



**TOWN PLAN AND ZONING COMMISSION**  
**PUBLIC HEARING AND REGULAR MEETING**  
**Wednesday, December 9, 2015**

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

**7:00 p.m.**

**A G E N D A**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL AND SEATING OF ALTERNATES**
- III. APPROVAL OF AGENDA**
- IV. ZONING ENFORCEMENT OFFICER REPORT**
- V. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**
- VI. PUBLIC HEARING**
  - a. Petition #41-15: Special Exception (Section 3.2.9: Adult Day Care) at 26 Church Street. New Life Adult Day Care Inc., applicant; Vaishnav Parivar of Connecticut Inc., owner; Sachin Patel, 69 Cherrywood Drive, Nashua NH, contact. Continued from November 12, 2015.
  - b. Petition #43-15: Special Permit (Section 3.12.1: Restaurant) at 103 Lowrey Place. Lowrey Place Realty LLC, owner; Stoc LLC, applicant; Ian Thompson, 579 New Britain Avenue, Newington CT, contact.
- VII. REMARKS BY COMMISSIONERS**
- VIII. APPROVAL OF MINUTES**
  - a. Regular meeting October 28, 2015
  - b. Regular Meeting November 23, 2015
- IX. NEW BUSINESS**
  - a. Discuss Zoning for TOD (Transit Oriented Development).
  - b. Performance Bond Release at 580 Church Street (Three Angels Seventh Day Adventist Church).
  - c. Discuss on-going review of Zoning Regulations

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NEWINGTON LAND RECORDS

2015 DEC -3 AM 10:03

*Tanya D. Lane*  
TOWN CLERK

**X. OLD BUSINESS**

**XI. PETITIONS FOR PUBLIC HEARING SCHEDULING**

- a. Petition #44-15: Special Permit (Section 6.6: Sale of Alcoholic Beverages) at 2640 Berlin Turnpike (Aldi). Aldi Incorporated CT, owner; Aldi Incorporated CT, applicant; Kyle Voiland, 295 Rye Street, South Windsor CT, contact.

**XII. TOWN PLANNER REPORT**

- a. Town Planner Report for December 9, 2015

**XIII. COMMUNICATIONS**

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

**XV. REMARKS BY COMMISSIONERS**

**XVI. CLOSING REMARKS BY THE CHAIRMAN**

**XVII. ADJOURN**

Submitted,



Craig Minor, AICP  
Town Planner



John Salomone  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

**To:** Town Plan and Zoning Commission  
**From:** Town Planner Craig Minor, AICP  
**Date:** November 18, 2015

**Subject:** Petition #41-15: Special Exception (Section 3.2.9: Adult Day Care) 26 Church Street. New Life Adult Day Care Inc., applicant; Vaishnav Parivar of Connecticut Inc., owner; Sachin Patel, 69 Cherrywood Drive, Nashua NH, contact.

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### Description of Petition #41-15:

The applicants would like to conduct an adult day care operation in the Vallabdhram temple at 26 Church Street. "Adult Day Care" is allowed by special permit in all residential zones.

### Staff Comments:

I have had several email and telephone conversations with the applicants' attorney since the last TPZ meeting, but as of this writing they have not submitted the detailed floor plan and site plan that were requested by TPZ at the last public hearing.

Several complaints were made at the public hearing on November 12, but most of them pertained to religious practices of the Vaishnav Parivar congregation (fireworks, open burning, insufficient parking, and large numbers of people on the premises) and not the proposed adult day care. I met with the Fire Marshal about the situation of the evening of November 14, and I have been told that representatives of the congregation are trying to set up a meeting with the Fire Marshal and the Police Department to prevent future incidents.

Other complaints made at the public hearing, such as trespassing onto a neighbor's yard, and excessive parking lot lighting, could conceivably be addressed as part of the adult day care special permit, if approved. But in my opinion it would be better to do so as an enforcement action on the existing special permit that the Vaishnav Parivar congregation is operating under, which was originally obtained by the B'nai Shalom congregation who sold the building to them. I have contacted the congregation's attorney about doing this.

cc:  
Applicant  
file

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



John Salomone  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

**To:** Town Plan and Zoning Commission  
**From:** Town Planner Craig Minor, AICP  
**Date:** December 1, 2015

**Subject:** Petition #43-15: Special Permit (Section 3.12.1: Restaurant) at 103 Lowrey Place. Lowrey Place Realty LLC, owner; Stoc LLC, applicant; Ian Thompson, 579 New Britain Avenue, Newington CT, contact.

