

From: Minor, Craig [mailto:CMinor@NewingtonCT.Gov]
Sent: Monday, November 18, 2013 11:39 AM
To: Mark Shipman
Subject: RE: Proposed Text Change

Mark:

Without taking a position on the amendment itself, I will say that this draft looks fine. But I have two questions, one simple and one existential.

1. Why exempt the shopping center gas station from the architectural requirements of 6.11.6?

3.11.7(p) contains its own architectural requirements and are more strict than 6.11.6. As to 6.11.8, since 3.11.7 contemplates that the station is part of the shopping center, it may not have its own "acreage". Perhaps I could distinguish between onsite and adjacent.

2. How do you (we) justify having one set of regulations for a free-standing gas station (6.11), and a different set of regulations for a gas station that abuts a shopping center (your proposed change to 3.11.7)? Is this not a "distinction without a difference" as my lawyer friends like to say?

The idea is that the station is operated by the principal tenant of the shopping center. It is not really free standing. It will have to be under a lease to the principal tenant of the shopping center (I will make that clear). In addition, it has certain characteristics, such as no ingress and egress directly to a highway, limited products, no outside displays and no outside storage and no vehicle servicing

- Craig Minor, AICP

STAFF REPORT
Shopping Center Fueling Station Text Amendment

November 21, 2013

Petition #62-13

**Text Amendment to Section 3.11.7 (Fueling Station in Shopping Center)
Hayes-Kaufman Newington Associates LLC, applicant; Attorney Mark S. Shipman,
contact**

Description of Petition #62-13:

The owners of the Stop & Shop plaza on Fenn Road would like to amend the zoning regulations pertaining to shopping center fueling stations, to enable a fueling station on land that is adjacent to, but not necessarily located within, a shopping center.

Town Planner Comments:

This amendment would expand slightly the supply of land that could accommodate a shopping center fueling station (a fueling station is different from a gas station in that it has none of the "convenience store" atmosphere that a contemporary gas station has). Section 3.11.7 currently says that a fueling station must be "located within" a shopping center. This amendment would expand it to include "or on property adjacent to" a shopping center. It would also exempt a fueling station from the façade and the minimum lot size requirements of the "motor vehicle service use" regulations.

A copy of the amendment must be filed with CRCOG and CCRPA at least 30 days before the hearing, and we only meet once in December on the 11th, so I recommend the hearing be scheduled for January 8, 2014.

cc:
file



John Salomone
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: Craig Minor, Town Planner *CM*
Date: November 22, 2013
Re: **Town Planner Report of November 26, 2013**

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1. **Zoning Enforcement Issues Raised at Previous TPZ Meetings:** None.
 2. **Old Performance Bonds held by Town:** See attached.
 3. **Newington Junction TOD Planning:** The TOD Committee has not met since my last report.
 4. **"Low Impact Development" Regulations Project:** Nothing new to report.
 5. **Revision to Sign Regulations:** The Sign subcommittee has not met since my last report.

cc:
file

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