

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

December 10, 2014

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 at the Newington Town Hall, 131 Cedar Street, Newington.

I. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Commissioner Frank Aieta
Commissioner Carol Anest
Commissioner Michael Camillo
Chairman Cathleen Hall
Commissioner Robert Serra Sr.
Commissioner Stanley Sobieski
Commissioner Brian Andrzejewski - A
Commissioner Anthony Claffey - A

Commissioners Absent

Commissioner Kenneth Leggo

Staff Present

Craig Minor, Town Planner

Commissioner Andrzejewski was seated for Commissioner Leggo

II. APPROVAL OF AGENDA

No Changes

III. PUBLIC HEARINGS

None

IV. PUBLIC PARTICIPATION (for items not listed on the Agenda, speakers limited to 2 minutes.)

None

V. REMARKS BY COMMISSIONERS

Commissioner Aieta: I have a couple of items for the Planner. Do you remember when Newington Electric came in, remember that they were draining their parking lot onto Pane Road, through a pipe from the parking lot?

Craig Minor: Yes.

Commissioner Aieta: Now that it's starting to get to be winter, there is a least a two to three foot swath of water that's running from their property down to the CL&P driveway onto Pane Road, and it's going to be icing up pretty soon. It's ponding on that roadway by CL&P.

Craig Minor: Okay. I'll look into that.

Commissioner Aieta: Also, on the same street, where Salem Motors used to be, they moved, it's not the same Salem Motors, but the people who were in that building next to Raymour and Flannigan in the first building on Pane Road, coming from the highway it would be on the right hand side. When we approved that, we specifically told them not to use the first driveway, and the other day there was almost an accident there with people coming out of Olympia Diner. That is specifically why we told them not to leave that, they were only supposed to have one way in, and that was the second driveway.

Craig Minor: Do you remember roughly what year that was approved?

Chairman Hall: About two or three years ago.

Craig Minor: Oh, that recently. Okay, then it must have been just before I got here. 2010, 2011?

Commissioner Aieta: Yeah, and it's a problem, because I saw it myself, and I know that was the reason that we told them to keep that fence, with the gate closed, so they couldn't go around and use that as a driveway.

Craig Minor: Okay.

Commissioner Aieta: And they are using it, and the gate is just locked open.

Craig Minor: I'll look into that.

Chairman Hall: Anything else from the Commissioners.

VI. MINUTES

A. November 24, 2014 Special Meeting

Commissioner Sobieski moved to accept the minutes of the November 24, 2014 Special Meeting. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion with six voting YEA.

B. November 24, 2014 Regular Meeting

Commissioner Sobieski moved to accept the minutes of the November 24, 2014 Regular Meeting. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion with six voting YEA.

VII. NEW BUSINESS**A. Petition 48-14: Site Plan Modification at Deming Farms Drive (Newington Ridge Preserve, formerly Deming Farm), Griswold Farms LLC, owner/applicant, Michael Massimino, 15 Hosley Avenue, Branford, CT, contact.**

Craig Minor: The applicant is here, but let me explain briefly why this is on the agenda. It's in my memo to the Commission. When this project was originally approved by the Commission back in 2007, the areas that were associated with the individual homes in this PUD were not as shown on the map that you have before you. This is the area that the new owner would like to represent to his buyers, would be their "limited common element". When the project was approved back in 2007 the site plans that the Commission had in front of it didn't show any area, but it was discussed in the minutes how much area there would be, and there was some discussion about it, so apparently it was an issue of some interest to the Commission. The applicant Mr. Massimino asked me the other day how they should get this approved, and I talked to the Town Attorney and did some research, and we felt that the best way to get the Commission's blessing would be as a site plan modification since they have an approved site plan on file. This would modify it by delineating the areas that would be associated with each house, because it's not a subdivision, it's a PUD. Each of the home owners would have some sort of exclusivity to the yard around the house. Mr. Massimino is here, so if I mis-spoke or if you want to add anything to that, this would be the time to do it.

Michael Massimino: Good evening. We are a development company based in Bradford, and we have several planned unit developments going on, and it's very typical in communities such as this where we would have this limited common area. So realistically it's just a yard area, it's not trying to delineate the subdivision, but people buying these homes obviously are downsizing, they have come from a single family house most of the time, and they are used to having some privacy, whether it's a matter of putting a small chair in the backyard, or if they wanted to put some pots and plants. Obviously they still have to comply with the declaration, the by-laws. But it's something that the market is expecting coming into these active adult communities, so that's why we are here tonight.

