



NEWINGTON TOWN PLAN AND ZONING COMMISSION

REGULAR MEETING and PUBLIC HEARING

Wednesday, February 27, 2013

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

7:00 p.m.

AGENDA

I. ROLL CALL AND SEATING OF ALTERNATES

II. APPROVAL OF AGENDA

III. PUBLIC HEARING:

- a. Petition #38-12: Special Exception (Section 3.15.8: Motor Vehicle Service Use) at 2903 Berlin Turnpike. Wex-Tuck Realty LLC, owner; Bismarck Real Estate Partners Inc, applicant; Jason Mikrut P.E., 54 Tuttle Place, Middletown CT, contact person. Continued from February 13, 2013.
- b. Petition #05-13: Special Exception (Section 3.17.8: Motor Vehicle Service Use) at 476 Fenn Road. Khalid Mahmood, 153 Mansion Road, Cheshire, CT owner/ applicant/contact.
- c. Petition #06-13: Special Exception (Section 3.15.3: Outside Restaurant Seating) at 3260 Berlin Turnpike ("Plaza Azteca Restaurant"). Hector Angel, owner; Manuel Rubio, applicant/contact.
- d. Petition #07-13: Special Exception (Section 3.15.3: Outside Restaurant Seating) at 3384 Berlin Turnpike, 2601 Berlin Turnpike, and 548 Cedar Street ("Dunkin Donuts"). Cary Gagnon, owner/applicant; Anja Skehan, 66 Cedar Street #300B, Newington CT, contact.
- e. Petition #08-13: Special Exception (Section 6.2.4: Freestanding Business Sign) at 1095 Main Street. New Center Corp., owner; Sign Pro Inc., applicant; Kyle Niles 168 Stanley Street, New Britain CT, contact.

IV. PUBLIC PARTICIPATION (for items not listed on the Agenda; each speaker limited to two minutes)

V. REMARKS BY COMMISSIONERS

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2013 FEB 21 P 2:22

1

BY *Tanya D. Lane*
TOWN CLERK

VI. MINUTES:

- a. February 13, 2013

VII. NEW BUSINESS:

- a. Petition #39-12: Site Plan Approval (“Firestone Complete Auto Care”) at 2903 Berlin Turnpike. Wex-Tuck Realty LLC, owner; Bismarck Real Estate Partners Inc, applicant; Jason Mikrut P.E., 54 Tuttle Place, Middletown CT, contact person.
- b. Petition #40-12: DMV Location Approval (“Firestone Complete Auto Care”) at 2903 Berlin Turnpike. Wex-Tuck Realty LLC, owner; Bismarck Real Estate Partners Inc, applicant; Jason Mikrut P.E., 54 Tuttle Place, Middletown CT, contact person.

VIII. OLD BUSINESS

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING: (March 13 and March 27)

- a. Petition #09-13: Special Exception (Section 6.2.4: Freestanding Business Sign) at 2909 Berlin Turnpike (“Bonefish Grill”). Bonefish Grill, applicant; Wex-Tuck Realty II LLC, owner; Darcy Roy/National Sign, 7 Burning Tree Lane, Wallingford CT, contact.

X. TOWN PLANNER REPORT

- a. Staff Report

XI. COMMUNICATIONS

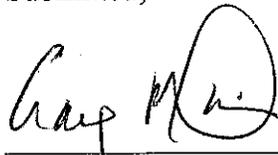
XII. PUBLIC PARTICIPATION (for items not listed on the on the Agenda; each speaker limited to two minutes)

XIII. REMARKS BY COMMISSIONERS

XIV. CLOSING REMARKS BY THE CHAIRMAN

XV. ADJOURNMENT

Submitted,



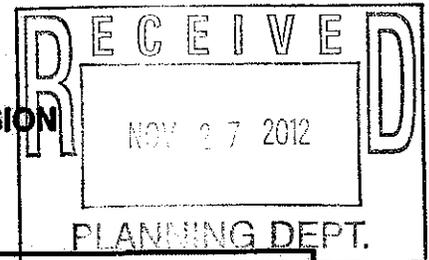
Craig Minor, AICP
Town Planner

38-12

(fee paid under #38-12)

