).
- Zoning Text Amendment to Section \_\_\_\_\_. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per Section 6.2.4 of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
- Site Plan Approval or Modification
- Other (describe in detail, or attach): \_\_\_\_\_



**SIGNATURE:**

<u>Randy Hamilton</u> APPLICANT	_____ DATE	<u>See attached letter</u> OWNER	_____ DATE
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**COMPLETE APPLICATIONS SUBMITTED TEN DAYS BEFORE THE NEXT TPZ MEETING WILL BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES THE APPLICATION FEE, TWELVE SETS OF PLANS (IF APPROPRIATE) AND A SEPARATE NARRATIVE EXPLANATION OF THE PETITION (IF APPROPRIATE).**

**NOTE:**  
PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE ECONOMIC DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

## Minor, Craig

---

**From:** Randy Hamilton <randy@image360newington.com>  
**Sent:** Tuesday, September 20, 2016 9:27 PM  
**To:** Minor, Craig  
**Cc:** aminder2@hotmail.com; Swin  
**Subject:** Artisan Vapor Petition #41-16 2545 Berlin Turnpike Special Permit Free-Standing Business Sign.

In response to your letter dated September 8<sup>th</sup>, 2016 regarding the Petition #41-16: Special Permit (Section 3.1.4: Free-Standing Business Sign) at 2545 Berlin Turnpike. George Emerson, Owner: Image360/Signs Now, applicant; Randy Hamilton, 2434 Berlin Turnpike, Newington, CT, contact.  
Explanation of Proposed Activity follows.

The existing pylon sign on this property containing two buildings has only space for one tenant, Mattress Firm. Because the business Artisan Vapor can only have one building sign (channel letters facing south) and that the building is on an angle, it is very difficult for Artisan Vapor to be seen by drive by traffic, especially those heading south. The building is also set back a long way making it even more difficult to be seen. A sign audit was done and it was determined that the square footage allowed for the two buildings combined was not at the max. The original request for a sign to be added to the existing pylon was larger than the one being requested in this petition.

It is our intent to add a double sided lightbox to the existing pylon sign, directly below the Mattress Firm illuminated sign. We will use appropriate fastening hardware which will be fully detailed in drawings that will be provided when the formal sign permit application is filed. This new sign will utilize the existing pole and electricity and will be structurally sound. The new sign will be UL approved. There will still be adequate clearance below the sign. It is set back very far and is not in the sight line for southbound traffic as the parking lot entrance/exit is north of the sign location. The addition of this sign will still result in being less than the total sign square foot allowance for the entire property.

If you need additional information at this time, please don't hesitate to call me or email back and I will get this to you promptly. It is our intent to be at the TPZ hearing that hopefully will be in early to mid October. Thanks for your support of this important sign project. We hope that this additional signage will help Artisan Vapor survive this very difficult economic period.



O'Neil Plaza | 2434 Berlin Turnpike  
Newington, CT 06111

P: 860.667.8339 | F: 860.667.4909

www.SignsNowCT.com

**PROOF PROVIDED BY**  
SARAH KRAMER **GRAPHIC DESIGNER**  
**TO PROVIDE FEEDBACK OR APPROVAL**  
DESIGN@SIGNSNOWCT.COM

PROOF DATE: 1/13/2016

JOB #: 20023

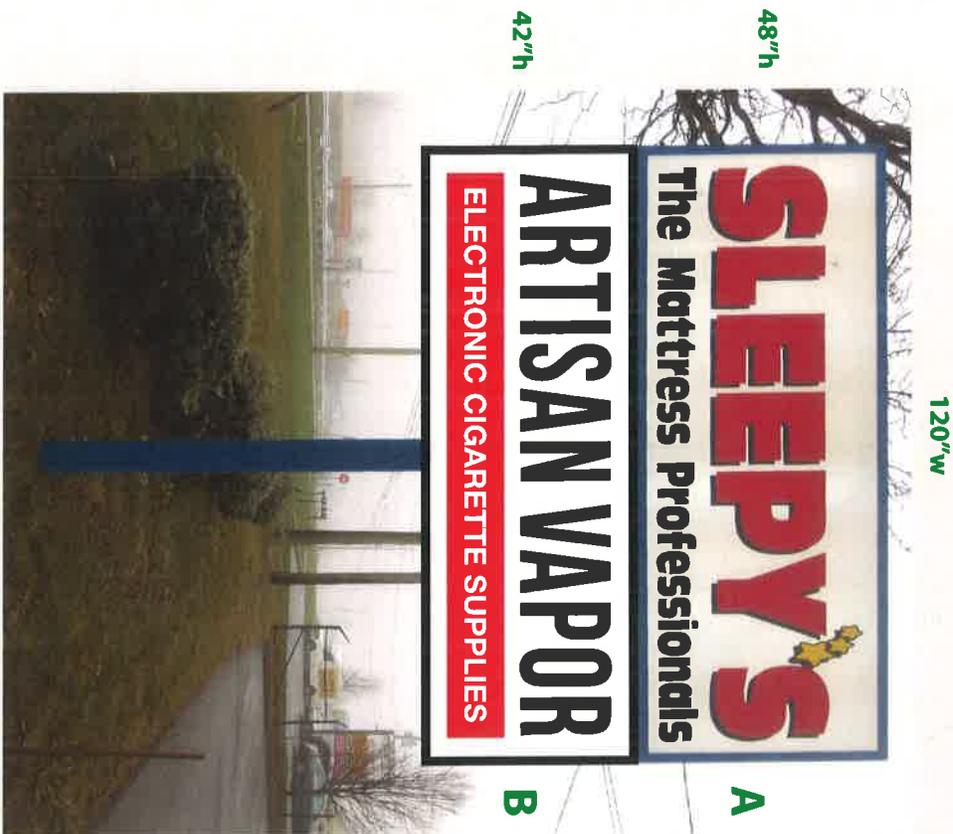
PROOF REVISION: -

HEIGHT: 42" WIDTH: 120"