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### Description of Petition #43-15:

This will be a new restaurant occupying the western end of the "Best Market" building on Lowrey Place. Restaurants are allowed by special permit in the B-TC zone.

### Staff Comments:

The applicants describe this new restaurant as follows:

"We are seeking approval to open Stoc, a new restaurant in Newington Center that will offer American-style tapas, charcuterie, hearty stews and comfort food, a fresh raw bar, wine, and the area's most discerning selection of craft beer. Stoc will continue the practice of utilizing as many local farms and suppliers as possible.

The aesthetic theme of Stoc will be a comfortable rustic-industrial design that juxtaposes cold exposed iron and steel with warm rough cut wood."

My understanding is that their long range plan includes selling alcohol and having an outdoor dining area in front of the building on the covered sidewalk. At this time, however, they have only applied for the restaurant special permit.

I have no concerns with this application.

cc:  
Applicant  
file

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townplanner@newingtonct.gov  
www.newingtonct.gov



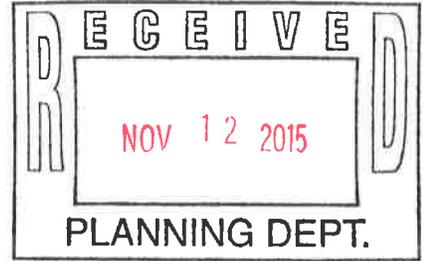
02#1001

Petition # 43-15

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM



LOCATION OF PROPERTY: 102 Lowery Place ZONE: B-TC

APPLICANT: Stoc LLC TELEPHONE: (860)-707-0835

ADDRESS: PO Box 674 Newington, CT 06111 EMAIL: ilthompson111@yahoo.com

CONTACT PERSON: Ian Thompson TELEPHONE: (860)-707-0835

ADDRESS: 579 New Britain Avenue Newington, CT 06111 EMAIL: ilthompson111@yahoo.com

OWNER OF RECORD: Or Raitses

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

- Zoning Map Change from the ... to the ... Zone (Public Hearing required).
Zoning Text Amendment to Section ... A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
Subdivision
Resubdivision (Public Hearing required).
[X] Special Exception per Section 3.12.1 of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
Site Plan Approval or Modification
Other (describe in detail, or attach):

SIGNATURE:

Signature lines for APPLICANT (Ian Thompson), DATE (11-12-15), OWNER (Or Raitses), and DATE (11/10/15).

COMPLETE APPLICATIONS SUBMITTED TEN DAYS BEFORE THE NEXT TPZ MEETING WILL BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES THE APPLICATION FEE, TWELVE SETS OF PLANS (IF APPROPRIATE) AND A SEPARATE NARRATIVE EXPLANATION OF THE PETITION (IF APPROPRIATE).

NOTE:

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

# Stoc

102 Lowery Place  
Newington, CT

Matt Crowley – Proprietor  
Tim Marotto – Proprietor  
Ian Thompson - Proprietor

The Old English/Irish word “stoc” encapsulates many of the resources and attributes Newington was known for when it was settled.

Stoc - m (genitive singular stoic, nominative plural stoic)