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM



APPLICATION #: 38-12
SUBMITTED DATE: 11/27/2012
RECEIVED DATE: 11/28/2012
PUBLIC HEARING OPENED:
PUBLIC HEARING CLOSED:
DECISION DATE:
DECISION PUBLISHED:
COA SENT:
MYLAR FILED:

LOCATION OF PROPERTY: 2903 Berlin Turnpike ZONE: PD - Planned Development
 APPLICANT: Bismarck Real Estate Partners, Inc. TELEPHONE: (214) 872-4091
 ADDRESS: 3000 Internet Blvd., Suite 570 Frisco, TX 75034 EMAIL: robert.vann@guggenheimpartners.com
 CONTACT PERSON: VHB - Jason P. Mikrut, P.E. TELEPHONE: (860) 632-1500
 ADDRESS: 54 Tuttle Place, Middletown, CT 06457 EMAIL: jmikrut@vhb.com
 OWNER OF RECORD: Wex-Tuck Realty, LLC

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

- Zone Change to the _____ Zone (Public Hearing required)
- Zoning Amendment to Section _____ (Public Hearing required)
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section 3.19.1 (3.15.8) of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) _____

SIGNATURE:

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.

	<u>10-25-12</u>	<u>A. Giordano</u>	<u>10/31/12</u>
APPLICANT	DATE	OWNER	DATE

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 DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

STAFF REPORT
"Firestone Complete Auto Care"

February 20, 2013

Petition #38-12

2903 Berlin Turnpike

Special Exception Section 3.15.8 (Motor Vehicle Service Use)

Bismarck Real Estate Partners Inc, applicant

Description of Petition #38-12:

The applicants wish to construct and operate an 8,400 square foot "motor vehicle service use" facility at 2903 Berlin Turnpike in the PD zone. This activity is allowed by Special Exception in the PD zone.

Staff Comments:

1. Overhead service doors: Section 6.11.7 states that overhead service doors are not permitted "on the public street side" of a motor vehicle service use. This may be waived by a 2/3 vote of the TPZ when "the natural, topographical, or manmade utilities of the site clearly indicate that the requirement is inappropriate". In other words, when something else blocks one's view from the street of the service bays.

It is my understanding that at the public hearing on February 13, 2013 the applicants submitted a sketch entitled "Alternative Sight Line Exhibit" showing how visible the building would be. While it's a good start it does not address this issue completely because only one point-of-view is presented, and that one point-of-view was taken at the highest point of the berm. The berm tapers down at the north and south ends, exposing the building. Also it is not clear whether the plantings will block view of the building year round. The Town Engineer made a note of this during the public hearing and the applicants understand the issue.

I am prepared to discuss the TPZ's ability to grant this waiver now (i.e. during the public hearing), or I can wait until after the hearing is closed, at the TPZ's preference.

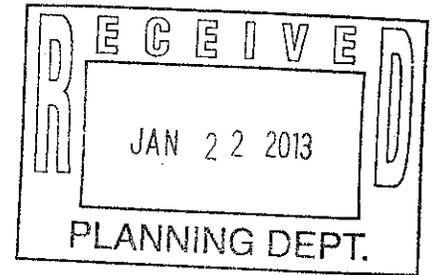
2. Retaining Walls: The site plan shows retaining walls on the southeast and northwest sides of the property, which at the highest point will be approximately 8' high. There is a note which says "Modular block retaining wall to be designed by others". I have reviewed the minutes of the February 13, 2013 public hearing and I am satisfied with the applicants' response to my comment. However, I recommend that construction of the wall as shown on the plans be a specific condition of approval, i.e. not be eligible for future modification by the town staff as a "field change".

