NEWINGTON TOWN PLAN AND ZONING COMMISSION

PUBLIC HEARING and REGULAR MEETING
Wednesday, December 11, 2013

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

7:00 p.m.

A G E N D A

I. **ROLL CALL AND SEATING OF ALTERNATES**

II. **APPROVAL OF AGENDA**

III. **PUBLIC HEARINGS:**

a. Petition #60-13: Special Exception (Section 6.13: Accessory Apartment) at 18 Homecrest Street. Miguel Braga, owner/applicant; Attorney Jessica Dornelas, 350 Silas Deane Highway, Wethersfield CT, contact. Continued from November 26, 2013.

b. Petition #47-13: Zoning Text Amendment (New Section 6.15: Medical Marijuana). Town Plan and Zoning Commission, applicant. Continued from November 26, 2013.

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

V. **REMARKS BY COMMISSIONERS**

VI. **MINUTES:**

a. November 26, 2013

VII. **NEW BUSINESS:**

a. "Low Impact Development" (LID) presentation.

a. Performance Bond for "Packard's Way" residential subdivision.

VIII. **OLD BUSINESS**

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2013 DEC -6 A 9:17

BY Tanya D Lane
TOWN CLERK

IX. **PETITIONS FOR PUBLIC HEARING SCHEDULING**

X. **TOWN PLANNER REPORT**

a. Town Planner Report for December 11, 2013

XI. **COMMUNICATIONS**

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

XIII. **REMARKS BY COMMISSIONERS**

XIV. **CLOSING REMARKS BY THE CHAIRMAN**

XV. **ADJOURN**

Submitted,

Craig Minor, AICP
Town Planner

STAFF REPORT
Accessory Apartment

December 6, 2013

Petition #30-12
Special Exception (Section 6.13: Accessory Apartment)
18 Homecrest Street
Miguel Braga, owner/applicant; Attorney Jessica Dornales, contact

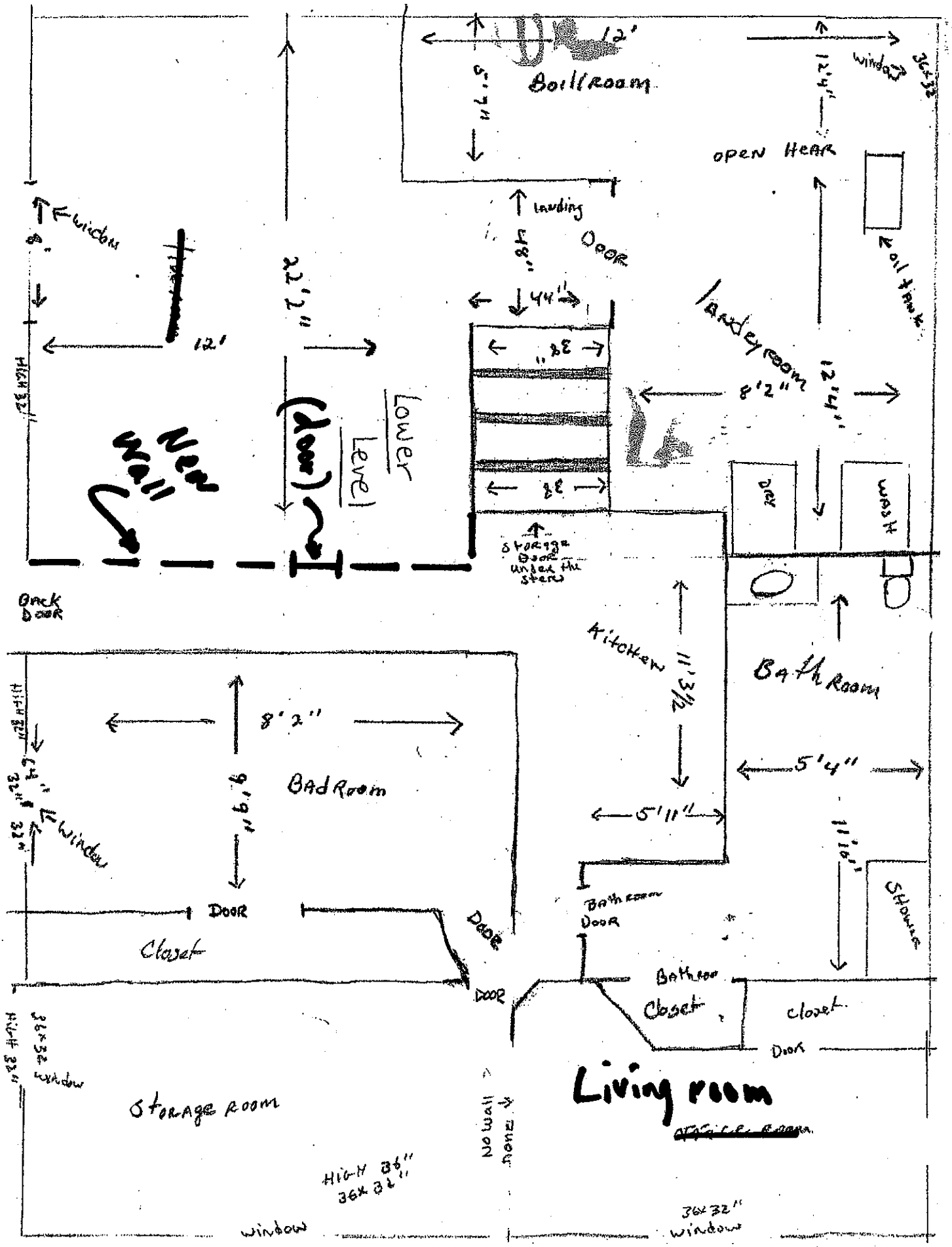
Description of Petition #30-12
This petition is for an accessory apartment in the house at 18 Homecrest Street. Accessory apartments are allowed by special exception in the R-12 and R-20 zones only.

Staff Comments

The proposed apartment will be below the first floor, with a "walk in" entrance in back. The house is built on a slope so the living area of the proposed apartment is, on average, above grade and therefore complies with the Building Department's requirements.