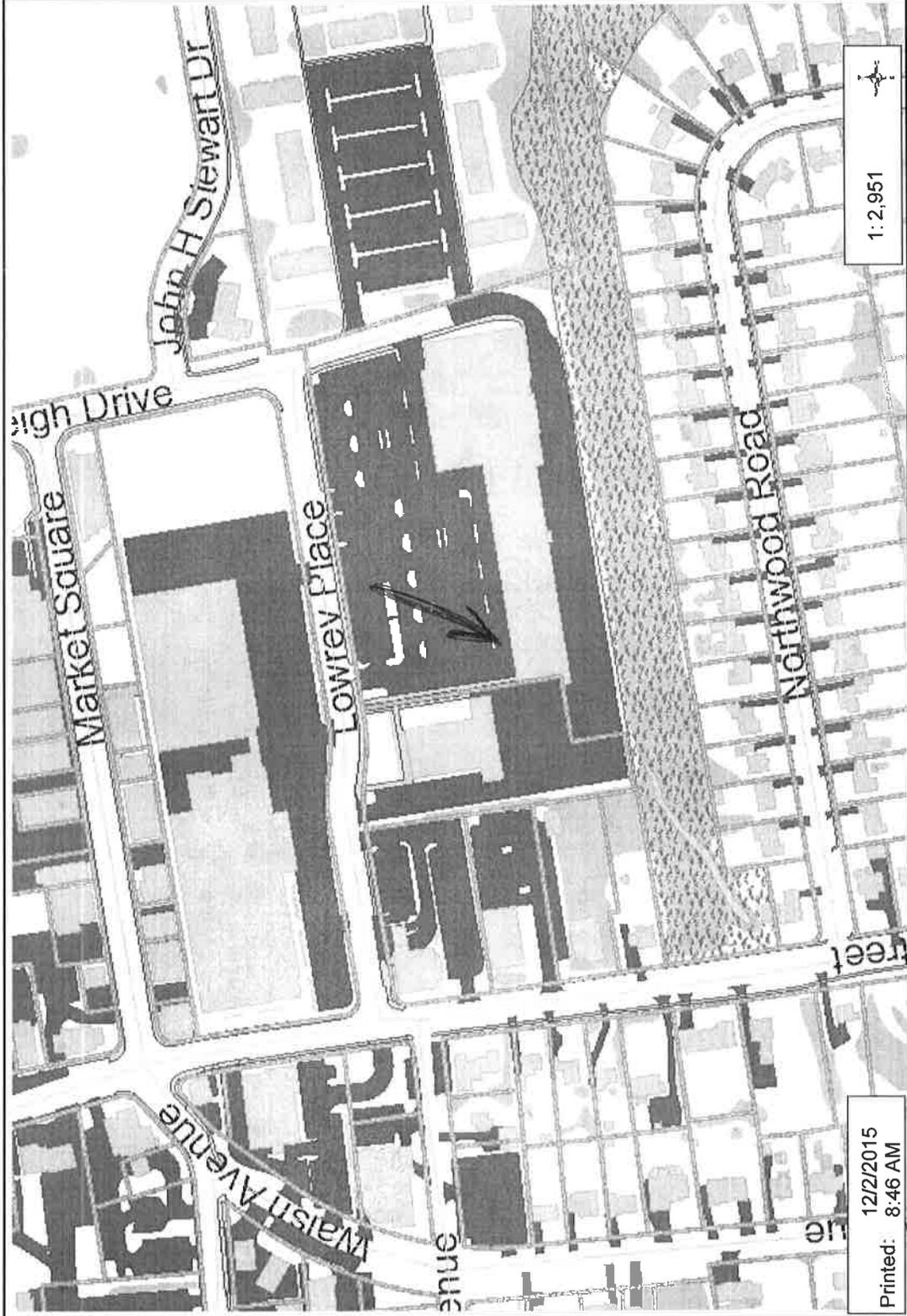
- trunk of tree
- rooted vegetable
- stock (broth)
- livestock
- stockpot
- harvest

We are seeking approval to open Stoc, a new restaurant in Newington Center that will offer American-style tapas, charcuterie, hearty stews and comfort food, a fresh raw bar, wine, and the area’s most discerning selection of craft beer. Stoc will continue the practice of utilizing as many local farms and suppliers as possible.

The aesthetic theme of Stoc will be a comfortable rustic-industrial design that juxtaposes cold exposed iron and steel with warm rough cut wood.



# Stoc Restaurant



Printed: 12/2/2015 8:46 AM

491.8 245.91 0 491.8 Feet

1:2,951

This map is user generated static output. This map is for reference only and should be used for REPRESENTATION ONLY. The Town of Newington refutes any liability for any actions taken or not taken based on this map. THIS MAP IS NOT TO BE USED FOR NAVIGATION AND IS NOT CONSIDERED SURVEY QUALITY.

### Notes

Notes

### Legend

- Parcel
- Structures
  - BUILDING
  - CEMENT
  - DECK
  - FOOTBRIDGE
  - FOUNDATION
  - GREENHOUSE
  - POOL
  - STEPS
  - TANK
- Paved Areas
  - Driveway and Parking Lot
  - Sidewalk
- Rail Road Line
- Hydrography
  - Water
  - Swamp area
- Stream
- Vegetation Area





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  
**Date:** December 1, 2015

**Subject:** Zoning for Transit Oriented Development (TOD)

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1. Visual Preference Survey:

I am still waiting for a written proposal from Weston and Sampson to help us conduct a "visual preference survey" (VPS) to find out what type of TOD development would be acceptable to the residents.