MATERIAL(S):

COLOR(S): -

SIDES: 1 QUANTITY: 2



*Smiled — 1/13 KB*  
*to Tom (mkt)*  
*& cc: Amanda & Sam*

A = Existing 4'H x 10'L - Sleepy's  
B = Proposal 3-1/2'H x 10'L - Artisan Vapor

Existing channel letters on building = 20sf.  
Proposed pylon lightbox double-sided, 3-1/2' x 10' (x2 sides) = 70sf  
Total Sign S/F Proposed (including existing) = 90sf

CUSTOMER SIGNATURE

date

**LEGAL NOTICE:** The final design and final product remains with SignsNow until paid in full. It is the responsibility of the customer to check all artwork for overall correctness including but not limited to layout, proportion, colors, spelling, grammar and missing or extra items. Approval of the sign proof assumes customer responsibility and any changes made after production has begun may result in further charges. **PROOF POLICY:** The purpose of your proof is to assure correct spelling, correct numbers, and that colors and general layout are to your specifications. A second proof will be provided free of charge. If more than one proof revision is required additional fees may be added. Your signature authorizes SignsNow to produce the product described and ordered to the right. We will not produce any item without written approval. The design is the property of SignsNow. It is submitted for your consideration upon the purchase of the product, plans or final files, accordingly accepted. This design cannot be copied in whole or in part, altered or exhibited in any manner. Exceptions are provided by client. Colors to be reproduced only are not a color match to any substrate, material or computer monitor, etc.



# Artisan Vapor

0 44.62 89.2 Feet

This map is for planning purposes only. The information displayed here is not intended to be used for any legal or financial purposes. The user of this map is responsible for verifying the accuracy of the information displayed here. The user of this map is responsible for verifying the accuracy of the information displayed here.



## Map Legend

Parcels



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP *CM*  
Date: October 6, 2016  
Re: **Petition #43-16: Special Permit (Section 6.6.2: Alcoholic Beverages) at 3375 Berlin Turnpike (Wood 'N' Tap). WNT VIII LLC, applicant; Furniture Executives No. 4 LP, owner; Michael Hamlin, 287 Chesterwood Terrace, Southington CT, contact.**

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### **Description of Petition #43-16:**

Section 6.6.2 permits the sale of alcohol in any non-residential zone, by special permit.

### **Staff Comments:**

The applicant would like to serve alcohol at the new restaurant which was approved by TPZ last year.

Section 6.6.2 permits the sale of alcohol in any non-residential zone, subject to certain conditions: (1) Not within 500' of a "college, school, church or hospital", and (2) Not within 500' of another location "with the same class of permit".

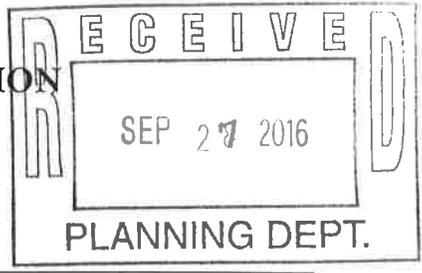
There are no colleges, schools, churches or hospitals within 500' of the Raymour & Flanigan building. There are no restaurants with a liquor permit within 500' of the building.

cc:  
file

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townplanner@newingtonct.gov  
www.newingtonct.gov



TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM



LOCATION OF PROPERTY: 3375 Berlin Tpk ZONE: \_\_\_\_\_  
APPLICANT: Wood-n-Tap Michael Hamlin TELEPHONE: 860 919-3333  
ADDRESS: 287 ~~Chesterwood~~ Terrace Southington CT 06485 EMAIL: mike@wntus.com  
CONTACT PERSON: SAME TELEPHONE: 860 919-3333  
ADDRESS: \_\_\_\_\_ EMAIL: mike@wntus.com  
OWNER OF RECORD: MICHAEL HAMLIN

**THIS APPLICATION IS FOR (CHECK ONE OF THE FOLLOWING):**

- Zoning Map Change from the \_\_\_\_\_ Zone to the \_\_\_\_\_ Zone (Public Hearing required).
- Zoning Text Amendment to Section \_\_\_\_\_. *A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).*
- Subdivision (4 sets of plans 24" x 36", and 10 sets of plans 12" x 18").
- Resubdivision (Public Hearing required). (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Special Exception per Section \_\_\_\_\_ of the Zoning Regulations. *Explanation of the proposed activity is attached (Public Hearing required).*
- Site Plan Approval or Site Plan Modification (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Other (describe in detail, or attach): Liquor Permit

**SIGNATURE:**

	<u>9/27/16</u>		<u>9/27/16</u>
APPLICANT	DATE	PROPERTY OWNER	DATE

**INCOMPLETE APPLICATIONS WILL NOT BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES, BUT IS NOT LIMITED TO: APPLICATION FORM; APPLICATION FEE; SITE PLANS (IF APPROPRIATE) SHOWING LID; WATERSHED ANALYSIS (FOR SITE PLANS); NARRATIVE DESCRIPTION (IF APPROPRIATE).**

*NOTE: PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE ECONOMIC DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.*



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Tanya D. Lane  
Town Manager

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP   
Date: October 6, 2016  
Re: **Petition #47-16: TPZ Approval (Section 3.23.1: Accessory Outside Use) for Tent Sale at 3388 Berlin Turnpike ("Rizzo Pools"). Albert Rizzo Inc., owner; James Galvin, 3388 Berlin Turnpike, Newington CT, applicant/contact.**

---

### **Description of Petition #47-16:**

The applicant would like to have another "tent sale", similar to last year's. The tent is 50' diameter. The sale will take place over four days, from October 15 – 18.