The applicant's attorney and I have been missing each other's phone calls, but I believe the floor plan could be modified to comply with the 30% maximum regulation, as well as all the other regulations. For example, the attached floor plan that I drafted. I sent it to the applicant's attorney yesterday but have not heard back from her as of this date.

cc:
file



12'
Boill Room
5'7"
12'4"
window
36x32
open Hear
landing
Door
48"
44"
oil tank
Landey room
8'2"
12'4"
Dry
Wash
Storage Door under the stairs
Kitchen
11'3½
Bath Room
5'4"
5'11"
11'10"
Shower
Bathroom Door
Bathroom
Closet
closet
Door
Living room
window
window
window
window
window
window
8'
12'
22'2"
Lower Level
(door)
New Wall
Back Door
8'2"
9'9"
Bad Room
Door
Closet
Door
Door
Storage Room
No wall none
HIGH 36"
36x32"
36x32"
window
HIGH 32"
HIGH 32"
HIGH 32"

STAFF REPORT
Medical Marijuana Zoning Amendment

December 6, 2013

Petition #47-13
Text Amendment for New Section 6.15 (Medical Marijuana Dispensing and Production)
Town Plan and Zoning Commission, applicant

Description of Petition #47-13:

The Connecticut legislature recently adopted Public Act 12-55, which allows the production (growing and processing) and the dispensing of medical marijuana after obtaining the appropriate license from the Connecticut Department of Consumer Protection. Patients who are receiving treatment for a debilitating medical condition (cancer, glaucoma, HIV/AIDS, Parkinson's disease, multiple sclerosis, damage to the spinal cord, epilepsy, cachexia, wasting syndrome, Crohn's disease, and PTSD) will be able to register with the State and purchase medical marijuana from a licensed dispensary.

Newington's zoning regulations are silent on the production and dispensing of medical marijuana, so a zoning amendment has been proposed by TPZ to regulate medical marijuana production and dispensing in Newington.

Town Planner Comments:

I will withhold making any new comments until the public hearing is closed.

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Planimetrics
70 County Road, Simsbury, CT 06070 860-913-4080

MEMORANDUM

To: Town Plan and Zoning Commission
Town of Newington

From: Glenn Chalder, AICP

Date: December 3, 2013

Subject: **Workshop Session**
Low Impact Development Regulations

Jim Riordan from Fuss & O'Neill and I are looking forward to attending your meeting on Wednesday December 11 in order to discuss the findings and recommendations of the Committee that studied the implementation of low impact development (LID) regulations for Newington.

The materials you should have with you at the meeting are:

- "Recommended Zoning Regulation Changes" (dated November 12, 2013)
- "Recommended Subdivision Regulation Changes" (dated November 12, 2013)
- "Low Impact Development and Stormwater Manual for the Town of Newington" (dated November 2013)

These materials were distributed previously. If you need any of these materials, please contact Craig Minor before the meeting.

Our goals for the meeting are as follows:

- Provide a brief overview of LID and identified impediments in Newington
- Review the regulation changes recommended to the Town Plan and Zoning Commission
- Identify any regulation changes desired by the Commission
- Schedule a public hearing date (or another workshop session)

We are looking forward to the meeting. See you then!

NEWINGTON – Low Impact Development Strategies

Recommended Zoning Regulation Changes

Zoning Regulations

1

Definitions

The following definitions are recommended for insertion into Section 9.2 of the Zoning Regulations (Definitions). Deletions are shown as red "strike through" text (e.g. ~~deletion~~) and insertions are shown as red underlined text (e.g. insertion).

IMPERVIOUS SURFACE – Any material or structure on or above the ground that prevents water from infiltrating through to the underlying soil. Impervious surfaces include paved parking lots, rooftops, driveways, patios (i.e., solid or open-joint patios or decks with an underlying impervious surface), paved roads, water surfaces (i.e., pools, ponds, fountains, etc.), and highly compacted soils. Impervious surfaces exclude permeable pavement that is designed, constructed, and maintained to allow stormwater to drain through the surface, including porous asphalt, porous concrete, permeable interlocking concrete pavers, concrete grid pavers, plastic turf reinforcing grids, and similar materials or products identified as "permeable" of "pervious" by the manufacturer, however these surfaces may be considered "impervious" by the Town when calculating a parcel's impervious coverage. An underground parking structure shall be considered an impervious surface if there is less than 3 feet of soil cover.

LOW IMPACT DEVELOPMENT TECHNIQUES – The application of site design and stormwater management (such as, but not limited to, infiltration of rainwater, treatment of stormwater runoff, and runoff attenuation) in order to mimic the hydrologic conditions associated with an undeveloped site. Such techniques may be found in the *Low Impact Development and Stormwater Manual for the Town of Newington* (2013, as amended), the *Connecticut Stormwater Quality Manual* (2004, as amended), the *Low Impact Development Appendix to the Connecticut Stormwater Quality Manual* (2011, a amended), or other sources acceptable to the Commission.

NEWINGTON – Low Impact Development Strategies

Recommended Zoning Regulation Changes

Zoning Regulations

2

*** NEW SECTION ***

Stormwater Management

The following ***new section*** of the Zoning Regulations is recommended in order to apply LID standards to all forms of development (at the present time, Section 7.4 only applies to uses required to get Site Plan Approval). Deletions are shown as red "strike through" text (e.g. ~~deletion~~) and insertions are shown as red underlined text (e.g. insertion).

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SECTION 6 - SPECIAL REGULATIONS

Section 6.15 Stormwater Management

6.15.1 **Applicability** – Unless modified by the Commission, every application shall provide for a stormwater management system, including low impact development techniques, as specified in this section.

6.15.2 **Residential Lots** – Any new construction or development on a residential lot which increases the impervious surface area by 300 square feet or more shall demonstrate conformance with the *"LID Manual for Individual Residences in the Town of Newington."*

6.15.3 **Other New Construction or Development** – Any other new construction or development resulting in increased impervious surface area shall demonstrate conformance with the applicable standards for stormwater management be as specified in Section 2.1 of the *Low Impact Development and Stormwater Manual for the Town of Newington*:

A. Standard 1 – Use of Low Impact Development to Reduce Stormwater Runoff and Pollutants (maximum extent practicable standard).