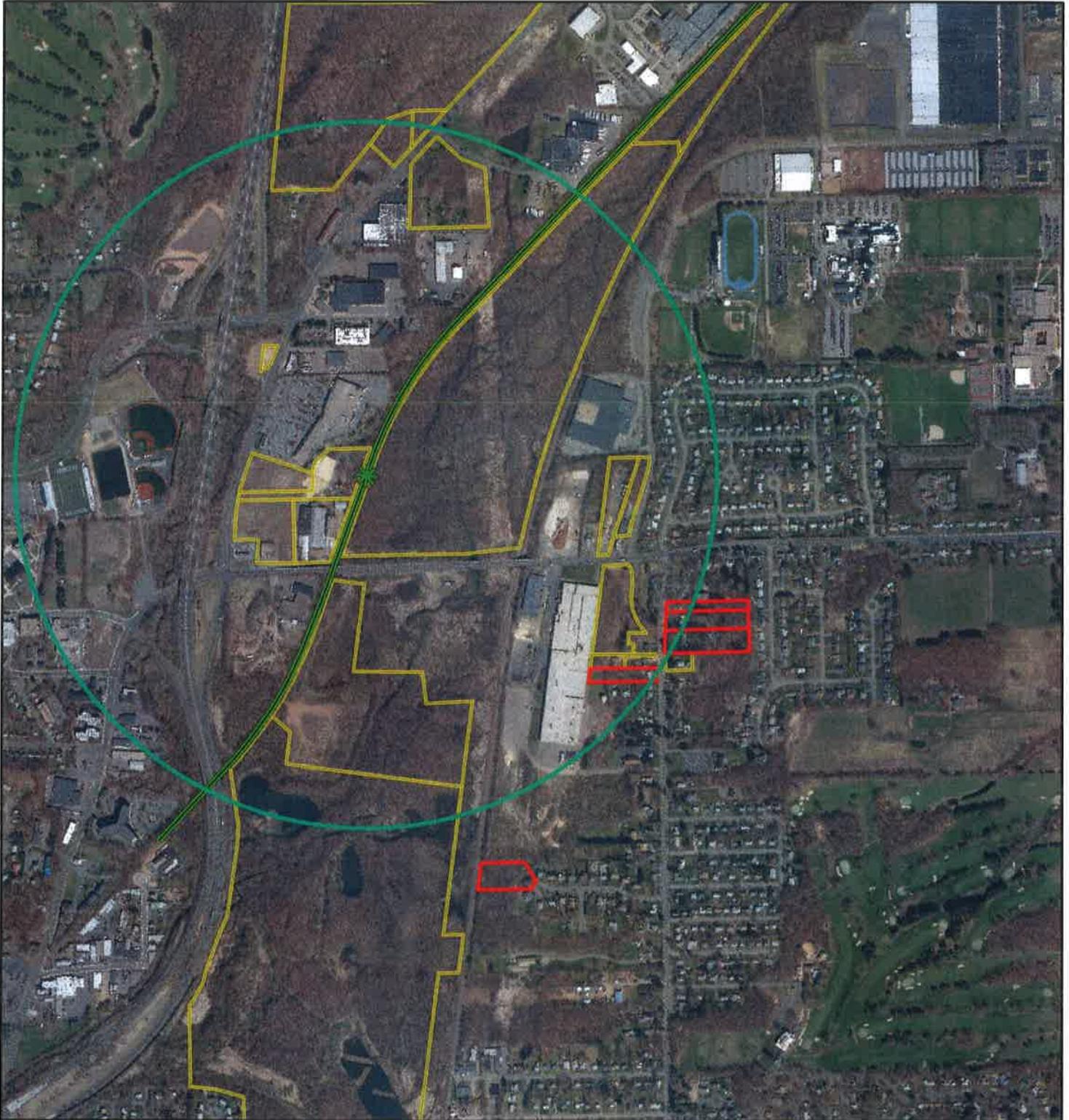
2. Vacant Parcels in Newington Junction:

At a recent TPZ meeting several Commissioner expressed the wish to see a map showing vacant and under-utilized parcels in the two CTfastrak neighborhoods. See attached.

cc:  
file

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

# Vacant parcels and low utilization



**DISCLAIMER:** Every reasonable effort has been made to assure the information provided on the GIS maps and data is current, accurate and complete. However, the GIS database and the maps themselves are subject to constant change and the accuracy and completeness cannot be and is not guaranteed. Independent verification of all data contained herein should be obtained. The data presented on this map is not legally binding on the Town of Newington or any of its departments. This map and the associated data are REPRESENTATIONS ONLY and may contain errors in the databases. Therefore, the information presented on this map is for informational purposes only and should not be construed to be legally binding. The Town of Newington shall not be liable for any loss, damages or claims that arise out of the user's access to, or use of the map, documents and data provided. The GIS Data is not a survey, and is subject to any changes an actual land survey discloses.