### **Staff Comments:**

The location of the tent is actually on the property of the "Friendly's Ice Cream" restaurant next door, behind the building setback line. The applicant forwarded to me an email from the Friendly's Director of Operations granting permission.

Since the tent is on the grass I do not have the usual concerns over parking and emergency vehicle access. The applicant knows that he needs to get permission from the Building Inspector and the Fire Marshall.

I asked the Fire Marshall if there were any issues last year, and he said there were none.

cc:  
file

Phone: (860) 665-8575 Fax: (860) 665-8577  
townplanner@newingtonct.gov  
www.newingtonct.gov



CR# 5960

Petition # 47-16

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 3388 Berlinton Pike ZONE: \_\_\_\_\_

APPLICANT: Rizzo Pools LLC TELEPHONE: 860-666-1531

ADDRESS: 3388 Berlinton Pike EMAIL: Service@RizzoPools.com

CONTACT PERSON: James Galvin TELEPHONE: 860-371-7810

ADDRESS: 3388 Berlin turn Pike EMAIL: Service@RizzoPools.com

OWNER OF RECORD: Albert Rizzo

**THIS APPLICATION IS FOR (CHECK ONE OF THE FOLLOWING):**

- Zoning Map Change from the \_\_\_\_\_ Zone to the \_\_\_\_\_ Zone (Public Hearing required).
- Zoning Text Amendment to Section \_\_\_\_\_. *A copy of the proposed amendment and the reason for amendment is attached* (Public Hearing required).
- Subdivision (4 sets of plans 24" x 36", and 10 sets of plans 12" x 18").
- Resubdivision (Public Hearing required). (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Special Exception per Section ~~91A~~ \_\_\_\_\_ of the Zoning Regulations. *Explanation of the proposed activity is attached* (Public Hearing required).
- Site Plan Approval or Site Plan Modification (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").

Other (describe in detail, or attach): Hot tub tent sale.

**SIGNATURE:**

	8-18-16		8-18-16
APPLICANT	DATE	PROPERTY OWNER	DATE

**INCOMPLETE APPLICATIONS WILL NOT BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES, BUT IS NOT LIMITED TO: APPLICATION FORM, APPLICATION FEE; SITE PLANS (IF APPROPRIATE) SHOWING LID; WATERSHED ANALYSIS (FOR SITE PLANS); NARRATIVE DESCRIPTION (IF APPROPRIATE).**

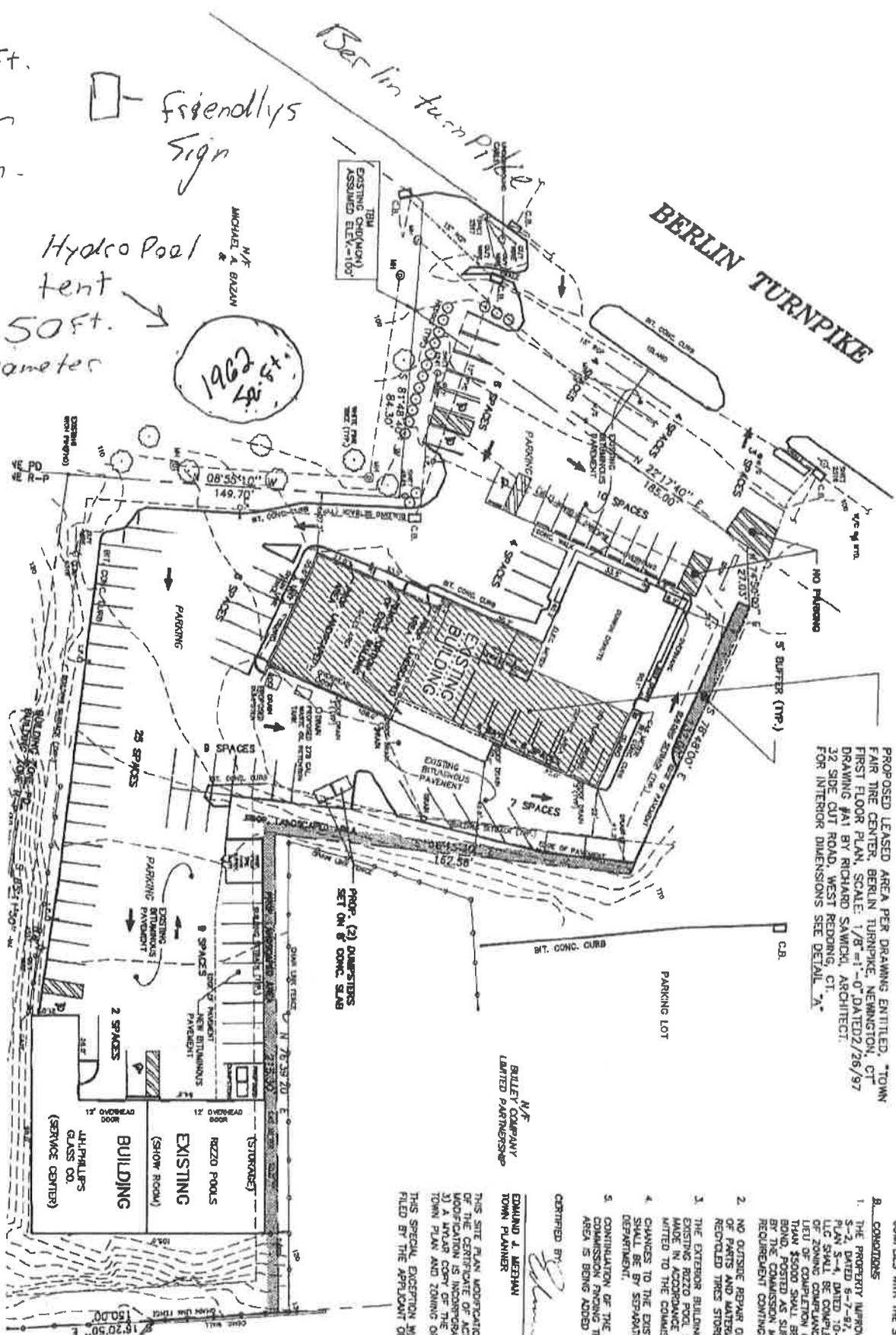
NOTE: PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE ECONOMIC DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.