B. Standard 2 – Peak Flow Control and Flood Protection.

C. Standard 3 – Construction Erosion and Sediment Control.

D. Standard 4 – Operation and Maintenance.

E. Standard 5 – Redevelopment.

6.15.3 **Interior Renovation and Change of Use** – Interior renovation of an existing building and/or change of use within an existing building shall only be required to conform to Section 2.1 of the *Low Impact Development and Stormwater Manual for the Town of Newington* when:

A. Such interior renovation or change of use includes an increase in impervious surface area of 300 square feet or more, or

B. Such interior renovation or change of use results in a requirement for more parking spaces.

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NEWINGTON – Low Impact Development Strategies

Recommended Zoning Regulation Changes

Zoning Regulations

3

Parking Regulations

Since parking regulations are a significant driver of impervious coverage, Newington should strive to have parking requirements which are efficient and practical. The following modifications are recommended to Section 6.1 of the Zoning Regulations (Parking Regulations). Deletions are shown as red "strike through" text (e.g. ~~deletion~~) and insertions are shown as red underlined text (e.g. insertion).

SECTION 6 - SPECIAL REGULATIONS

Section 6.1 Off-Street Parking and Loading Regulations

6.1.1 Parking

There shall be provided, at the time of application for a building permit for the erection, alteration, enlargement or change in use of any building or land for which off-street parking is required, a plan showing functional required parking space, including the means of access and interior circulation and landscaping.

A. **Area Requirements** - Area requirements for parking spaces and lots are specified in the Newington Site Plan Checklist. Handicapped accessible parking spaces shall be 15 feet wide with a cross hatch access aisle of 5 feet wide. Two accessible spaces may share a common aisle. The access aisle must connect directly to an accessible route. Accessible parking spaces must be the closest spaces to a building's or uses' accessible entrance. The required number of accessible spaces per total parking lot shall not be less than the standards set forth in the State Building Code. (Effective 12-01-01) Once painted or marked in accordance with the international symbol of accessibility the property owner shall be required to maintain such marked or painted spaces so that they are easily visible to a patron seeking accessible parking. The accessible parking spaces must be designated by a clearly visible sign mounted on a solid base or permanently fixed at the place marked with the symbol and legend "Handicapped Parking State Permit Required Violators Will be fined."

B. **Parking Spaces for Buildings Used for Residence** - At least two permanently maintained durable, adequately cleared and surfaced off-street parking spaces shall

be provided for every dwelling unit, except as otherwise stated in these regulations. All parking of vehicles shall be on the surfaced area not on the lawn. The surfaced area shall not exceed 50% of the front lawn, the area between the street line to the front exterior wall of the residence.. No vehicles shall park between the curb or edge of pavement and the boundary of the Town or State right of way. (Effective 8-15-07)

C. **Parking Spaces for All Other Uses** - Permanently maintained and appropriately~~, bituminous concrete or equal~~ surfaced (see Section 6.1.1.K below) off-street parking spaces shall be provided as follows:

OFFICE-TYPE USES	Minimum Required Parking Spaces (may be pervious or impervious surface)	Parking Threshold (unless modified by the Commission, any parking spaces installed above this threshold shall be pervious bituminous concrete, pervious concrete, or pervious pavers)
Business offices, financial institutions	~~6~~ 5 spaces for each 1,000 square feet of gross ~~office~~ floor area	4 spaces for each 1,000 square feet of gross floor area
Business and professional offices located on upper floors	4 spaces for each 1,000 square feet of gross floor area	3 spaces for each 1,000 square feet of gross floor area
Medical and dental offices	~~7~~ 6 spaces for each 1,000 square feet of gross floor area	5 spaces for each 1,000 square feet of gross floor area
Corporate headquarters and office parks	~~6~~ 5 spaces for each 1,000 square feet of gross floor area up to 10,000 square feet Plus 4 ½ spaces for each 1,000 square feet of gross floor area between 10,000 and ~~up to~~ 50,000 square feet Plus 4 spaces for each 1,000 square feet of gross floor area over 50,000 square feet	4 spaces for each 1,000 square feet of gross floor area up to 10,000 square feet Plus 3 ½ spaces for each 1,000 square feet of gross floor area between 10,000 and 50,000 square feet Plus 3 spaces for each 1,000 square feet of gross floor area over 50,000 square feet

RETAIL- AND SERVICE-TYPE USES	Minimum Required Parking Spaces (may be pervious or impervious surface)	Parking Threshold (unless modified by the Commission, any parking spaces installed above this threshold shall be pervious bituminous concrete, pervious concrete, or pervious pavers)
Retail stores, personal service shops	~~7~~ 5 spaces for each 1,000 square feet of gross floor area up to 10,000 square feet Plus ~~6~~ 4 ½ spaces for each 1,000 square feet of gross floor area between 10,000 and ~~up to~~ 50,000 square feet Plus ~~4 ½~~ 4 spaces for each 1,000 square feet of gross floor area over 50,000 square feet	4 spaces for each 1,000 square feet of gross floor area up to 10,000 square feet Plus 3 ½ spaces for each 1,000 square feet of gross floor area between 10,000 and 50,000 square feet Plus 3 spaces for each 1,000 square feet of gross floor area over 50,000 square feet
Shopping centers of not less than 50,000 square feet gross floor area	~~5~~ 4 spaces for each 1,000 square feet of gross floor area, irrespective of the particular uses ~~(Effective 7-1-2013)~~	4 spaces for each 1,000 square feet of gross floor area, irrespective of the particular uses
Eating establishments; taverns, cocktail lounges	20 spaces for each 1,000 square feet of floor area open to the public	20 spaces for each 1,000 square feet of floor area open to the public
Theaters, places of assembly, amusement, recreation and education	1 space for each 2 seats, or 1 space for each 3 persons based on fire marshal's rated capacity, whichever is greater. The Commission reserves the right to modify this standard for recreation uses	1 space for each 2 seats, or 1 space for each 3 persons based on fire marshal's rated capacity, whichever is greater. The Commission reserves the right to modify this standard for recreation uses
Hotel, motel, tourist home	1 space for every guest room, plus 1 for every two employees	¾ space for every guest room
Undertaking establishments	4 spaces for each 1,000 square feet of gross floor area	3 spaces for each 1,000 square feet of gross floor area