3. Parking lot design: The applicants have agreed to paint a dashed line on the pavement to clearly delineate the implied lanes. I am satisfied with this.

cc:
file



SHIPMAN & GOODWIN LLP®
COUNSELORS AT LAW



Timothy H. Hollister
Phone: (860) 251-5601
Fax: (860) 251-5318
thollister@goodwin.com

January 17, 2013

Mr. David Pruett, Chair,
and Commission Members
Town Plan and Zoning Commission
Town of Newington
131 Cedar Street
Newington, CT 06111

Mr. Craig Minor
Town Planner
Town of Newington
131 Cedar Street
Newington, CT 06111

Re: Application of Bismarck Realty Partners, Inc. for Special Permit, 2903 Berlin Turnpike

Dear Chair Pruett, Commission Members, and Mr. Minor:

We represent several owners and operators of automotive and auto-related uses in Newington.¹

On their behalf, in August 2012, we filed an appeal in Superior Court challenging the legality of amendments adopted by the Town Plan and Zoning Commission ("PZC") to the Zoning Regulations regarding auto-related uses.²

The Bismarck application seeks a special permit under the Regulations that were amended and are now being reviewed by the Superior Court. Specifically, the Bismarck application lists §§ 3.15.8 and 3.19.1 as the bases; these are the sections addressed in the pending appeal.

¹ Our clients are: Modern Tire Recapping Company, Inc., 3455 Berlin Turnpike; 3455 BTP, LLC, 3455 Berlin Turnpike; Turnpike Motors, Inc., 2550 Berlin Turnpike; East PBE, Inc., 283 Pane Road; Pane Road Complex, LLC, 105-113 Pane Road; Salem Motors, Inc., 105 B Pane Road; American Motor Group, LLC, 105 D Pane Road; and Connecticut Auto Repair, LLC, 113 B Pane Road.

² *Modern Tire Recapping Company, Inc., et al. v. Newington Town Plan and Zoning Commission*, Judicial District of Hartford, Docket No. HHD CV 12 6035007S.

Mr. David Pruett, Chair,
and Commission Members
Mr. Craig Minor
January 17, 2013
Page 2

The purpose of this letter is to advise the PZC that (1) if the Bismarck special permit application is approved and the regulation amendments on which it is based are then invalidated, the special permit will necessarily also be invalidated; (2) if the applicant proceeds with the pending application, our clients reserve the right to bring the PZC proceedings to the Court's attention as additional evidence and illustration of the legal issues raised in the pending appeal; and (3) should the PZC approve the special permit, and Bismarck attempts to proceed with site preparation or construction, our clients will be forced to consider a temporary injunction preserving the status quo until such time as their pending appeal has been fully adjudicated.

Thank you for your attention.

Very truly yours,



Timothy S. Hollister

TSH:ekf

c: Peter J. Boorman, Esq.
John W. Bradley, Jr., Esq.
Modern Tire Recapping Company, Inc.
3455 BTP, LLC
Turnpike Motors, Inc.
East PBE, Inc.
Pane Road Complex, LLC
Salem Motors, Inc.
American Motor Group, LLC
Connecticut Auto Repair, LLC

CR # 1033

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM

APPLICATION #:	05-13
SUBMITTED DATE:	01-11-2013
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: 476 Fern Rd ZONE: I

APPLICANT: KHALID, MAHMOOD TELEPHONE: 860-348-7358

ADDRESS: 153 MANSION Road CHESHIRE CT EMAIL: _____

CONTACT PERSON: ~~FARRUKH RANA~~ same TELEPHONE: 1263-768-7433

ADDRESS: _____ EMAIL: _____

OWNER OF RECORD: ~~FARRUKH A KHAN~~ Khalid Mahmood

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

- Zone Change to the _____ Zone (Public Hearing required)
- Zoning Amendment to Section _____ (Public Hearing required)
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section 3.17.8 of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) _____

SIGNATURE:

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.

<u>Farrukh</u>	<u>1-10-13</u>	<u>Khalid Mahmood</u>	
APPLICANT	DATE	OWNER	DATE

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 DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

STAFF REPORT
Service Station at 476 Fenn Road

February 20, 2013

Petition #05-13

476 Fenn Road

Special Exception (Section 3.17.8: Motor Vehicle Service Use)

Khalid Mahmood, owner/applicant/contact.