30 Ft.  
From  
Sign.

Friendly's  
Sign

Hydro Pool  
tent  
50ft.  
Diameter



PROPOSED LEASED AREA PER DRAWING ENTITLED, "TOWN FAIR TIRE CENTER, BERLIN TURNPIKE, NEWINGTON, CT FIRST FLOOR PLAN, SCALE 1/8"=1'-0" DATED 2/26/97 DRAWING #A1 BY RICHARD SAWICKI, ARCHITECT. 32 SIDE CUT ROAD, WEST REDDING, CT. FOR INTERIOR DIMENSIONS SEE DETAIL "A"

N/E  
BULLY COMPANY  
LIMITED PARTNERSHIP

N/E  
EDWARD J. MEBAN  
TOWN PLANNER

THIS SITE PLAN MODIFICATION WILL NOT BECOME EFFECTIVE UNLESS THE COMMISSIONER OF CONSTRUCTION HAS REVIEWED THE ORIGINAL MODIFICATION IS INCORPORATED INTO THE SITE PLAN AND NO TOWN PLAN AND ZONING OFFICE. THIS SPECIAL EXCEPTION WILL NOT BECOME EFFECTIVE UNTIL FILED BY THE APPLICANT ON THE LAND RECORDS OF THE TOWN OF WEST REDDING, CONNECTICUT.

1. THE USE OF THIS PROPERTY FOR AN AUTO RELATED BUSINESS IS GRANTED A CERTIFICATE OF LOCATION BY THE TOWN OF WEST REDDING, CONNECTICUT.
  2. THE REQUESTED USE OF THIS PROPERTY FOR AN AUTO RELATED BUSINESS WITH THE STANDARDS OF SECTION 5.2 AND 5.3.
- B. CONDITIONS:**
1. THE PROPERTY IMPROVEMENTS SHOWN ON DRAWINGS PLANS 5-1, DATED 8-7-97, AS REVISED 9-20-97, AND LAYOUT PLAN 5-4, DATED 10-28-97, PREPARED BY GLENN THOMAS, SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF A LICENSE OF OCCUPANCY AND A CERTIFICATE OF USE. AN AMOUNT OF \$5000.00 SHALL BE POSTED TO THE TOWN OF WEST REDDING AS SURETY FOR IMPROVEMENTS TO BE COMPLETED BY THE COMMISSIONER MARCH 26, 1997. THIS BOND SHALL BE USED TO RECOVER THE COST OF ANY REPAIRS REQUIRED TO BE MADE TO THE PROPERTY UPON THE COMPLETION OF THE IMPROVEMENTS.
  2. NO OUTSIDE REPAIR OF VEHICLES SHALL OCCUR ON THE PROPERTY AND MATERIALS IS PERMITTED ON THIS PROPERTY.
  3. THE EXTERIOR BUILDING ELEVATION CHANGES FOR THE EXISTING RIZZO POOL RETAIL AREA AND THE TOWER TOWER MADE IN ACCORDANCE WITH THE COLLOR BUILDING PERMITS TO THE COMMISSIONER NOVEMBER 12, 1997.
  4. CHANGES TO THE EXISTING FLOOR AND WALL SIGNAGE PERMITS SHALL BE SEPARATE PERMITS ISSUED ADMINISTRATIVE DEPARTMENT.
  5. CONTINUATION OF THE EXISTING PARKING LOT LAYOUT IS REQUIRED AND NO NEW ADDITIONAL BUILDING AREAS ARE BEING ADDED TO THE SITE.
- CERTIFIED BY: *Edward J. Meban*

N/E  
FOOTPRINTS PLAN  
FOOTPRINTS PLAN



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission

From: Town Planner Craig Minor, AICP

Date: October 6, 2016

Re: **Section 6.2: Sign Regulations**

---

### **Background:**

Updating and revising the Sign Regulations has been a goal of the TPZ for several years. Now that other zoning amendment initiatives are behind us, Chairman Aieta has suggested it be taken up again.