RESIDENTIAL-TYPE USES	Minimum Required Parking Spaces (may be pervious or impervious surface)	Parking Threshold (unless modified by the Commission, any parking spaces installed above this threshold shall be pervious bituminous concrete, pervious concrete, or pervious pavers)
Apartments and housing within PD Zone	2 spaces per dwelling unit	2 spaces per dwelling unit
Apartments and housing units within B-TC Zone	1.5 spaces per dwelling unit	1.5 spaces per dwelling unit
Condominium and town house housing	2 spaces per dwelling unit	2 spaces per dwelling unit
Housing for the elderly	~~1~~ 0.5 spaces per ~~for each 2~~ dwelling units	n/a
Boarding and rooming house	1 space for each 2 guests or persons residing on premises	1 space for each 2 guests or persons residing on premises
Hospital, sanitarium, convalescent home or nursing home	1 space for every 3 beds, plus 1 for every 2 employee	1 space for every 3 beds, plus 1 for every 2 employee

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OTHER USES	Minimum Required Parking Spaces (may be pervious or impervious surface)	Parking Threshold (unless modified by the Commission, any parking spaces installed above this threshold shall be pervious bituminous concrete, pervious concrete, or pervious pavers)
Municipal parking lot	Any property which is a part of the Municipal Parking Lot will be permitted to use the 4 ½ spaces per 1,000 square foot gross floor area without regard to the business use of the building	n/a
Industrial, manufacturing, warehouse, and/or distribution	1 space per employee on the largest shift or 3 spaces per 1,000 square feet or whichever is more applicable as determined by the Commission.	As determined by the Commission.
Home occupations, office in residence (medical/dental)	5 spaces for each 1,000 square feet or fraction thereof of building floor area devoted to such use, but for medical/dental at least 5 spaces plus 1 for each doctor	As determined by the Commission.
Road side stands	3 minimum, plus dwelling lot requirements	As determined by the Commission.
Uses not listed	5 spaces for each 1,000 square feet of gross floor area, but the Commission may vary this requirement on application to it and for good cause shown per Section 6.1.1. J or the Commission may determine that the proposed use is similar to one of the uses listed above and apply the applicable standard.	As determined by the Commission.