## Cedar Street Station

### Legend

-  CTfastrak Station
-  CTfastrak
-  Half Mile Buffer
-  1% - 5% Utilization
-  Vacant Parcels

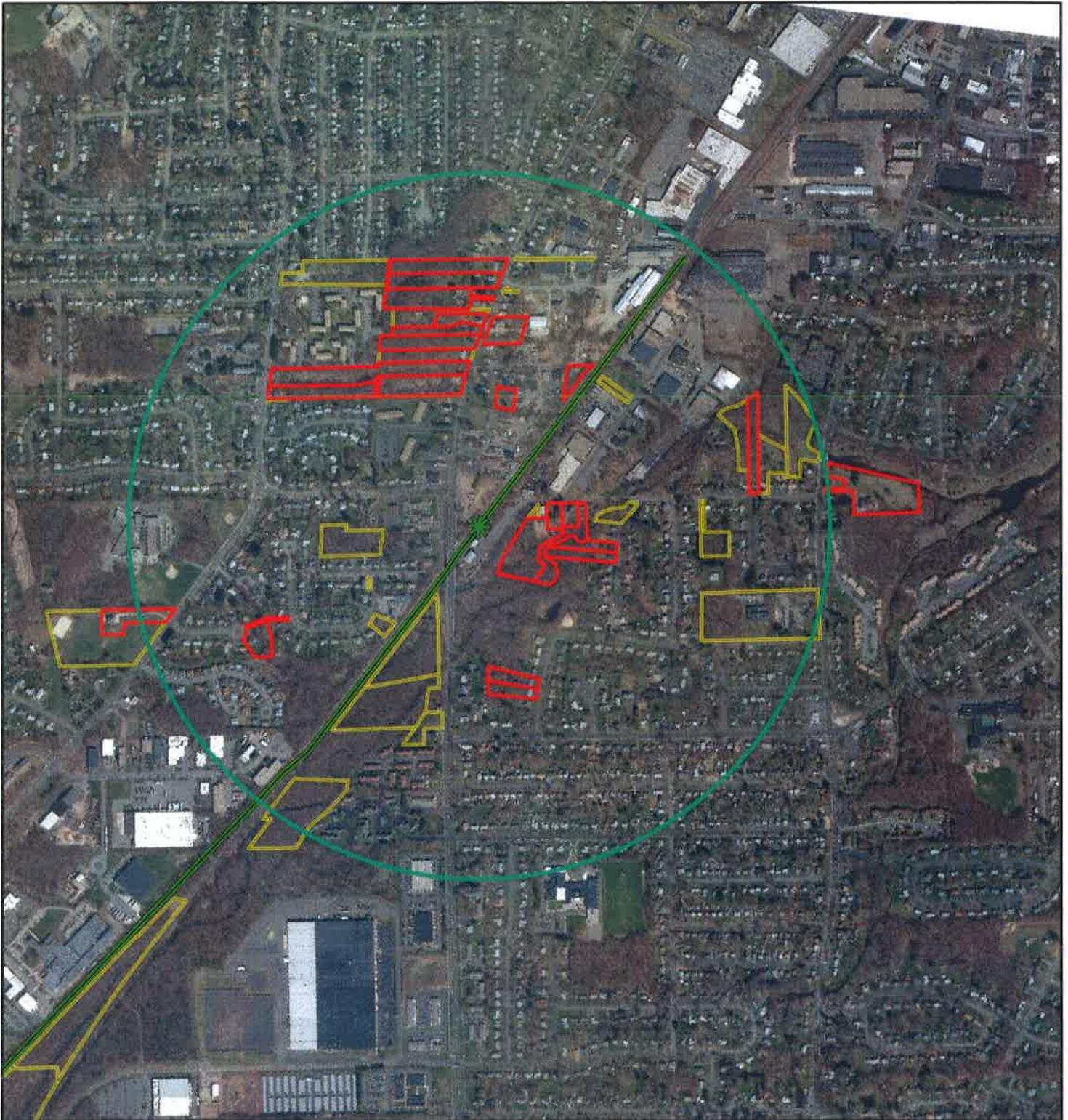


Map by  
Information  
Technology  
GIS Services



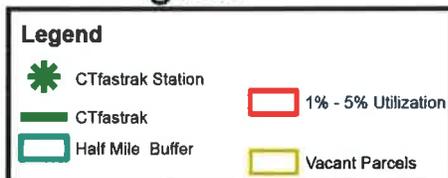
Printed: 12/2/2015

# Vacant parcels and low utilization



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## Newington Junction



Map by  
Information  
Technology  
GIS Services



Printed: 12/2/2015



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  
**Date:** December 1, 2015

**Subject: Performance Bond Release for Three Angels Church at 508 Church Street**

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The local Seventh Day Adventist congregation received special permit and site plan approval by TPZ to construct a church at 508 Church Street back in 2007. These approvals resulted in a lawsuit between the congregation and the neighbors, and another lawsuit between the congregation and TPZ.

The upshot of those lawsuits was a performance bond agreed to by the Town and the congregation. The congregation would post a \$44,000 cash bond, which TPZ would release as soon as Three Angels congregation completed seven items specifically mentioned in the performance bond agreement.

That makes this performance bond different from the ones TPZ usually executes, where a bond is released only after all the site work is finished. For reasons related to the several lawsuits, the only work that this bond agreement calls for is the seven items specifically referenced in the agreement (attached). There are several other aspect of the site plan that have not been finished, such as a drainage easement on the neighboring property. It should be noted that the congregation is not asking for a CO at this time – they realize that the site is not complete, and that the ZEO cannot sign off on it as such. What they are looking for at this time is a release of the \$44,000 performance bond per the agreement.

The ZEO has inspected the site, and has confirmed that the seven items have been completed. I recommend the bond be released.

cc:  
Applicant  
file

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cminor@newingtonct.gov  
www.newingtonct.gov

## Minor, Craig

---