Chairman Hall: Do the commissioners have any question?

Commissioner Aieta: Nothing has changed as far as the layout of the house? The only thing you did was put the lot lines on?

Michael Massimino: Correct.

Commissioner Sobieski: You're not going to do any grading in here are you?

Michael Massimino: Right, any grading, clearing or you know, wetlands compliances, maintaining. All this does is give a delineation for yard area. Nothing is going to change from what was already approved on the site plan both from a subdivision standpoint and the wetlands permit, etc.

Commissioner Sobieski: But the ownership of this condominium association will be prohibited from doing any type of development, am I correct?

Michael Massimino: I'm sorry, what did you say?

Commissioner Sobieski: This association would be prohibited from any type of development of this conservation wetlands area, am I correct?

Michael Massimino: Correct, yes, there is a conservation easement and if it's not filed yet will be soon. This does not allow the homeowners to do anything that we can't do already, so it's just more or less delineating their yards.

Chairman Hall: Any other questions? Craig, has this already passed through Wetlands?

Craig Minor: Yes, I believe it did, because the original Wetlands permit expired. It had been so many years since the original permit was issued, that when Mr. Massimino bought it, one of the things he bought was an expired wetlands permit, so he had to go back through the whole Wetlands approval process, and start all over again.

Commissioner Aieta: Just for a clarification, this came in as what originally?

Craig Minor: I'm calling it a PUD, I don't know if the minutes call it that. It was site plan approval for an over fifty-five development; it's not a subdivision.

Commissioner Aieta: What zone is it in?

Craig Minor: It's in the PD, Planned Development Zone. Apparently your PD zone regs allow multi-family residential development. This was a way the owners of the property felt was a way to develop the land, and the Commission went along with it.

Commissioner Aieta: And at that time, all of the property was common, which you are saying it still is.

Craig Minor: Yes, except for the footprints, those belong to the individual buyers. I think it's the same type of arrangement as Harvest Ridge, the property that Carrier Construction is building next door. Same thing: individual houses that will belong to individual people, but common ownership of the private road and all of the land around it. That's how your regulations allow residential development in the PD Zone.

Commissioner Aieta: When we look at our regs we should look at that, because the way it is now, it's a way to circumvent the requirements of the other zones. Now you have a house, and this is fine, what we are doing, let's do it and get it over with, but in the future, we're making houses on thirty foot frontage lots. There is no zone for that. That's a zone that we outlawed fifty years ago when we had the fifty foot lots. I mean, it doesn't make any sense. Now, these people have a lot, that is a designated lot.

Chairman Hall: No, they don't own it.

Commissioner Aieta: But still, it's a designated lot.

Commissioner Anest: Think of it, and maybe I'm wrong, but think of it as detached condos. Think of it that way.

Michael Massimino: Correct. Just to give an example, we're doing 103 units up in Litchfield called Hunter's Chase, and in that case they are actually attached, and we have these imaginary lines going right through the center of the building and extend into the yard, so it's more or less, the road is common, and the land is still common. They call it "limited common". It's still common, but it gives some privacy.

Commissioner Aieta: Who maintains the yards?

Michael Massimino: The association.

Commissioner Aieta: The association, I'm trying to get my hands around it.

Chairman Hall: A detached condo.

Craig Minor: It's a common element, but it's a limited common element which is called an LCE. It's common, but as opposed to the conservation easement area, which will be a common element that anybody can use, these yards are limited to just the homeowner.

Commissioner Aieta: The homeowners.

Craig Minor: The person who lives in Unit 10 will be able to exclude other people from pitching a folding table...

Chairman Hall: Having a picnic in their yard.

Craig Minor: Yes. But technically it still belongs to everybody.

Commissioner Aieta: To me, it's like going to a smaller lot and zoning in that smaller lot or a smaller area, higher density.

Craig Minor: I wouldn't disagree with that. I think the Commission knew that when they approved it, but the way that they were able to bring themselves to approve it was the "over fifty-five" aspect. Apparently that was enough of a concession by the developer to make the Commission go ahead with it.

Commissioner Aieta: I think this is a good development. I thought it was at the beginning. I think the one next door is coming out really nice, and I like the contrast. I just strikes me, I'm looking at the lot sizes and the frontage and I'm saying...