FIGURE 2

TYPICAL PARKING LOT LAYOUT DESIGNS

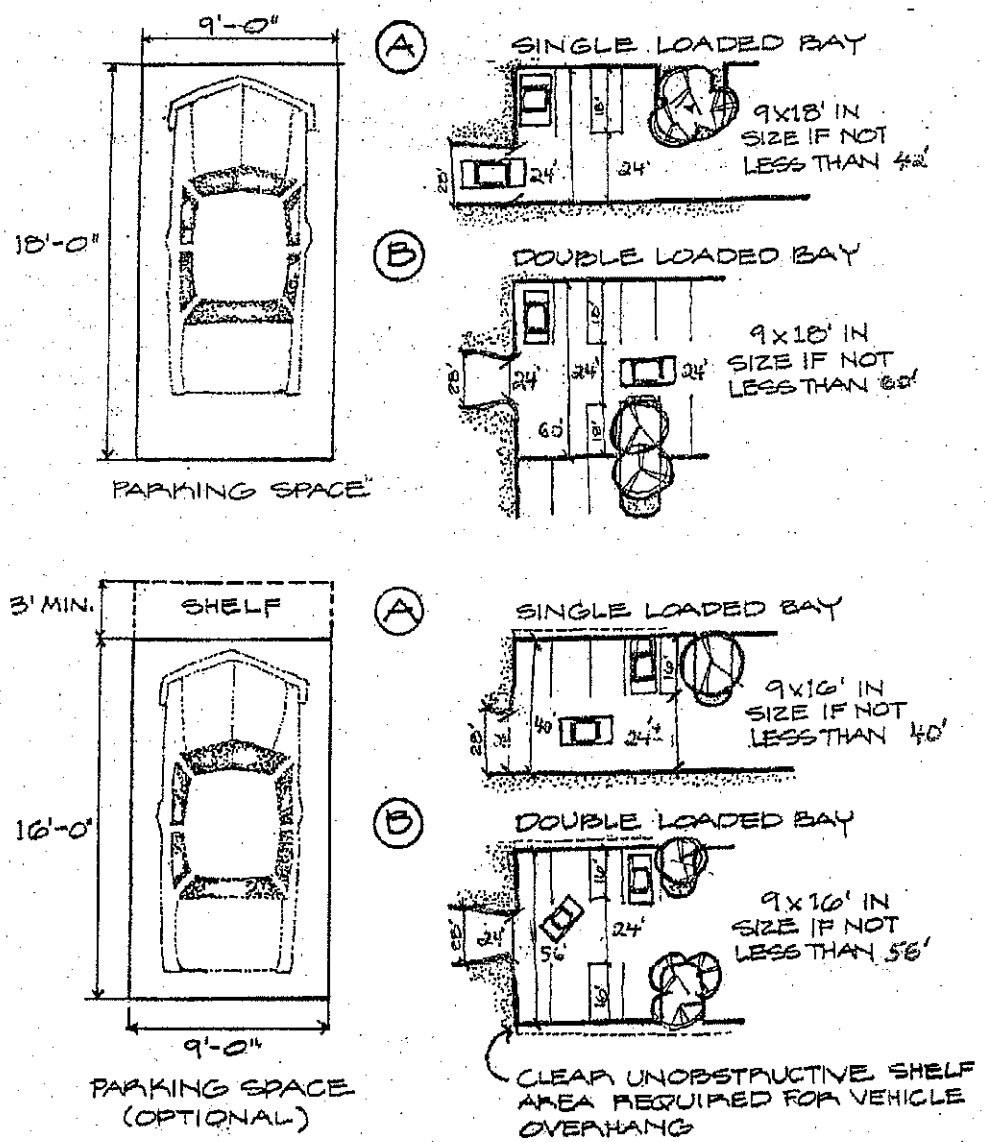
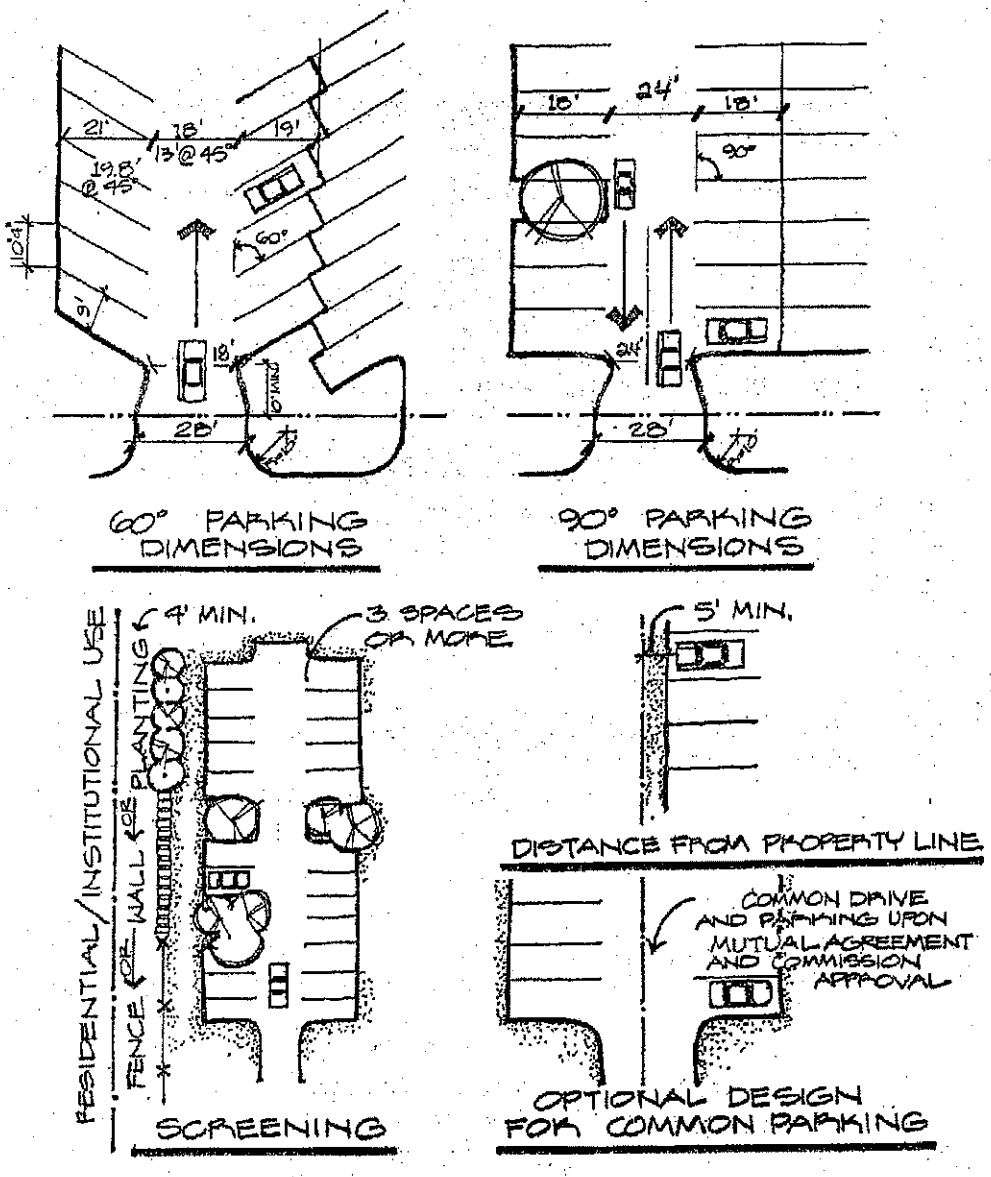


FIGURE 3

TYPICAL PARKING LOT LAYOUT DESIGNS



D. **Distance from Lot** -

1. On site parking spaces shall be located within 400 feet walking distance to a public entrance in the building which they are intended to serve.
2. Off-site parking may be permitted on land owned or under a long term lease controlled by the owner of the principal use to which the parking is accessory when approved by the Commission. Off-site parking spaces shall be within a radius of 600 feet walking distance to a public entrance in the building which they are intended to serve.
3. Employee parking shall be shown on the site development plan and shall be located at the rear or sides of commercial buildings or remote parts of the site or as permitted in paragraph 2 above where it will not usurp public spaces.

E. **Joint Use** - Joint use of off-street parking facilities may be permitted provided that the area of such facilities shall not be less than the sum of the requirements of the various users computed in accordance with the schedule in this section. Shared use of the same off-street parking facilities may be permitted by the Commission by uses which have different, non-competing times of operation. The Commission may permit a reduction of up to 25% of the required parking spaces due to shared use of parking facilities when the parking needs of the joint users occur at different hours of the day. Such joint or shared use of facilities must be guaranteed to the Commission by reason of agreements or conditions to which the Commission is a party, so that such joint use may not be terminated without the consent of the Commission.

F. **Screening** - More than 3 spaces shall be screened by a wall, fence, or compact planting when abutting the side or rear lot line of residential or institutional premises. Such screening shall be at least 4 feet high.

G. **Lighting** - All parking areas having more than 10 spaces shall be adequately lighted and all lighting fixtures shall be so arranged as to direct light away from residential lots. In general, lighting shall be designed to direct light upon the parking area and not upward or onto adjoining property.

H. **Distance from Property Line** - Except as limited by specific design standards contained in these regulations parking and drives shall not be closer than 5 feet from the property line, except that common drives and connecting parking may be permitted upon the written agreement between the subject parties, and approved by the Commission, and filed in the land records of the Town.

I. Suspension - At any time that a parking area shall cease to be available for the purposes of off-street parking, the occupancy or use permit for the main use served by such area shall be ~~revoked~~ suspended until such time as the required off-street space is provided, unless the Commission, after hearing, modifies or waives parking space requirements.