**From:** DAmato, Michael  
**Sent:** Tuesday, December 01, 2015 10:00 AM  
**To:** Minor, Craig  
**Subject:** RE: Performance Bond at 580 Church Street

Craig-

All items from the existing bond agreement have been satisfied. As discussed, the bond was taken prior to the issuance of the building permit when the site work had been started and there was concern over site safety and potential erosion issues. Based on my inspection of the site last week, I would recommend the 2008 bond be released.

Separate from that, there are a number of site issues that at this point would hold up the issuance of a CO/CZC. Because none of these issues are covered under the existing bond agreement, it is likely that Three Angels is going to need to submit a new bond to cover some of the existing site problems that they will not be able to correct during the Winter season.

Thanks,

Michael D'Amato, CZEO

---

**From:** Minor, Craig  
**Sent:** Monday, November 30, 2015 3:45 PM  
**To:** DAmato, Michael <MDAmato@NewingtonCT.Gov>  
**Subject:** Performance Bond at 580 Church Street

Mike:

Please give me a written recommendation on the above-referenced performance bond release request.

The Performance Bond Agreement executed by the Town on June 22, 2010 states that the Applicant will complete the work by October 1, 2010, and that the Town will release the bond once the Applicants have constructed the seven items listed on the spread sheet dated November 20, 2008. My understanding is that the seven items have been constructed. However, not everything shown on the TPZ-approved site plan (as amended) has been completed.

Craig Minor, AICP  
Town Planner

---

**From:** Jeff Linthwaite [<mailto:JLinthwaite@sneconline.org>]  
**Sent:** Tuesday, November 10, 2015 1:08 PM  
**To:** Minor, Craig <[CMinor@NewingtonCT.Gov](mailto:CMinor@NewingtonCT.Gov)>

Cc: DAmato, Michael <[MDAmato@NewingtonCT.Gov](mailto:MDAmato@NewingtonCT.Gov)>

Subject: Performance Bond @580 Church St

Mr Minor,

I believe you have been copied on the emails between Mr D'Amato and myself reviewing and discussing the Bond and CO issue at 580 Church St.

It is my opinion that the Bond requirements have been satisfied, therefore, please accept this email as a formal request for the release and refund of the Bond.