Description of Petition #05-13:

This is a "motor vehicle service use" as defined in the new auto-related zoning regulations and is allowed by special exception in the Industrial Zone.

Background:

The site is a long-vacant gas station. The applicant recently purchased the property and would like to resume operating it as a gas station/convenience store. An argument could be made that the applicant does not need permission from TPZ to re-open the gas station, because technically the activity was never "abandoned" (as the term is used in land use law). However, my understanding is that when the gas station closed it was just that – a gas station. The new owner wants to operate a gas station/convenience store, which in my opinion is different enough from the original operation to warrant a new special exception.

Staff Comments:

The zoning regulations allow "the sale of gasoline or any other product under the provision of Section 14-319 of the Connecticut General Statutes" in the Industrial Zone, but not retail sales. The zoning regulations previously allowed retail sales in the Industrial Zone, but it was deleted in 2007.

However, retail sales are "customary and incidental" to the sale of gasoline. Presumably the TPZ was aware of this when it amended the regulations last year to allow "motor vehicle service use" in the Industrial Zone by Special Exception. I therefore see no obstacle to the TPZ allowing this activity.

The applicant submitted a site plan of the existing site as part of his special exception application. I have reviewed it and find that it complies with the bulk regulations and the parking regulations with one exception: there are two parking spaces in the front yard. However, these parking spaces are not needed to meet the minimum number of spaces required, so I recommend they be deleted.

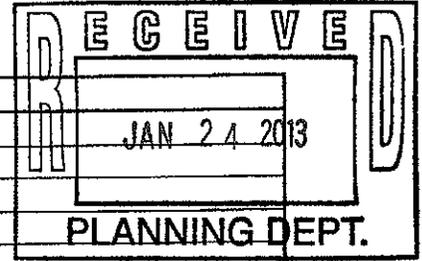
The site complies with the requirements of Section 6.11.

cc:
file

**TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION**

APPLICATION FORM

CK# 2896 \$200⁰⁰



APPLICATION #:	06-13
SUBMITTED DATE:	1/24/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: 3260 Berlin Turnpike ZONE: _____