J. **Modification** - These regulations may be modified by the Commission where circumstances relating to the peculiar and exceptional nature of the uses are such that the specific requirements of the parking regulations do not apply or where the Commission finds that an alternative standard or arrangement will be satisfactory.

K. **Surface Materials** – Parking areas required under Section 6.1.1.C shall be surfaced with one or more of the following materials as approved by the Commission and in accordance with specifications established by the Town of Newington:

1. Bituminous concrete.
2. Pervious bituminous concrete.
3. Pervious concrete.
4. Pervious pavers.
5. Other pervious surface approved by the Commission on recommendation of the Town Engineer.

L. **Deferral of Immediate Installation** – The Commission may defer the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that the reduced parking facilities will adequately serve the proposed use. Before approval of a waiver by the Commission, the applicant shall show upon the Site Development Plan the complete layout for the full parking requirements. The owner shall file that plan in the Office of the Town Clerk, stipulating that the owner, or the successor and assigns of the owner, will install as many of the waived parking spaces as the Commission deems necessary within 6 months of the Commission's request, when, in the opinion of the Commission, such installation is needed.

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6.1.2 Off-Street Loading Regulations

In connection with every building or part thereof hereafter erected, having a gross floor area of 5,000 square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods, display, retail stores, wholesale stores, markets, hotels, laundries, dry cleaners or other uses similarly requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained on the same lot with such building at least one off-street loading space plus one additional such loading space for each 20,000 square feet or major fraction thereof of gross floor area so used in excess of 10,000 square feet.

A. Each loading space shall be not less than 10 feet in width, 25 feet in length, and 14 feet in height.

B. No such space shall be located closer than 50 feet to any lot in any residential zone unless wholly within a completely enclosed building.

C. Loading docks and overhead doors shall not be located on the front side of the building facing the public street. (Effective 12-01-01)

D. Such loading space(s) shall be constructed and maintained in accordance with Section 6.1.1.K of these Regulations.

6.1.3 Landscape Requirements

A. Not less than 10% of the interior of a parking lot containing five or more parking spaces shall be landscaped with trees and continuously maintained. For large retail developments in excess of 40,000 sq. ft. of gross floor space not less than 15% of the interior of the parking area shall be landscaped.

B. Planting along the perimeter of a parking area, whether for screening, landscaping ~~or~~ buffering, or stormwater management (including low impact development techniques), will not be considered part of the 10% interior landscaping.

C. Where a parking area abuts the buildings on the subject property, the adjacent border plantings are not considered part of the interior landscaping.

D. Planting beds shall have an area of not less than 25 square feet, excluding curbing.

E. Planting beds must be distributed as evenly as possible throughout the parking area.

F. The parking lot landscaping plan shall show a satisfactory method of storm drainage and planting beds shall be protected by curbing. Such planting beds may, with approval of the Commission, be used for stormwater management (including low impact development techniques) and the requirement for curbing may be modified or eliminated in such situations.

G. The parking lot landscaping plan shall be drawn to scale, and shall show the plant list giving common names, caliper, height, eventual spread, the quantity of each and, when appropriate, the spacing. Unless modified by the Commission in order to enhance stormwater management (including low impact development techniques) at a specific location, ~~When~~ planted shrubs shall not be less than 18" to 24" in height and trees 2 ½" caliper at breast height. (Effective 12-01-01)

H. Ground cover alone is not acceptable. Trees selected will be checked for suitability in regard to eventual spread and adaptability to ~~existing~~ drainage, soil and climate conditions.

I. Preparation of beds for trees shall be specified. Mulched planting beds shall be provided around all trees and shrubs.

J. Gravel or stone shall not be used for ground cover unless approved by the Commission for stormwater management purposes (including low impact development techniques) and only when suitably contained within the intended area.

K. Trees and bushes planted within 5 feet of any parking area shall be of a variety capable of withstanding salt damage.

L. Whenever ~~When~~ possible, existing trees shall be saved by appropriate welling or mounding.

M. In order ~~-~~to promote the use of low impact development techniques~~not to alter excessively the ground water table~~, the applicant is encouraged to integrate water infiltration areas and water retention areas within the overall design of the parking lot.

N. The Commission reserves the right to determine the need for, and may require the installation of, irrigation systems to ensure the vitality of landscaped areas of the site. (Effective 12-01-01) Irrigation systems using rain barrels and cisterns may be required by the Commission to the extent practicable.

NEWINGTON – Low Impact Development Strategies

Recommended Zoning Regulation Changes

Zoning Regulations

4

Landscaping Regulations

The following modifications are recommended to Section 6.10 of the Zoning Regulations (Landscaping Regulations) in order to coordinate low impact development strategies with landscaping requirements. Deletions are shown as red "strike through" text (e.g. ~~deletion~~) and insertions are shown as red underlined text (e.g. insertion).

SECTION 6 - SPECIAL REGULATIONS

Section 6.10 Green Space, Landscaping and Buffer Requirements

6.10.1 Minimum Landscaped Area - Notwithstanding other portions of this regulation, no use shall be permitted in any zone which does not leave a minimum 10 percent of the total lot area free of any building, impervious surface material or other structures, not including required yards. Such minimum area shall be planted with grass, moss, ground cover or trees in such a way as to allow natural percolation of rainwater and not to interfere with adequate drainage of rainwater from surfaced or built-up portions, and to promote proper environmental design, including the implementation of low impact development techniques.

6.10.2 Location - Generally, the green space will be located in the yard areas and most particularly, in the front yard.

6.10.3 Town Center - In the B-TC Zone, the green space may include the landscaped space required in the parking regulation.

6.10.4 Berlin Turnpike - On the Berlin Turnpike, the front yard green space and landscape area is most important to the public interest for the preservation and enhancement of property values, the implementation of vegetative low impact development techniques, and the control of traffic function and reduction of hazards.

A. Alteration and additions affecting 25 percent of the gross floor area or more for business and industrial uses shall make substantial effort to add green space and landscaping, particularly in the front yard.