### **Staff Comments:**

At the last meeting I was asked to draft an amendment that eliminates “temporary signs” from the list of permitted uses, and addresses the problem of cars parked along the Berlin Turnpike that are effectively billboards. See attached.

cc:  
file

Phone: (860) 665-8575 Fax: (860) 665-8577  
townplanner@newingtonct.gov  
www.newingtonct.gov

# PROPOSED ZONING TEXT AMENDMENT

## SECTION 6.2: SIGNS

[Text to be deleted is shown in **~~bold strikethrough~~**;  
text to be added is shown in **bold underline**]

---

### 6.2.1 General:

- A. No billboards are permitted and are non conforming uses that shall be removed and not replaced. (Effective 12-01-01)
- B. No advertising signage is permitted which does not refer to a business or activity located on the same premises. ~~Merchandise and/or products displayed for sale are considered signage under this section except as permitted in 6.2.1 (F).~~
- C. No signs shall be located above the parapet or roof peak.
- D. The placement and erection of any signs shall require a zoning permit and a building permit, except that directional signs not exceeding 3 square feet in area per side may be located within the street right of way without zoning or building permits upon the approval of the Town's Traffic authority.
- E. As defined in Section 9, a sign which has intermittent internal illumination by mechanical or digital controls that produce an illusion of movements such as, but not limited to, flashing, running, rotating, video graphics, change in color and brightness or scrolling advertisement message shall not be permitted except: (Effective 6-8-2011)
  - 1) Time and/or temperature sign by means of intermittent lighting, provided that the largest dimension of such a sign does not exceed 6 square feet. (Effective 6-8-2011)
  - 2) Fuel product price sign that is digitally controlled and a component of the business's free standing sign provided that each product per gallon price size does not exceed 1 foot high by 3 feet wide and does not move, flash, run, scroll, rotate or change color or brightness. Digitally controlled product price sign shall not be permitted in the Business Town Center District (B-TC) and the Business District (B) zones. (Effective 6-8-2011)
- F. Temporary permit for a sign advertising a real estate development may be issued for a six month period and may be renewed for an additional six month period.

~~Temporary permits for signs advertising a special event may be issued by the Zoning Enforcement Officer for not more than twenty-five (25) consecutive days per calendar year upon approval of a zoning permit prior to placement. A Building Permit shall not be required for special event signs and only the zoning permit fee shall be charged. (Effective 6-8-2011)~~

~~A new business coming to Newington for the first time or an existing business relocating or expanding within Newington may request an~~

~~additional twenty (20) days of promotional advertising days. (Effective 6-8-2011)~~

~~Temporary signs shall only be displayed on the property of the business advertising the sales and/or event and cannot be placed in the State or Town street right of way.~~

~~Temporary signs shall not be lighted, flashing, digital or rotating, and may be denied if determined by the Zoning Officer to be a hazard to the public.~~

~~Temporary signs may be pennants, streamers or banners attached to the building promoting the sale event and ground signs, not to exceed two, not higher than 10 feet and larger than 50 square feet per side. Not more than one ground mounted cold air inflatable sign, not to exceed 18 feet in height is permitted. No roof mounted sign or cold air inflatable tethered to the roof are permitted. (Effective 4-6-2011)~~

- G. No illuminated sign shall be lighted or placed so as to provide glare or blinding effects upon automotive traffic or adjoining residential zones, nor shall such sign diminish or detract from the effectiveness of any traffic signal.

#### 6.2.2 Residential Signs:

In residential zones, the following signs are only permitted on a lot:

- A. One sign not over one square foot in area, giving the name of the occupant of the premises.
- B. Not more than 2 "for sale" or "for rent" signs not over 6 square feet in area and located at least 10 feet from the lot line.
- C. One bulletin board on church or school property not over 36 square feet in area and located at least 10 feet from the front lot line.
- D. Building contractors signs on buildings under construction limited to a total area for all such signs of 60 square feet or temporary on site ground sign not over 6 square feet in area. All such signs must be removed within 5 days after the completion of the building.
- E. For a residential development approved by Special Exception Section 3.7 a monument sign not more than 75 square feet in area on one side, nor more than 150 square feet in area on both sides and located within the building setback lines shall require Special Exception Approval of the Commission. (Effective 8-15-07).

#### 6.2.3 Non-Residential Wall Mounted Business Signs:

- A. Business Signs

The following signs only are permitted on a lot:

- 1 All signs permitted in residential zones.
- 2 Business signs provided that the gross area of all such signs be less than 1 square foot for each linear foot of building frontage. Building frontage shall

mean the side of the building with a public entrance facing the abutting public street. (Effective 8-15-07)

- 3 Business signs on buildings fronting on the Berlin Turnpike are permitted up to 2 square feet for each linear foot of building frontage on the Berlin Turnpike and 1 square foot for each linear foot of building side **roughly** perpendicular to the Berlin Turnpike used for business with a public entrance. Total sign area displayed on the building frontage shall not exceed 2 square feet for each linear foot of building frontage.
- 4 Business signs on buildings located within the B-TC District that have deeded land to the Municipal Parking Lot are permitted 1 square foot of sign area for each linear foot of building frontage on a public street and on the municipal lot provided that not more than 50 percent of the total gross sign area is displayed on the building walls fronting on the public street.
- 5 Business signs on buildings located on corner lots shall not exceed 1 square foot for each linear foot of building frontage on the intersecting public streets, except buildings on the Berlin Turnpike may increase sign area as set forth in Section 6.2.A.3.
- 6 Business signs on buildings which provide off- street parking behind the building and provide public access from such off-street parking are permitted an additional .75 square feet of sign area for each linear foot of building frontage provided that this additional signage shall be displayed only on the rear building walls.
- 7 All business signs on structures containing two (2) or more commercial uses or business office uses shall be of uniform size, dimension, composition and location of horizontal sign band. No roof mounted signs are permitted. All signs must attach to a wall within a uniform sign band. (Effective 12-01-01)

B. Industrial Signs

The following signs only are permitted:

- 1 Any sign permitted in residence or business zones.
- 2 Signs provided that the gross area of all signs be not more than one square foot for each linear foot of building frontage displaying such signs, and no signs shall be larger than 900 square feet.