Chairman Hall: Well, there is precedence for this. There are other complexes in town.

Michael Massimino: Just for the record, we have nine homes pre-sold since September. We opened our doors so we have a lot of activity.

Commissioner Aieta: Great, because we want to see it done. It's been sitting there for quite some time.

Michael Massimino: Thank you.

Chairman Hall: Thank you Mr. Massimino.

Craig Minor: Should I put this on the agenda for next time for approval under Old Business?

B. Bond Release

Victory Way (Victory Gardens)

Chairman Hall: Did we get anything new on this?

Craig Minor: No, I have no news. The staff was not able to do the inspection because of the rain, so I recommend that it be tabled until next time.

VIII. OLD BUSINESS

A. Petition 46-14: Revision to Section 6.11 (Sale, Rental Service or Storage of Motor Vehicles.)

Craig Minor: As the Commission knows, these are the changes that the TPZ has been ordered by the judge to make. It was discussed at the last meeting in some detail and a question came up as to whether you were required to have a hearing. The Town's attorney, as opposed to the Town Attorney, the Town's attorney Jack Bradley told you that because you had been ordered by the court to make this change, you don't need to have a public hearing. Let me throw my two cents in here. I think it would be best not to have a public hearing, because if you have a public hearing you send a message to the public that you're open minded, that you want to hear what they have to say, and that changes to the amendment can be made. That's not the case here. The judge has told you what you have to do. It puts a false sense in the minds of the public if they are given the opportunity to come and speak on it, so let's not give them false hopes.

Commissioner Aieta: On the next page after the draft motions, page one, the third paragraph under 6.11 where it starts with "purposes of this section". Go down to the third line, "uses as may be determined by the Commission. I don't think that should be in there.

Craig Minor: I'm sorry, which paragraph?

Commissioner Aieta: Third paragraph down, the third line. It says "For the purpose of this section, "auto-related uses" include dealers and repairers as defined under the Connecticut General Statutes, car washes, cars and trucks, car rental businesses and other uses as may be determined by the Commission." I don't think you should have in there, "may be determined by the Commission".

Craig Minor: All right, I see your point.

Commissioner Aieta: See what I'm saying, because you are making all these other changes and taking out all of these Commission reserves the right, and just left that, that should come out.

Craig Minor: That's a good point. I recommend this be tabled so I can go back and read.....

Commissioner Aieta: One other thing, under the draft motion, number two, which also stated, the Commission, if you go to the last line, well start with, "which purports to grant the Commission the authority to approve other uses and to alter requirements are not held to be invalid", the word "not" should not be in there, because it is a double negative.

Craig Minor: I probably mis-typed that, yes.

Commissioner Aieta: You've got to take out the word "not" because then it would.....

Chairman Hall: Or you could leave not and take out not held to be invalid.

Craig Minor: I will use the words that the judge actually used. Thank you.

Chairman Hall: Well, let's have some questions just in case we find something else tonight. We are going to table it until reviewed, but is there anything else that anybody wants to discuss? Again, we will have this as part of our review when we get to Section 6. So we will pass it, it will become part of our regulations, and then we will review it again when we get to that Section. Craig, seeing that that is the only thing, just work on that for the next time and bring it before us again.

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING

None

X. TOWN PLANNER REPORT

A. Town Planner Report for December 10, 2014.

Craig Minor: A pretty barren report. I said I would have a report at the meeting, but there has been no movement since the last one, since two weeks ago, on bond issues. Nothing new to report there.

XI. COMMUNICATIONS

A. Legal Opinion from Attorney Mark Shipman re: Packard's Way subdivision.

Craig Minor: I included in the package the opinion from Attorney Mark Shipman. As the Commission recalls, Town Attorney Peter Boorman determined that he had a bit of a conflict of interest with this item, so he asked Attorney Shipman to complete the legal opinion. I have already advised all of the Commissioners that his conclusion was that the subdivision is valid, so there is no action required on your part. I just wanted to make you aware of it.

Commissioner Aieta: Did you give this to...

Craig Minor: Mr. Bachand, yes, and I also gave a copy to the developer, Donna DiMauro.

Chairman Hall: Does anyone have any questions? I just want to say it was good to get it in such a timely manner. I think we had it in about ten days so.

Commissioner Aieta: I think we've been looking for this for six months.

Chairman Hall: Exactly, that's why I want to say thank you for getting it to us in a good amount of time.