I assume this issue will be brought to the TPZ Board for consideration. Could you please keep me informed on the schedule of any hearings and the status of this request.

If you need additional information please contact me.

Jeff Linthwaite  
Property Manager  
SNECA of SDA  
978-502-4897

COPY

**BOND AGREEMENT**

580 Church Street

Three Angels Seventh Day Adventist Church

**AMENDED – EXTENDED TO OCTOBER 1, 2010**

This Agreement made and concluded on the 22<sup>nd</sup> day of June, 2010, between the Town of Newington herein by John Salomone, its Town Manager, and Sandy Harris, Treasurer as the duly authorized representative of Three Angels Seventh Day Adventist Church.

**WITNESSETH:**

WHEREAS, the Three Angels Seventh Day Adventist Church made application to the Town Plan and Zoning Commission of the Town of Newington for approval of a site development plan modification for property it owns at 580 Church Street in the Town of Newington which plan is entitled: "Site Plan Application & Special Permit Application, prepared for Three Angels Seventh Day Adventist Church" by Hallisey, Pearson & Cassidy, Civil Engineers & Land surveyors, Revised dated, July 8, 2008, Sheets 1 to 8, Scale 1" =20'

WHEREAS, Newington Town Plan and Zoning Commission approved site development plan modification Petition 26-08, July 23, 2008.

WHEREAS, a condition of approval requires the posting of a site improvement bond prior to the issuance of the Building Permit.

**NOW THEREFORE, THREE ANGELS SEVENTH DAY ADVENTIST CHURCH AGREES AS FOLLOWS:**

1. To complete the site improvement work listed on the attached Bond Estimate dated 11-20-2008 in accordance with requirements of the approved modified site plan as described above to the satisfaction of the Town of Newington by October 1, 2010.
2. To file with the Town Manager, a certified check, bank book, Letter of Credit, or Certificate of Deposit in the amount of \$ 44,000 surety guarantee of completion of work outlined in Paragraph 1.
3. If the stipulated improvements herein are not completed to the satisfaction of the Town, within the time period specified herein, the Town will be authorized to enter said properties as shown on approved plan to complete such improvements by using monies from the certified check, bank book, Letter of Credit, or Certificate of Deposit, to which the Town has access as surety for performance in accordance with paragraph 3 herein, provided the Town of Newington supplies written notification of its intent to complete such improvements to the contractor at least thirty (30) calendar days prior to causing such improvements to be completed.
4. The developer shall be liable for all legal and other expenses incurred by the Town as a result of non-compliance with the Stipulated Improvements in accordance with Paragraph 3 and 4 herein.

**THE TOWN AGREES:**

1. To issue a Building permit for 580 Church Street subject to the requirements of the Newington Building Official and Fire Marshal.
2. To release to Three Angels Seventh Day Adventist, owner of the surety, the amount of \$ 44,000 or any balance thereof, when all of the improvements (see paragraph 1) for which said surety deposit has been posted, are accepted by the Town as set forth on the attached to bond estimate.
3. That any interest which accrues on said surety shall remain in said account as an addition to the principal amount of said surety. Said interest shall be deemed to be the property of the Three Angles Seventh Day Adventists Church but shall be subject to the same charge for completion of said improvements as the principal said surety.



**Bond Estimate**

**Three Angels Seventh-Day Adventist Church**

11/20/2008

<b>Item No.</b>	<b>Description</b>	<b>Units</b>		<b>Unit Costs</b>	<b>Item Total</b>
1	Haybales for Check Dam	12	Ea	10.00	120.00
2	Filter Fabric Fence	500	Ea	4.00	2,000.00
3	Antitracking Pad	1	Ea	1,000.00	1,000.00
5	Site Grading	7,200	SY	1.50	10,800.00
6	Loam and Seed	7,200	SY	2.50	18,000.00
7	Safety Fence	900	LF	8.00	7,200.00
	<b>Sub-total</b>				<b>39,120.00</b>
	<b>10% Contingency</b>				<b>3,912.00</b>
	<b>Total Value of Uncompleted Work</b>				<b>43,032.00</b>
	<b>Recommended Bond Amount</b>				<b>44,000.00</b>



John Salomone  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Craig Minor, AICP  
Date: December 1, 2015

**Subject: Petition #02-15: Zoning Amendments Town-wide. Town Plan and Zoning Commission, applicant**

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### **Description of Petition #02-15:**

This is a complete, informal review of the zoning regulations, which began in January 2015. It is looking only for zoning text that needs a minor adjustment – the need for any major revisions encountered during this review will be handled separately. A single public hearing will be held on all of these adjustments (changes) as part of the normal zoning amendment process.