APPLICANT: Manuel J. Rubio TELEPHONE: 860.436.9708

ADDRESS: 3260 Berlin Turnpike EMAIL: rubio@artecagroup.com

CONTACT PERSON: Manuel J. Rubio TELEPHONE: 404.719.0757

ADDRESS: 3260 Berlin Turnpike, Newington 06042 EMAIL: rubio@artecagroup.com

✓ OWNER OF RECORD: Hector Ange

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

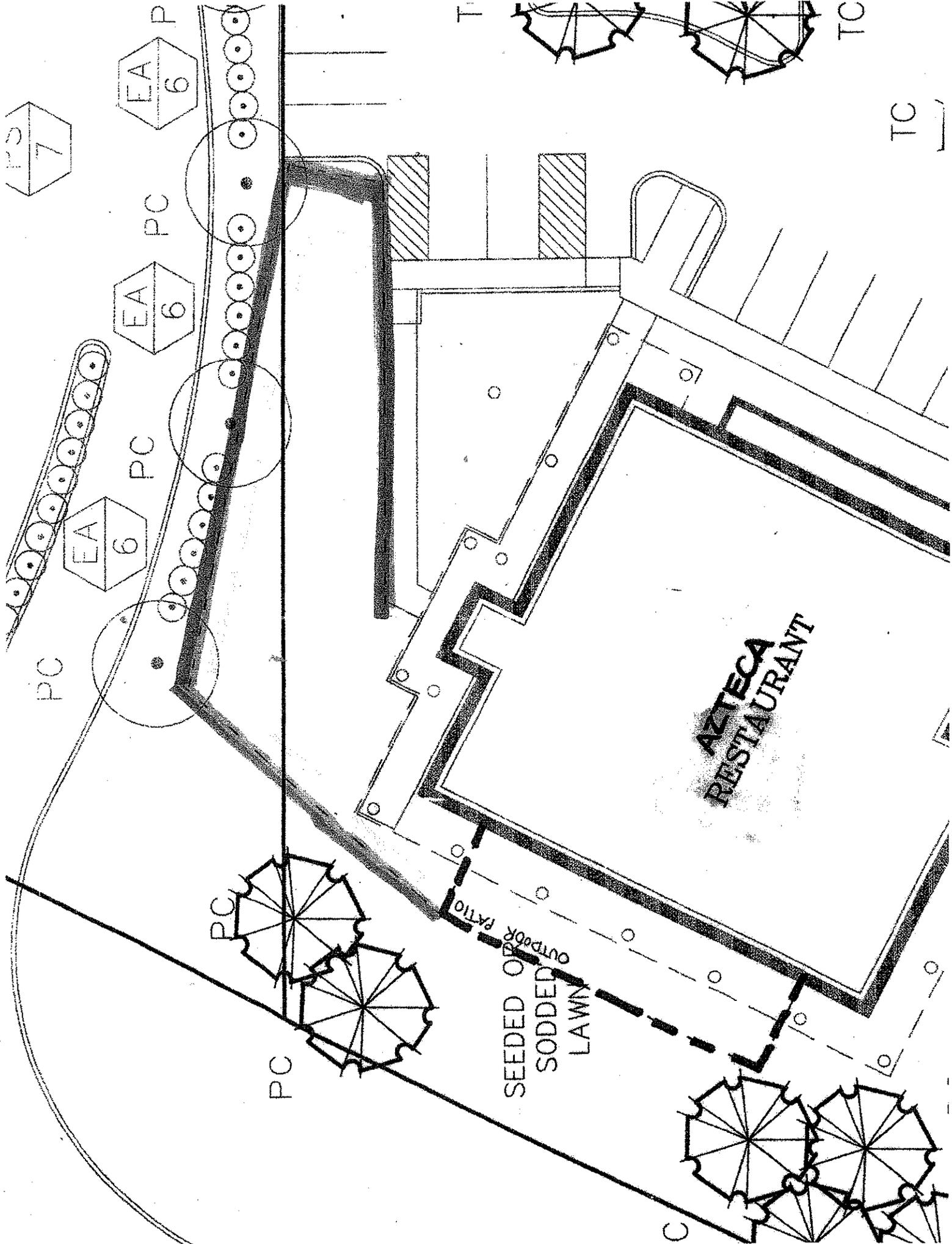
- Zone Change to the _____ Zone (Public Hearing required)
- Zoning Amendment to Section _____ (Public Hearing required)
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section 3.14.1/3.15.3 of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) Cinco de Mayo activities, music, food and liquor served within the yard area outside on one day only May 5, 2013

SIGNATURE:

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.

<u>[Signature]</u>	<u>Jan 24 2013</u>	✓ <u>[Signature]</u>	<u>1/24/13</u>
APPLICANT	DATE	OWNER	DATE

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 DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.



**AZTECA
RESTAURANT**

SEEDED OR
SODDED
LAWN

OUTDOOR PATIO

EA/7

EA/6

EA/6

EA/6

TC

TC

C

**STAFF REPORT
"Cinco de Mayo"**

February 20, 2013

Petition #06-13

3260 Berlin Turnpike

Special Exception (Section 3.15.3: Outside Restaurant Seating)

Manuel Rubio, applicant/contact.

Description of Petition #03-13:

The owner of the Plaza Azteca restaurant would like to conduct a "Cinco de Mayo" event. According to the application this would involve "music, food and liquor served within the yard area outside on one day only on May 5, 2013." See attached sketch.

Staff Comments:

The zoning regulations do not have a category for temporary special event conducted by a for-profit organization, so I directed the applicant to apply for a special exception under Section 3.15.3, which allows a restaurant with outdoor seating in the B-BT zone.

This is a repeat event from last year. I am not aware of any problems last year but I have asked the Chief of Police to comment.