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

John Bachand, 56 Maple Hill Avenue: Thanks for sending me that letter; I'm not going to discuss it now, but I'm okay with it for now. What I wanted to mention was the development on the top of Cedar Street there, I'm not sure what you refer to it as.

Craig Minor: Hunter Development.

John Bachand: I just wondered about the status of that, and if it's going to be mothballed which it seems like it is. Are they supposed to stabilize any of that? It looks like a mess the way that it is now.

Craig Minor: We've been working with the original developer all along, and then a couple of months ago he came to us and said that he had someone that was interested in buying the property from him, or maybe leasing the entire thing, but in any event completely reinventing how it is going to be used. That proposal is still being fleshed out, and it will have to come before the Commission for the Commission to approve. I believe they will make a pre-application presentation to the Wetlands Commission at their meeting coming up, so the Wetlands Commission will probably know more about it than TPZ. But that's the proposal, to be something different from what was originally approved. It will still be residential, still be a permitted use: a hotel, a gas station, a strip mall, a pad site for a restaurant and a bank. What is now being envisioned, and there are details to be worked out - it's not a done deal even on the developer's side much less the land use boards, would be an assisted living facility. The whole site would be an assisted living facility.

John Bachand: That might not be bad, I mean, a little less traffic I'm sure.

Craig Minor: Possibly.

John Bachand: How many units would they have there, any clue?

Craig Minor: I know that they have a specific number in mind because they have done the math and they need a certain number of units for it to work the way that they want it to work, and they will certainly talk about that when they come before the land use boards for their presentations, but I don't remember the number.

John Bachand: So we're talking basically about a convalescent facility?

Craig Minor: It would be assisted living with a wide range of amenities.

John Bachand: Not just a 55 and older type of thing?

Commissioner Anest: Think Cedar Mountain Commons.

Craig Minor: I don't want to go into that much detail because I don't know that much about the details.

Chairman Hall: Until they present it to us, this is still theory.

John Bachand: Sounds interesting, but my question is, the way the site sits now, isn't there some regulation about mothballing a project if you are going to leave it like that? Stabilizing the stockpiles, the disturbed earth and all that; it just looks like a mess. Especially when the spring rains come.

Craig Minor: Nobody is allowed to maintain a situation that results in flooding and erosion and so forth, so as far as how long a project can languish until it gets built, by statute their permit is good for a certain number of years. It used to be five years, and then maybe a decade ago the Legislature changed it from five years to a more fluid number. It's a number that is not easy to pin down without going through the application file, and in their case, their

site plan approval is still valid. I think they still have another year to go before their site plan expires.

John Bachand: We talked about this, you and I before and you interpreted it that they had to start by that period of time, and I interpreted it to be that they had to finish by that period.

Craig Minor: That's an issue that towns sometimes get into a disagreement with a developer, and the attorneys start making a lot of money arguing over whether they have developed enough to "immunize" their project; that's the phrase they use, especially with subdivisions. Unless...well, let me just leave it at that, it's not black and white, what constitutes starting or finishing before your five years are up, or your seven years are up.

John Bachand: All right. Thank you.

Commissioner Aieta: The stockpile they have there, do you think that would be used as part of the development or is that something that is going to be moved off site?

Craig Minor: I don't know, but I suspect that they would have moved it off site if they weren't planning on using it themselves.

Commissioner Aieta: Are they going to use that for fill?

Craig Minor: They probably would have gotten rid of it, I don't know.

Commissioner Aieta: They have a pile of material, they did a mining operation there basically.

Craig Minor: Well, the approved site plan showed a lot of moving of top soil.

Commissioner Serra: That's not top soil, that's rock.

Craig Minor: I don't know if they plan on using that rock for anything, I don't know.

Commissioner Aieta: It seems a lot of material to be left there and he brings up a good point - if this is going to be there for a couple of years and it's going to be moved, we want it moved. You bring up the point about the spring rains.....

Chairman Hall: We've had them already. The past couple of days.

Commissioner Aieta: Something we have to watch I think.

Jeff Zelek, 55 Welles Drive North: Also the Vice-Chair of the Conservation Commission. As Mr. Minor pointed out, the developer will be coming in front of the Conservation Commission for a non-binding presentation. You're all welcome to attend. Tentatively the meeting is scheduled for 6:00 p.m. on Tuesday, December 16th. I hope to see you there. The public is also welcome to come.