C. Public Land Zone Signs

In Public Land Zones the following signs only are permitted:

- 1 The sign size restriction which most closely matches the use shall be used.

6.2.4 Free Standing Business Signs:

In any non-residential zone, Free Standing Business Signs may be permitted by the commission as a special permit subject to the following conditions:

- A. The sign may not exceed 18 feet in height nor be greater than 150 square feet in area on one side nor 300 square feet on both sides. Only one (1) free standing sign may be permitted per property.

The aggregate square footage of a site's wall mounted business signs and Free Standing Business Signs shall not exceed the square footage permitted in Section 6.2.3.

Only one (1) free standing sign may be permitted per property except on corner lots under one ownership the Commission may grant a second free standing sign when it finds that the frontage length of each intersecting street is at least 500 feet and that the distance between signs, as measured along the street right of way, is not less than 400 feet.

- B. Free standing business signs shall not be located in the right-of-way of any street. Written authorization for a sign location must be presented if the applicant is other than the owner of the proposed sign.
- C. A plan of the sign shall be presented showing size, layout, materials, color and lighting. Such design specifications shall be appropriate to the location and the general neighborhood.

#### 6.2.5 Directory signs:

In any non-residential zone, off site directory signs may be permitted by the Commission as a special permit subject to the following conditions:

- A. The sign may not exceed 12 feet in height nor be greater than 100 square feet in area on one side nor 200 square feet on both sides.
- B. The sign shall not be located in the right-of-way of any street. Written authorization for a sign location must be presented if the applicant is other than the owner of the proposed sign.
- C. A plan of the sign shall be presented showing size, layout, materials, color and lighting. Such design specifications shall be appropriate to the location and the general neighborhood.

#### 6.2.6 Maintenance:

All signs shall be maintained in a safe condition. The Zoning Enforcement Officer shall notify the owner of any sign which is found to be in a hazardous or unsafe condition. If repairs are not made within 60 days the Zoning Enforcement Officer may request the Building Official to order the removal of the unsafe sign. (Effective 12-01-01)

---

**Section 6.1 Off-Street Parking and Loading Regulations**

**[new] 6.14 Prohibited Use of Parking Spaces**

- A. Other than as permitted in Section 3.23.1 (Accessory Outside Use Standards), no object other than a properly registered motor vehicle may occupy any parking space shown on any site plan approved in accordance with Section 5.3.**
  
- B. In the B-BT and PD zones, the row of parking spaces that is closest to and roughly parallel to the Berlin Turnpike shall be reserved for customer parking only. Employee-owned vehicles and vehicles belonging to or under the control of the owner or tenant may not occupy these parking spaces.**



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Tanya D. Lane  
Town Manager

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP *CM*  
Date: October 6, 2016  
Re: **Petition #44-16: Special Permit (Section 3.11.1: Fitness Center) at 161-169 Lowrey Place. Tyler English Fitness LLC, applicant; Lowrey Place Realty LLC, owner; Tyler English, 5A Cheryl Drive, Canton CT, contact.**

---

### **Description of Petition #44-16:**

The applicant would like operate a fitness center in a portion of the “Best Food” building on Lowrey Place. “Places of assembly for recreation, such as health clubs and dance studios” are allowed in the B-TC zone by special permit per Section 3.11.1.

### **Staff Comments:**

I recommend the public hearing be scheduled for the next TPZ meeting on Wednesday, October 26, 2016.

cc:  
file

Phone: (860) 665-8575 Fax: (860) 665-8577  
townplanner@newingtonct.gov  
www.newingtonct.gov



Petition # 44-16

TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM

LOCATION OF PROPERTY: 161-169 Lowrey Place ZONE: B-7C  
APPLICANT: Tyler English Fitness LLC TELEPHONE: 860-977-9659  
ADDRESS: 5A Cheryl Dr, Canton, CT EMAIL: tyler@tylerenglishfitness.com  
CONTACT PERSON: Tyler English TELEPHONE: 860-977-9659  
ADDRESS: 5A Cheryl Dr, Canton, CT EMAIL: tyler@tylerenglishfitness.com  
OWNER OF RECORD: Lowrey Place Realty LLC, 1 Lexington Ave, Balthasar NY 11714

**THIS APPLICATION IS FOR (CHECK ONE OF THE FOLLOWING):**

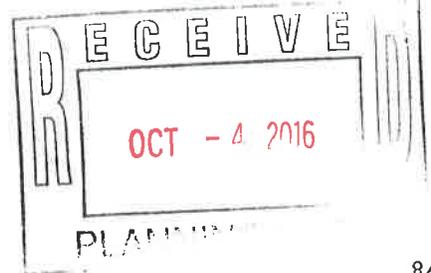
- Zoning Map Change from the \_\_\_\_\_ Zone to the \_\_\_\_\_ Zone (Public Hearing required).
- Zoning Text Amendment to Section \_\_\_\_\_. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision (4 sets of plans 24" x 36", and 10 sets of plans 12" x 18").
- Resubdivision (Public Hearing required). (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Special Exception per Section 3.11.1 of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
- Site Plan Approval or Site Plan Modification (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- Other (describe in detail, or attach): \_\_\_\_\_