Attached is a copy of the permit from last year.

cc:
file



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

Certified Mail No. 7196 9008 9040 0864 9325

CERTIFICATE OF ACTION

TO: Robert Moreno
Plaza Azteca
3260 Berlin Turnpike
Newington, CT 06111

DATE: April 12, 2012

SUBJECT: Petition 06-12 - 3260 Berlin Turnpike, Plaza Azteca Restaurant applicant, 3260 Berlin Turnpike LLC, 5 Saddle Lane, Wallingford, CT owner, contact Robert Moreno, request for Special Exception Section 3.19.1 for outdoor event, PD Zone District.

At a meeting held, April 11, 2012, the Newington Town Plan and Zoning Commission voted to approve the above referenced PETITION, subject to the following conditions:

1. The hours of operation shall cease by 11:00 p.m. on Saturday, May 5, 2012.
2. The applicant shall contact the Newington Police Department to coordinate traffic control and other arrangements for the event.
3. The applicant shall be responsible for obtaining any other approvals associated with the event (Health District, Liquor Permit, Tent Permit, etc.) and complying with any requirements.
4. Any outdoor entertainment or activities shall be limited as follows:
 - a. Outdoor entertainment or activities shall cease by 11:00 p.m.
 - b. Amplification of music or sound shall not, in the opinion of the Newington Police Department, be a nuisance to nearby uses.
5. Following the event, the applicant shall promptly restore the outdoor grass area to the pre-event condition.

Certified by:

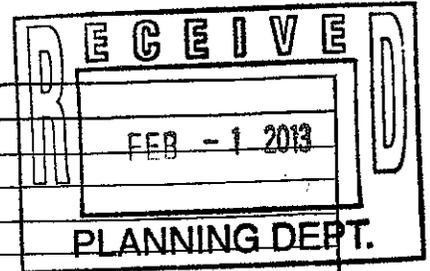
Glenn Chalder, AICP
Consulting Town Planner

This Special Exception will not become effective until this Certificate of Action is filed by the applicant on the Land Records of the Town of Newington.

ck #2557

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM



APPLICATION #:	#07-13
SUBMITTED DATE:	2/1/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: 3384 Berlin Tpke., Newington → PD
548 Cedar St., Newington → PC
2601 Berlin Tpke., Newington ZONE: → BBT

APPLICANT: Cary Gagnon TELEPHONE: (860) 666-1890

ADDRESS: 66 Cedar St #300B, Newington EMAIL: cgagnon@carygagnon.com

CONTACT PERSON: Anja Skehan TELEPHONE: (860) 666-1890

ADDRESS: 66 Cedar St #300B, Newington EMAIL: Askehan@carygagnon.com

OWNER OF RECORD: Cary Gagnon regarding 548 Cedar St. & 2601 Berlin Tpke.
Albert Rizzo regarding 3384 Berlin Tpke.

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

- Zone Change to the _____ Zone (Public Hearing required)
- Zoning Amendment to Section _____ (Public Hearing required)
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section 3.15.3 of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) _____

SIGNATURE:

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.

	<u>1/31/2013</u>	<u>Albert Rizzo</u>		<u>1/31/2013</u>
APPLICANT	DATE	OWNER		DATE

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 DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

66 Cedar St. #300B, Newington, CT 06111



Town of Newington
Planning and Zoning Commission

January 31, 2013

Dear Sir or Madam,

We are applying for a special exception per section 3.15.3 for outdoor seating at the following Dunkin' Donuts locations:

- 548 Cedar St., Newington
- 2601 Berlin Tpke., Newington
- 3384 Berlin Tpke., Newington

Additionally to the seating arrangements, we are going to put in area pavers and provide handicap accessibility. Our exterior seating will meet all state, federal, and town requirements. Our reason for implementing outside seating is to make our locations more inviting.

Our experience is that exterior seating is used in the afternoon hours which are off-peak business hours. We see little or no use during our peak business hours. Furthermore, outdoor seating is only being used on a seasonal basis. Hence, parking considerations are negligible.

We made this experience after implementing outdoor seating at other locations – e.g. at our Dunkin' Donuts on 2368 Berlin Turnpike in Newington and 130 South Main St. in New Britain.

We hope that we can make our locations even more attractive by offering our guests outdoor seating opportunities.