XIII. REMARKS BY COMMISSIONERS

Commissioner Anest: At our last meeting, a couple members of the public talked about possibly looking into a moratorium around the busway development. Can you do some research for us and let us know a little bit more about it, what steps do we need to take, what the features are, and that type of thing?

Craig Minor: Actually I can tell you pretty succinctly because there is not a lot of case law on moratoria. There was a case about a decade ago which clearly established that towns do have the right to adopt moratoria, and the conventional wisdom is that a moratorium has to have two things. It has to have a deadline indicated for a specific amount of time, and apparently nobody has gone beyond twelve months and been successfully challenged, so most of my colleagues feel that up to twelve months is safe. But there has to be a purpose for it. You have to be doing something during that twelve months. A moratorium is to buy you time to come up with regulations, so during the twelve month time period you need to be actively working on regulations to prevent whatever it is you are worried about happening, or to look at the bright side, to direct development in the way that you want future development to occur in those two neighborhoods. So, two parts: limited time, and a specific purpose.

Commissioner Aieta: We've had moratoriums here in town before.

Chairman Hall: For condos at one point.

Commissioner Sobieski: I thought that was for a couple of years, if I'm not mistaken.

Chairman Hall: It was a long time, and as a matter of fact, I don't think it had an ending. At that point it didn't have an ending, that was back in the '70's.

Craig Minor: That was before we had case law to give a town guidance as to what is allowable, so we probably just lucked out that nobody challenged it.

Chairman Hall: I think they were pretty much in agreement with it.

Commissioner Anest: So if we want to see what is going to happen with ridership and what the best fit is, from our view, would we still have to be working towards some kind of regulations during that twelve month? We can't do like, six months and sit and wait, or ten months, sit and wait, and then start working on...

Craig Minor: You might be able to sit and wait for six months, but you have to be waiting for something. You have to have an idea now of what it is you are waiting to see happen. As in, we're concerned that there is going to be an influx of high-density residential development applications, something like that. That's what we are concerned about, so we are going to wait twelve months and... well, if there is a moratorium then there wouldn't be any applications, because we just said we won't accept any. So, a way to do it would be to adopt the twelve month moratorium, and during those twelve months adopt your own regulations, your own TOD regulations, so that future development, when the moratorium expires, will follow the rules that you have now developed.

Commissioner Aieta: What is better than the zones that exist now? I mean, if we don't do anything, all the area now is Industrial Zone. It's pretty much determined what it is by the zone that it is now, unless we are talking about changing it to a different zone, want to change it to a PD Zone - then you open yourself up for housing. It depends on what the Commission wants to do.

Craig Minor: Yes. In other words, what's broke?

Commissioner Aieta: What do you want to do with it?

Craig Minor: Or, what are you afraid will come in as a permitted use?

Commissioner Aieta: We don't want high-density housing, that's common knowledge.

Commissioner Anest: Right.

Commissioner Aieta: We've talked about it around this table, it's part of our 2020 Plan, Carol has brought it up on occasion, I have, other Commissioners have, we're not excited about putting housing along the busway.

Craig Minor: Unless you are worried that someone is going to force something down your throats which the regulations currently allow, maybe there is no need to adopt a moratorium. A moratorium is to stop something that you are afraid will happen that you don't like and that you wouldn't be able to deny, and I'm not sure what that is.

Commissioner Aieta: Unless you want this Commission to specifically look at those areas and come up with our own transit oriented district, or whatever they are called. What do they call it? Transit.....

Craig Minor: Transit Oriented.

Commissioner Aieta: The Commission could come up with, what our vision is of a transit oriented district.

Craig Minor: Right now there is a lot of Industrial land near the busway station. If your fear was that people will come in and start proposing lots of factories and things like that, which are allowed in the Industrial Zone, in a density that is allowed but more than you have ever seen in that area of town, and you are worried about that happening, then a moratorium would be appropriate, to stop it from happening. But that's not what people are worried about.

Commissioner Anest: I think we want to see what is going to happen around the busway before we decide what we want to do with transit oriented zoning, or whatever.

Craig Minor: I would advise you to start working on your own regulations now anyway. Not because you are afraid that someone is going to force you to approve something that you don't like, but because a utility such as a transit stop is valuable, and enables development that could be good for the Town. You want to capitalize on that.