B. New construction of business and industrial uses shall provide front yard green space and landscaping of at least 35 feet. The Commission may waive this requirement in whole or in part in accordance with the procedures of Section 6.10.5 (C). When requested to waive this standard the Commission will take into account access management measures and parking lot green space enhancements proposed by the applicant and the implementation of vegetative low impact development techniques.

6.10.5 **Buffers**

Where buffers are required in this regulation, the following standards shall be met.

A. If, in the judgment of the Commission, a buffer is necessary to protect residential areas within or adjacent to the proposed area, the Commission may require landscaping, fencing or other appropriate screening within any required front, side or rear yard, in an amount and location appropriate to the need for such screening.

B. A minimum buffer area shall be not less than 25 feet in width and planted with evergreens no fewer than 2 rows nor further than 15 feet apart, with trees planted no more than 15 feet apart along each row, staggered to provide maximum screening, and using trees not less than 5 feet in height at time of planting. Suitable existing tree cover may be substituted. When the proposed new development abuts existing Town-owned open space or a designated greenway, the minimum buffer area shall not be less than 50 feet in width. Suitable existing tree cover may be substituted when approved by the Commission. (Effective 3-4-2011) Where authorized by the Commission, the buffer area may be used for stormwater management and implementation of vegetative low impact development techniques.

C. The Commission reserves the right to alter the buffer requirement when, in its opinion, the individual natural, topographical, or manmade utilities of the site clearly indicate that the buffer requirement is inappropriate. The buffer may not be increased to more than double nor decreased to less than half the requirement herein, and any such action shall require a two-thirds vote of the Commission members present.

Zoning Regulations

5 Content of a Site Plan

The following modifications are recommended to Section 5.3.4 of the Zoning Regulations (Contents of a Site Plan) in order to ensure that appropriate information is submitted as part of an application to the Planning and Zoning Commission. Deletions are shown as red "strike through" text (e.g. ~~deletion~~) and insertions are shown as red underlined text (e.g. insertion).

SECTION 5 - GENERAL REGULATIONS

5.3 Procedures and Requirements for Site Plans

5.3.4 Content of a Site Plan

(note that Sections 5.3.4.A and 5.3.5.B are not in the regulations published on-line)

C. Context ~~Key~~ **Map**: An overall map drawn to a scale of 1" = 200', which can be used as an overlay on Metropolitan District Maps. This map will show the overall design of the development and surrounding property within 500 feet.

1. Data block which gives required zoning information such as height, area and yard requirements, parking, spaces, green space, etc.
2. Layout of buildings.
3. Layout of streets and parking.
4. Lines indicating proposed drainage system with direction arrows.
5. Lines indicating sanitary sewer system with direction arrows.
6. Names of abutting property owners.
7. Proposed open spaces and recreation area, if required.
8. Inland Wetland and Watercourses showing 50 foot setback area and 100 foot upland review area. (Effective 8-15-07)
9. Hydrologic soil groups based on information available from the United States Department of Agriculture Natural Resource Conservation Service and/or highly pervious soils as found from onsite soil testing.
10. Trees with six inch (6") caliper or larger.

11. Area identified on the Natural Diversity Database as maintained by the Connecticut Department of Energy and Environmental Protection.

No changes proposed to the following sections:

5.3.4.D Architectural Elevations
5.3.4.E Plot Plan

F. **Topographic and Utility Map**: A map drawn to a scale of 1" = 40', preferable on sheets not exceeding 25" by 37", including ruled margins, shall, in addition to the requirements of the Plot Plans, show the following:

1. All existing and proposed buildings.
2. Curb lines, curb cuts, edge of pavement, and pavement width.
3. Existing and proposed sanitary sewers.
4. Existing and proposed water and gas main systems.
5. Existing and proposed contours shall be shown in not less than two-foot intervals; but in cases of relatively level land, the contours shall be one-foot intervals. Existing contours in excess of fifteen (15%) percent gradient shall be identified by shading the areas that meet this criterion. (Effective 3-4-2011)
6. Proposed storm drainage system, showing all low impact development techniques (such as swales, rain gardens, infiltration trenches, etc.) and any structural measures (such as catch basins, end walls, manholes, lengths and sizes of pipes, with invert elevations of each inlet and outlet).
7. Connections of all springs into proposed storm drainage system as needed.
8. Location and indications of existing brook channels, and 100-year flood limits.

G. **Erosion Control Plan**: The disturbance of any area exceeding one-half acre shall require an Erosion and Sediment Control Plan to conform with P.A. 83-388 of the Connecticut General Assembly, and Section 8-25 of the General Statutes as amended, and the following requirements:

2. Existing and proposed boundary and lot lines, with dimensions given in feet and areas given in square feet. Existing and proposed easements and right-of-way for public utilities and other public uses with dimensions given in feet.
3. Location of all wetlands and water courses on the property and within sufficient distance beyond the property line and the extent of proposed changes in their configurations.
4. Location of proposed activities.

5. Elevation at two-foot contour intervals. If deposition, removal or grading of material is proposed, resulting elevations shall be shown by two-foot contour intervals.
6. Identification of wetland soils, including locations of any soil borings or test holes. Soil types shall be identified in accordance with categories established by the National Cooperative Soil Survey of the United States Department of Agriculture, Soil Conservation Service.
7. A general delineation of the vegetative cover of any regulated area.
8. Bodies of water and high water level for all inundated areas.
9. All drainage appurtenances existing and proposed together with erosion control measures or temporary or permanent soil erosion control measures to be constructed in connection with, or as part of, the proposed work.
10. Details of erosion control measures.
11. Proposed limits of disturbance / compaction and the method of ensuring same.

No changes proposed to the following section:

5.3.4.H Access Management Plan

DRAFT

Zoning Regulations

6 Site Plan Review Standards

Section 7.4 of the Zoning Regulations contains a number of technical standards governing site plan applications. However, these standards ***would not*** be applicable to an activity which only requires a zoning permit. Therefore, it is recommended that Section 7.4 be amended to refer to other Sections of the Zoning Regulations for technical standards related to drainage. Deletions are shown as red "strike through" text (e.g. ~~deletion~~) and insertions are shown as red underlined text (e.g. insertion).