**SIGNATURE:**

	<u>9/29/16</u>		<u>9/27/2016</u>
APPLICANT	DATE	PROPERTY OWNER	DATE

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**NOTE: PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE ECONOMIC DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.**



Tyler English Fitness, LLC (TEF) will be leasing approximately 6,000 SF at 161-169 Lowrey Place, Best Market Plaza. The space will be used as a fitness center where personal body transformation coaches will teach fitness and nutrition to small groups and individuals. The space will not be an “open gym” in the sense of LA Fitness or Planet Fitness. Rather, athletic development coaching sessions with a certified and qualified TEF Sports Performance Coach and championship leadership development through TEF internationally recognized performance training program will take place. The programs are designed for people who desire and need more personal attention in an environment that delivers results. Proper fat loss nutrition, accountability and ongoing personal support are integral to TEF. The programs are designed to burn more body fat and deliver a body transformation. They combine strength and metabolic coaching sessions and easy to follow fat loss nutrition programs that are sustainable and lead TEF clients to a body transformation. There is also a focus on recovery and regeneration strategies required for longevity of joints, muscles, overall fitness and sustainable nutrition.

TEF is about building a lifestyle whether your goals are to lose body fat, build lean muscle, feel better in your skin, increase your energy or maybe just enjoy your life a little more. The TEF solution delivers a sustainable daily fitness and nutrition regiment that go hand-in-hand.

### **The physical space and equipment:**

The space will have a front reception area and managers office. The space will have a shower and locker area for men and women. Equipment within the space will include barbells, trap bars, sleds, sandbags and kettlebells. Dumbbells, resistance bands, suspension training systems and med balls.

### **Programs offered at TEF:**

#### **Metabolic Group Coaching**

TEF’s Metabolic Group Coaching clients train daily Metabolic Strength and Metabolic Conditioning sessions that rotate throughout the week. In these training sessions clients work in groups of 25 or less and follow a group class with a TEF Coach who demonstrates, instructs and motivates through 45 minutes of high intensity training.

TEF’s *STRENGTH* or Metabolic Resistance Training sessions are designed in an alternating set or circuit training format using a wide variety of exercises using bodyweight, dumbbells, barbells, resistance bands, and suspension training systems, kettlebells, med balls and sandbags. The *STRENGTH* sessions are designed to provide a strength training program in an intense interval based style.

TEF’s *METABOLIC* or Metabolic Conditioning sessions are designed to increase anaerobic and aerobic capacity by performing interval based cardio conditioning

workouts. They use the same tools utilized in their STRENGTH sessions but with the focus being on the conditioning component over the resistance-training component.

### **Small Group Coaching**

Small Group Coaching is a hybrid approach to their Metabolic Group Coaching, offered in a smaller group format to allow for even greater individual attention.

In their Small Group Coaching program their clients train in a more personal setting of 2-8 clients. Clients follow the same structured program but the sessions are individualized to meet the personal needs of each person in the group.

Clients in SGC will utilize more personalized and more advanced movements utilizing all the tools they utilize in their Metabolic Group Coaching with the addition of barbells, trap bars, sleds, and advanced bodyweight, sandbag and kettlebell exercises.

Small Group Coaching is a great combination of metabolic resistance training and metabolic conditioning programmed into a 60 minute training session.

### **Semi Private Coaching**

TEF's Semi Private Coaching clients begin with an individual movement assessment to better allow them the ability to individualize their training program based upon their unique needs. Semi Private Client's then train at the same time as other semi private clients while following their own individualized program under the watchful eye of a Success Coach while in a small group of 2-5.

## **Champion Sports Performance Program**

### **Champion Membership Includes:**

- **Athletic Development Coaching Sessions** with a certified and qualified TEFS Sports Performance Coach.
- **Cutting Edge Program Design** developed by the Best Independent Gym in America's Sports Performance Team to give you the best possible results in the shortest amount of time.
- **Championship Leadership Development** through our internationally recognized performance training program.

### **Champion Development (10-12)**

Athletes will begin to learn and perform basic strength & speed training exercises developing athletic abilities in a group format. They will learn how to become faster, stronger, and move more efficiently, all while decreasing the chances of sports related injury. An environment of teamwork, accountability, and leadership will set the foundation for developing the mental edge in athletics at an early age.

**Champion Elite (13+)**

Their Champion Elite athletes will receive a personalized athletic development program from one of their qualified performance coaches. The program is tailored to capitalize on strengths, remove weaknesses, and provide the athlete with all resources necessary to become a dominant athlete.

**Champion Elite - Collegiate (18+)**

Their Champion Elite Collegiate athletes will receive a personalized strength and conditioning program developed to meet the needs of their specific sport. The program will be developed to build greater strength, work capacity and injury prevention while improving mental toughness, speed and power.

**Professional**

Their professional athletes will receive a personalized strength and conditioning program developed to meet the needs of their specific sport. The program will be developed to greater enhance the athletes performance on the field.

**Champion Team Training**

Developing strength, speed, and leadership skills while increasing the bond between a team is the main focus of Champion Team Training. Athletes and teams of any sport will receive top-notch programming and instruction while working alongside teammates in a high intensity environment promoting the pursuit of excellence.