Commissioner Anest: I think people want to see what is going to happen with the busway before we determine if we want to keep it Industrial or maybe more commercial or whatever.

Craig Minor: That way, you are saying let's wait and see what the market wants, and....

Commissioner Anest: Not just the market, but the ridership is, what kind of ridership.

Craig Minor: That's what I mean, rather than having you decide what you want.

Commissioner Anest: But that would help us to decide what we want.

Craig Minor: By then it will be too late.

Commissioner Anest: Well, that's why I wondered how the moratorium would work, why I brought up the moratorium.

Craig Minor: And, like I said, the twelve months would be an opportunity to work on your regulations, so that when the moratorium runs out, you have regulations that have been fully vetted, you've had lots of public hearings, you really understand it, some people like it and some people don't, but at least there is consensus that this is the kind of development that we want to take place in those two areas of town. But you could start working on those regs now without a moratorium. I don't get the sense that developers are beating down the door to do anything in those zones, under the current zoning.

Commissioner Claffey: What would stop the developer who is going to be the one that pushes change coming in here, without a moratorium in place, and get the ball rolling to show all the other developers, hey we could change, go before this town and see if we could propose something different from what is already allowed? Change that lot, subdivision, whatever.

Craig Minor: When you say "change", do you mean develop it, or do you mean change the rules?

Commissioner Claffey: Change the zone.

Commissioner Aieta: A zone change is up to this Commission.

Commissioner Claffey: I understand that. The way that I'm hearing this is that some people on the Commission want to see what goes on with the ridership, but the riders don't do anything. It's the developer who is willing to put the business there, so if you have a moratorium, what is it for? It seems like no one understands what they want the moratorium for.

Commissioner Anest: No, we're just throwing ideas out, and that's all we're doing. The public brought it up, and I asked what the procedures are. That's why I brought it up. I just wanted to know what the process is.

Commissioner Claffey: A moratorium, and correct me if I'm wrong, is usually for a specific use, not an area of town. I mean, this thing goes through a good section of town which is like what you talked about, before I was born, the condo moratorium. If we as a Commission have a need for one specific zoning not to be used in that area, that's what the moratorium is for. If businesses want to come in there, and you put in a moratorium for the year, you're stopping any development, and you won't know for a year who wants to go there. They'll go somewhere else with their business, so your moratorium has to be specific as to what certain individuals don't want.

Commissioner Anest: All I know is that people don't want residential around the two bus stations.

Craig Minor: But I don't know what "residential" means. When people say that, I know that they mean they don't want high density residential, but what is "high density"? Because our regulations allow pretty high density in the R-7 zones and in fact as much as twenty units per acre under some specifics, and twenty per acre is pretty high. So, I'm really looking forward to having a public discussion over what, and maybe bugaboo is an unfair word to use, this concern that people in Newington have over density.

Commissioner Anest: I know, like me, I don't care what kind of house it is, I don't want to see any more houses.

Craig Minor: Not even a single family house on a 20,000 square foot lot? Within a quarter of a mile of the Newington Junction station it is mostly R-12 and Industrial, and a little bit of Business. But mostly residential and Industrial, so it's single family residential as of now. If somebody has a big lot the only thing they can do is to subdivide it into 12,000 square foot lots and put single family houses on them. So, right now that's all that would be allowed there. If we had a TOD zone, the regulations, and I'm guessing here, would probably allow by special permit under very tight controls a higher density, and high only in the sense of being higher than one unit per 12,000 square feet. Probably a density that is no more than is already allowed in some of your condominium zones. But that will all come out in a public hearing - what does Newington want, and what can we live with?

Commissioner Aieta: I think what the people of Newington are looking for, from what I got from talking to them, is development around the busway that would be commercial/retail type of development, not housing development. Even to the point where in the Fenn Road area they would be opposed to student housing, considering that to be high density housing. They are looking for commercial type uses, retail type uses, office uses.

Commissioner Claffey: Is that the residents or the developers?

Chairman Hall: Residents.

Commissioner Aieta: Do you have a different view on that?

Chairman Hall: No, I've been in a couple of gatherings, shall we say, and one of the main pushers is that they want something that will bring some tax dollars. Housing doesn't do that. R & D would be terrific. If we had anything to do with the Jackson Labs or something that brings them in on the bus from other places to go to work, and then we would get...