The TPZ got up to, but did not complete reviewing, Section 9 (Appendix) at the last meeting.

### **Staff Comments:**

There has been a significant change in membership on the TPZ since the last meeting, and it has been suggested that the “new” TPZ may want to go in a different direction (such as appoint a subcommittee to prepare the first draft). A discussion of that would be appropriate.

cc:  
file

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



John Salomone  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Town Planner Craig Minor, AICP *CP*  
Date: December 1, 2015

**Subject: Petition #44-15: Special Permit (Section 6.6: Sale of Alcoholic Beverages) at 2640 Berlin Turnpike (Aldi). Aldi Incorporated CT, owner; Aldi Incorporated CT, applicant; Kyle Voiland, 295 Rye Street, South Windsor CT, contact.**

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### **Description of Petition #44-15:**

This existing supermarket would like to start selling beer. Section 6.6. of the zoning regulations allows the retail sale of alcoholic beverages in any non-residential zone.

### **Staff Comments:**

This application came in at the last minute to get on the agenda, and I have not thoroughly researched the location to make sure there are no other retail outlets nor any schools, churches, or hospitals within 500 feet, but my preliminary review did not show any. The applicants are aware of this restriction.

I recommend the public hearing be set for the next meeting on January 13, 2016.

cc:  
file

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

Petition # 45-15



TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM

LOCATION OF PROPERTY: 2640 Berlin Turnpike ZONE: PD

APPLICANT: ALDI, Inc. TELEPHONE: 860-290-2900

ADDRESS: 295 Rye Street EMAIL: sw@aldi.us  
s. windsor, CT 06094

CONTACT PERSON: Kyle Voland TELEPHONE: 860-290-2900

ADDRESS: 295 Rye Street EMAIL: sw@aldi.us

OWNER OF RECORD: \_\_\_\_\_

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

- Zoning Map Change from the \_\_\_\_\_ to the \_\_\_\_\_ Zone (Public Hearing required).
- Zoning Text Amendment to Section \_\_\_\_\_. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per Section 6.6 of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
- Site Plan Approval or Modification
- Other (describe in detail, or attach): \_\_\_\_\_

**SIGNATURE:**

<u>pending</u>	<u>pending</u>
APPLICANT	OWNER
DATE	DATE

**COMPLETE APPLICATIONS SUBMITTED TEN DAYS BEFORE THE NEXT TPZ MEETING WILL BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES THE APPLICATION FEE, TWELVE SETS OF PLANS (IF APPROPRIATE) AND A SEPARATE NARRATIVE EXPLANATION OF THE PETITION (IF APPROPRIATE).**

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





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:** December 2, 2015  
**Re:** Town Planner Report for December 9, 2015

---

### 1. Zoning Enforcement Issues Raised at Previous TPZ Meetings:

a. 26 Church Street: The only zoning enforcement issue brought up at the last TPZ meeting was the Vaishnav Parivar Hindu temple at 26 Church Street. As requested by TPZ I asked ZEO Mike D'Amato to locate the special permit that would have been issued to B'nai Shalom, the original owners of the building.

Mike found that when the building was constructed in 1971 no TPZ special permit was required. At that time "Buildings for religious worship including parish houses and Bible schools" were permitted as-of-right in all residential zones; it didn't become a special permit activity until sometime prior to 1988. There is no TPZ-approved site plan on file, possibly because TPZ had a "hands off" policy on site plans for religious buildings at the time.

Since there is no special permit to amend, and no legal basis to require the congregation to obtain one, Mike suggested that TPZ and the congregation mutually develop a "memorandum of understanding" similar to the one that he worked out with the owners of the "Table Top Shop" on New Britain Avenue. In that situation, the store operators submitting a detailed description of the operation, the hours of operation, the expected turnout at their events, provision for off-site parking in necessary, etc. Mike then developed a document that described the operation, and specified what the operators would do in certain situations and what the Town would do in response to those situations. It has been in place for almost a year now with no problems. That might be a good template to use with the Vaishnav Parivar situation.

cc:  
file

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cminor@newingtonct.gov  
www.newingtonct.gov