SECTION 7 - ADMINISTRATION

Section 7.4 Design Standards, Site Plan Check List

The Commission shall use the following standards of the review of plans submitted to the Commission for review and action pursuant to Section 5.3 of these Regulations. The construction of any improvements shown on any such plan shall be in accordance with these standards.

7.4.1 Design Manual And Construction Standards

A. The Low Impact Development and Stormwater Manual for the Town of Newington shall be used as a design manual for stormwater management.

B. The following documents shall be used for construction standards:
   1. The current ConnDOT, publication, as amended, "Standard Specifications for Road, Bridges and Incidental Construction,"
   2. Town of Newington, "Specifications for Construction of Roads,"
   3. Town of Newington Zoning Regulations,
   4. Town of Newington Subdivision Regulations, and
   5. Connecticut Landscape Contractors Association's "Standard Specifications for Planting Trees, Shrubs, Vines, etc.".

No changes proposed to the following sections:

7.4.2 Map Scales and Sheet Size
7.4.3 Property Lines
7.4.4 Street Lines
7.4.5 Rights-of-Way, Easements or Stream Encroachment Lines

7.4.6 Driveway and Parking

A. For any development requiring site plan approval, all~~All~~ new driveways and parking areas shall be constructed ~~of bituminous concrete pavement~~in accordance with Section 6.1.1.K. Driveways shall conform to Town of Newington Specifications for Private Streets and Parking Lots. See typical cross-sections in Section 6.

B. Each parking space shall be shown. See typical details in Section 6.

C. Unless otherwise approved by the Commission (such as for implementing low impact development techniques or other reasons), driveways ~~Driveways~~ shall be at least 28' in width from the face of curb, but unusual, adverse field conditions may be recognized by the Commission and the minimum width may be reduced to 24'.

D. Maximum permitted grade for a driveway is 10%. Maximum grade for a parking area is 5%. Cross pitch on any driveway shall not exceed 5%.

E. No parking will be allowed within a street right-of-way unless specifically authorized by the Town in order to provide additional public parking within the B-TC district.

F. Horizontal and vertical control for driveways shall conform to Residential Street requirements. Where driveways intersect with streets or other driveways, the radius of the gutter shall be a minimum of 25'.

7.4.7 Elevations, Grades, Existing and Proposed

A. All elevations are to be on North American Vertical Datum, NAVD 88.

B. Contour lines are required on all plans or maps. Both the existing ground and the proposed finish grading must be shown and clearly labeled as to each type. Contour lines shall be shown at an interval of 2 feet, except where area is almost level (less than 1%). On level areas, "spot" elevations

may be used. Contour lines must extend at least 50 feet into adjacent properties to depict actual conditions. Existing contours in excess of fifteen (15%) percent gradient and rock outcroppings shall be identified by shading the area that meets this criterion. (Effective 3-4-2011)

C. Unless modified by the Commission in order to implement low impact development techniques, minimum ~~Minimum~~ continuous slope across grass shall be 1%; minimum slope across pavement shall be 0.6%; and maximum slope across parking lot shall be 5%.

D. Show existing and proposed ground elevations for finishing grading at all corners of buildings and structures except for individual residences.

No changes proposed to the following sections:

7.4.8 Walls and Slopes

7.4.9 Sidewalks and Curbs

A. Public Streets -

1. All sidewalks and curbs in public streets shall be constructed to the standards of the Town of Newington.

~~1.~~2. All sidewalks shall be made of concrete or pervious concrete or pervious pavers or other materials acceptable to the Town, at least 4 feet wide, and designed in accordance with the Town's construction standards and the American with Disabilities Act.

3. The requirement for curbing on a public street may be modified or waived by the Commission in order to implement low impact development techniques.

4. ~~Curbing shall be concrete or granite for entrance and exit drives and islands in commercial developments. Perimeter parking lot curbing for long straight runs of more than 360 feet maybe 6" bituminous curbing upon the approval of the Commission.~~

B. Private Property –

1. Curbing in commercial developments shall be concrete or granite for entrance and exit drives and parking islands.
2. A 6" continuous bituminous curb~~ing~~ is required on the perimeter of all private parking lots ~~as determined by the Town Engineer~~.
3. For a development approved by the Commission as a site plan or special permit, the requirement for curbing in a private parking area may be modified or waived by the Commission in order to implement low impact development techniques.
4. For other development not requiring approval by the Commission, the requirement for curbing in a private parking area may be modified or waived by the Town Engineer in order to implement low impact development techniques.
5. Curbing is not required for parking space adjacent to driveway for individual residences.

No changes proposed to the following sections:

7.4.10 Street Lines and Grades
7.4.11 Water
7.4.12 Sewer

7.4.13 Storm Drainage

All work shall be done in accordance with *Town of Newington Low Impact Development and Stormwater Manual* specifications. Hydraulic calculation must be submitted to the Town Engineer at the time of application for site plan development.

~~A. Standard State of Connecticut catch basin with sump required.~~

~~B. 12" minimum pipe size required for catch basins within the site.~~

~~C. 0.5% minimum acceptable grade for pipe.~~

~~D. 2.0' minimum cover over pipe except in street where 2.5' of cover is required.~~

~~E. On state highways and Town of Newington streets, the minimum size shall be 15" R.C. pipe.~~

~~F. Design storm system to handle the surface run-off from a storm having a 10-year frequency. Use 5 minute time of concentration for small parking lots. Large parking lots may require other standards, as determined by the Town Engineer. The computation shall consider all drainage areas contributing to the site, whether within the site or outside of it, based on upstream development from existing zoning or Town's Plan of Development for most intensive use.~~

~~G. Show all roof drains – type, size, location and point of connection to storm sewer. Specify invert elevation at point of connection. This requirement applies to all building structures except single-family housing. Roof leaders shall be piped (underground) into the on-site drainage system.~~

~~H. Where the proposed storm system is to be connected to an existing State of Connecticut drainage system, computations shall meet State design standards.~~

~~I. Drainage agreement must be signed where private connection is made into Town of Newington system.~~

No changes proposed to the following sections:

7.4.14 Utilities
7.4.15 Cultural Features including Flood Plains, Inland Wetlands and Slopes.