Commissioner Aieta: Then why don't we take the bull by the horns and come up with a zone that says this is the type of stuff that that we would like to see. Biomedical, and list the things as part of what we are looking to do and make a special zone for those pieces of property. We could do that. We're going through regulations now, we could just add it on and then we're done with it, so if someone comes in they know exactly what we are looking for and they know what to bring in. Maybe that would even push people to the point where we could get people, well, in Newington they look favorably on medical, biomedical and it might help. I think we should tackle it and zone those two things before someone zones it for us.

Commissioner Anest: That's exactly, I think that's what we are afraid of, someone is going to come in and say, this is what we are going to do, and then we are stuck with that and we have to try to modify or.....

Craig Minor: Because it's allowed.

Commissioner Anest: Right.

Commissioner Aieta: And while you're doing that, while we are looking at the regulations to make those changes, people would have to wait until we are finished. Right? Is that how it works?

Craig Minor: Well, I think this is important enough to justify having its own track, and not be part of your zoning regulations cleanup.

Commissioner Aieta: Okay. So what are you thinking, that we should get through the regulations and then do that? Do that at the same time, or do it now?

Chairman Hall: At the rate that we are going through the regulations, it will be 2020.

Commissioner Aieta: I think it's important enough to do it now.

Commissioner Anest: I do too.

Craig Minor: I think we should do this as part of a regular meeting.

Chairman Hall: There's nothing that says that we can't do this parallel. We have the early meeting to go through the regs, but then this meeting. It's been pretty quiet so we have the time.

Craig Minor: I'll give it a file number and it will be under New Business.

Commissioner Anest: I think we should be pro-active on this. We need to dictate, we don't need someone telling us.

Commissioner Aieta: We need some real innovative, constructive things that will make the people in town comfortable with what we are doing, and that type of development is what I think they are looking for.

Chairman Hall: And tax dollars, we really need it.

Commissioner Anest: That's right, and it's people not only who surround the two busways, it's people all over town who have the same feeling.

Commissioner Aieta: Yeah, I'm getting that same reaction.

Commissioner Anest: No matter if you are on Tremont Street, or on Cherry Hill, people feel the same way.

Craig Minor: All right, I'll have something for you next time. It will probably be a memo with background information, raise some issues. I think we are a long way from any actual regulations yet.

Commissioner Aieta: We also have to have to define the extent the zone. Is that defined for us by the quarter mile radius?

Craig Minor: A quarter mile is the rule of thumb that people use when talking about TOD because that is the distance that people generally are willing to walk to transit.

Commissioner Camillo: It could be an overlay zone.

Craig Minor: It could be.

Commissioner Camillo: We've already done it.

Craig Minor: We have overlay zones. It would be a different one, it would be another one.

Commissioner Sobieski: When we had that presentation here when the general public was upset about.....

Craig Minor: With the consultant from Massachusetts?

Commissioner Sobieski: There was something from Massachusetts, and something from Atlanta or Savannah, somewhere down there and another one in Seattle. I'm just curious, is there any way you could look to see what type of development they projected?

Craig Minor: Do you remember more about it, because you just named two big cities.

Chairman Hall: One of them was in Cambridge, or Watertown, Mass - that was the one.

Commissioner Claffey: Can you bring the rest of us up on what you are speaking of here? What type of development are you speaking of?

Commissioner Sobieski: I don't know, that's why I'm asking. If we are looking to see what type of development is generated around this type of situation, I'm just wondering what they have in Atlanta and other areas.

Commissioner Claffey: I lived in Atlanta for twelve years and moved up here two years ago, and I'll say about the town next to us, West Hartford with Blue Back Square, and all of the townspeople objected to that, a majority of them. When I was living in Atlanta in 1999, Blue Back was on every other corner in that community, and the amount of money and things that it generates, it would, just look at West Hartford. My point being this is prime real estate for any developer. It's a slippery slope that we stand on here because in that quarter mile you have some Industrial zones imbedded between residential. Odd that it came out that way, you almost may push somebody out.

Commissioner Serra: Some of that stuff was done back in the '40's.

Commissioner Claffey: I agree.

Commissioner Sobieski: That's what I'm concerned with here. People have bought houses, own those houses, and now we are going to, I don't want them to feel that they are being pushed out. That is a big concern in that area of town, a huge concern. You are talking about taking roads that normally have light traffic volumes that could all of a sudden increase by ten times.