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

**Town Planner**

Craig Minor, AICP  
Town Planner

## Memorandum

**To:** Town Plan and Zoning Commission  
**From:** Town Planner Craig Minor, AICP *CM*  
**Date:** October 6, 2016  
**Subject:** **Town Planner Report for October 13, 2016**

---

1. Town Council Exemption from Zoning: My memo on this got to the Commission at the last minute at the last TPZ meeting, so it was tabled.
2. Open Space Zone regulations: Same as above.

cc:  
file

Phone: (860) 665-8575 Fax: (860) 665-8577  
cminor@newingtonct.gov  
www.newingtonct.gov



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

**Town Planner**

Craig Minor, AICP  
Town Planner

## Memorandum

**To:** Town Plan and Zoning Commission  
**From:** Town Planner Craig Minor, AICP *CM*  
**Date:** September 26, 2016  
**Subject:** **Town Council Exemption from Zoning Regulations**

---

At the TPZ meeting on September 14, 2016 I was asked to draft a TPZ letter to the Town Council asking them to relinquish their exemption from zoning.

Before TPZ does this, there are a few issues that should be discussed.

1. Could TPZ achieve the desired result with less than total zoning compliance? While municipal exemption has been a source of TPZ annoyance for some time, it only came to a head over the Mill Pond Park issue. There might be a way to prevent something like that from happening again without the Town Council having to give up their total immunity to zoning. For example:

a. Create an "Open Space" zone that prohibits development, as TPZ has been discussing. The Town Council then adopts a resolution making the Town Council subject to just that one section of the zoning regulations.

b. Add "Municipal" to Section 3.2.3: State and Federal government buildings. These buildings are allowed in any zone by special permit. The Town Council then adopts a resolution making the Town Council subject to just that one section of the zoning regulations.

2. Be aware of all non-conformities that would result: If the Town Council were to give up its immunity, the staff would need to do an inventory of all municipal property and all use, setback, parking, maximum lot coverage, etc. non-conformities that would suddenly result from that. Ideally someone would do this anytime the zoning regulations are amended in a way that creates non-conformities, but it's the property owner's problem. In this case, the Town is the property owner, so we (the staff) would have to do that.

If the TPZ decides to send a letter to the Town Council, I offer the following draft:

“The Town Plan and Zoning Commission hereby respectfully requests the Town Council adopt a resolution rescinding the resolution passed on May 26, 1970 which exempts municipal property from the Newington zoning regulations. The 1970 resolution reads as follows:

RESOLVED: That all municipal property in the Town of Newington is hereby exempt from the regulations prescribed by the Zoning Commission. This Resolution is enacted in accordance with C.G.S., revised 1968, Section 8-2 as amended.

This request is made with the hope of preventing future Town Councils from repeating the mistake made by the 2013-2015 Town Council when it attempted to construct a Parks and Recreation building in Mill Pond Park. Had the Town Council been subject to the normal rules and regulations, the checks and balances built into the zoning approval process might have prevented the resulting controversy.

The Town Plan and Zoning Commission looks forward to discussing this with the members of the Town Council.”

cc:  
file

## PL (Public Land) Zoning Regulations

(text to be deleted is shown in ~~bold strike-through~~;  
text to be added is shown in **bold underline**)

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### **Section 3.21 Uses Permitted in PL Public Land Zones**

In PL (Public Land) zones, land and buildings may be used and buildings may be altered or erected to be used for the following purposes and no other. **Any property not in a PL zone that is proposed to be changed to a PL zone must be owned by a governmental unit, a department of a governmental unit, or a private or semi-private owner who furnishes a public service or utility.**

#### 3.21.1 Permitted Uses:

~~Lands and buildings owned by a governmental unit, a department of a governmental unit, or a private or semi-private owner who furnishes a public service or utility;~~

**A. Passive recreation and other similar open space-type activities.**

**B. and any Any** use which may be permitted in the charter of the owner, provided that industrial, business and/or residential uses shall be limited to and used exclusively by and for the requirements of the owner. ~~All other uses are prohibited.~~

#### **3.21.2 Special Permit Uses:**

**A. Buildings or other structures owned by a governmental unit, a department of a governmental unit, or a private or semi-private owner who furnishes a public service or utility;**

**B. Active recreation and other similar open space-type activities.**

#### 3.21.3 Procedure

A. Before a lot or parcel of land in a PL Zone may be used or a building erected, altered or changed in use, a Site Development Plan must be approved in accordance with this Section as well as Section 5.3.

B. Any application for change to a PL Zone must be accompanied by an application for Site Development Plan approval in accordance with Section 5.3. The Commission will consider both applications simultaneously, within the appropriate public notice and scheduling procedures.

#### 3.21.4 Buffer

No parking or loading shall be located within 25 feet of a residential zone boundary. When the zone boundary follows the centerline of the street right of way the 25 foot buffer shall be measured along the non residential side of the street right of way. A buffer meeting the requirements of Section 6.10 is required whenever the use adjoins a residential zone. However, the Commission may waive this requirement in part for good cause. The reasons for any such waiver shall be made a part of the Commission record pursuant to Section 6.10.5(c).

## PL (Public Land) Zoning Regulations

(text to be deleted is shown in ~~bold strike through~~;  
text to be added is shown in **bold underline**)

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### 3.21.4 Utilities

All electric and telephone utility installations shall be located underground, excepting required or necessary lights standards, etc.

### 3.21.5 Sidewalks

Sidewalks shall be installed along the frontage of public streets according to the Town of Newington standards.