Commissioner Serra: And that was part of the problem. I was at that same meeting, and they were talking about cutting in new roads, rearranging roads, putting in parks, putting in walking bridges, and that's what everybody was against. They don't want Atlanta here. They want Newington the way it is.

Commissioner Claffey: I agree, I'm not saying I want it...

Commissioner Serra: I understand that, but I'm just trying to bring you up to speed on that meeting. That meeting got very heated, very quickly.

Commissioner Claffey: But, for as long as I've lived in this community, I grew up, not in Newington, but that whole corridor has never changed, never. My uncle has been here for 45 years. Crest Motors, over in that area, there's a reason why the developers aren't coming there. You have something now that can bring, like everyone speaks of, can bring to this community, medical jobs, I mean, Willard Avenue, it's a prime example, every doctor I go to is on Willard Avenue. There was thought put into it, years and years and years ago. It's a great revenue producer. For me, having been in this town a few years back, and now, there's a reason why in that area no developer wants to be there.

Commissioner Serra: But at one time, when industrial was strong, that area was busy.

Commissioner Claffey: But is industrial going to come back?

Commissioner Serra: No, and that's why we're looking at this, asking what are we going to do with it.

Commissioner Anest: And the thing is, National Welding was a huge deterrent. Now that National Welding is down, it's generating interest. That was one of the big stumbling blocks in that area.

Commissioner Serra: And that may also help bring someone to the Crest property.

Commissioner Anest: You're going to start seeing that.

Commissioner Claffey: You're all pushing medical, but - let me rephrase that. From what I've heard in all of my meetings, and all that I hear around town, what people want over in that area of town, is that they want to push medical and labs.

Commissioner Anest: No.

Commissioner Claffey: That's what I've heard, and I'm not saying you specifically Carol, I'm saying, what I hear is people want medical, and there's a lot of great things for medical and Newington has a lot of medical facilities, but be open-minded about where the money is to generate funds for the Town. It's not always in the fields that some people think that it is.

Commissioner Aieta: I'd say, bring in whatever your thoughts are, your ideas, throw it on the table and let's see what we come up with. Bio-medical, I thought was a great idea because the link between the stations and Farmington Health Center. Notice all of the medical that is out on Farmington Avenue in Farmington. It's building after building after building of doctors and labs and facilities there, and I don't know if we can craft some of that. Maybe with the busway we can. I know that the state government is saying that that would be something that would encourage people to, I've heard it from state people who think that we could get some of that because of the busway.

Commissioner Serra: Another thing that is popping up all over the place are these surgical centers now. People aren't going to hospitals, they are going to surgical centers. This would be prime location for something like that, you have the busway, easy in, easy out.

Chairman Hall: We do have a big one on Willard Avenue, it's the Connecticut Eye Surgical Center and that has just grown and grown and grown. It started out in a suite of maybe three, three suites that they took over, and now it's almost the whole area there.

Commissioner Serra: I don't think we are looking to limit anything, we are just looking for the best possible uses.

Commissioner Anest: Right.

Commissioner Aieta: It's going to have to be some mixed.....

Chairman Hall: You can't put all of your eggs in one basket. It will be a disaster.

Commissioner Anest: I wouldn't want to see something Industrial and then try to have to retrofit everything around it. We want to be able to dictate what we want.

Chairman Hall: We want to be pro-active, we don't want to be reactive, because when you're reactive, you never come out on top.

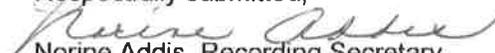
CLOSING REMARKS BY THE CHAIRMAN

Chairman Hall: I want to thank the Commission. Earlier tonight we had election of officers and I appreciate the faith that you have in me, re-electing me as Chairman. Carol and Mike are back on board as Vice-Chairman and Secretary and I thought tonight was a good meeting. We had three, three meetings, and we did it in two hours. I want to wish everybody a Happy Holiday season whether you are celebrating Hanukah, Christmas, Kwanzaa, none of the above, all of the above. Time of year to stop and take a little time off, spend time with family, enjoy some food and merriment, so enjoy the next couple of weeks. We won't be back here until January 14 I believe, again, it's Wednesday. If anyone has any influence on the weather, please keep the snow and ice away as much as possible. The rain is one thing, it's bad enough, but it's still better than the snow.

XIV. ADJOURN

Commissioner Aieta moved to adjourn the meeting. The motion was seconded by Commissioner Sobieski. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,


Norine Addis, Recording Secretary