Thank you.

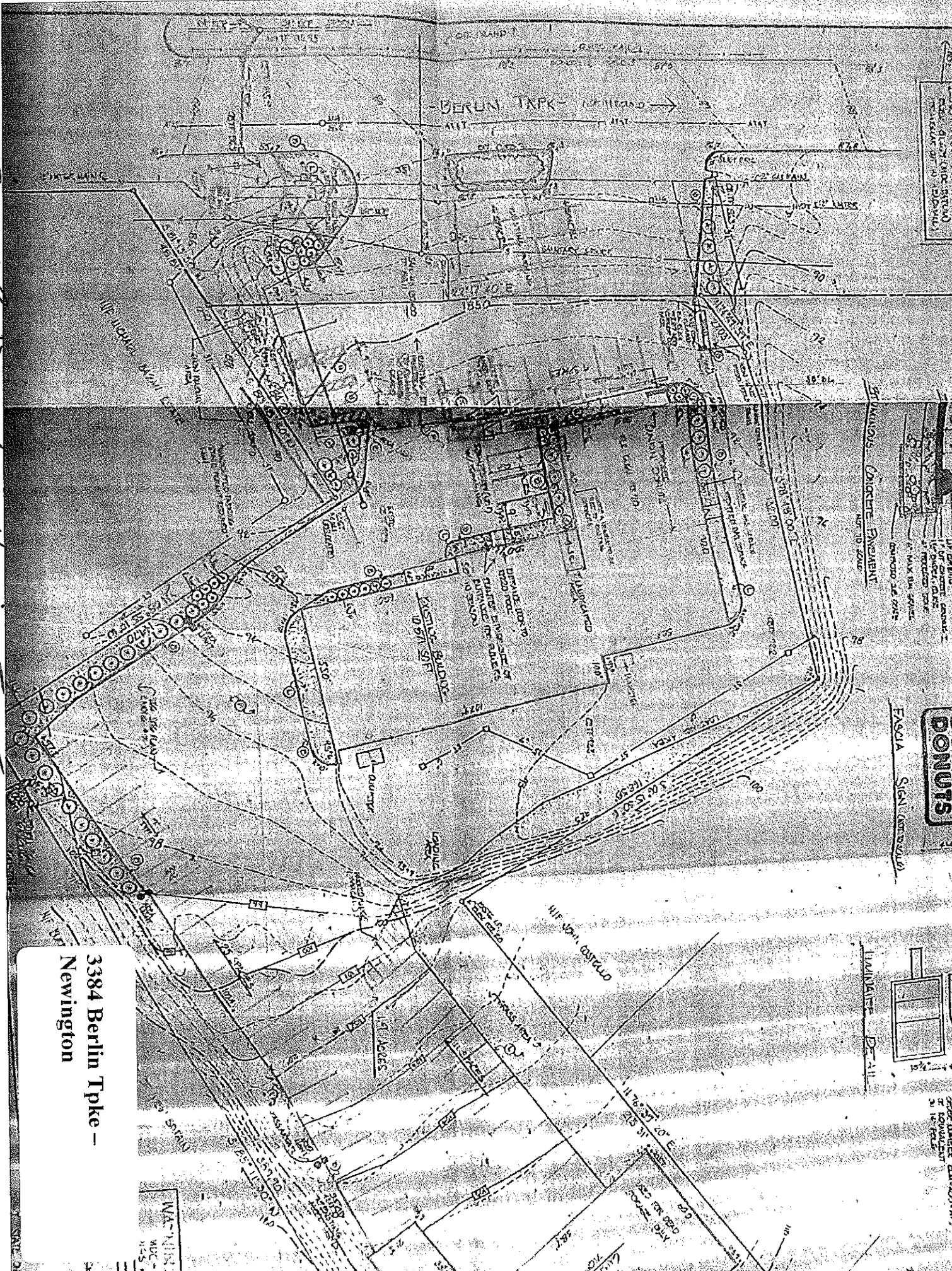
Sincerely,

A handwritten signature in black ink, appearing to read "Cary Gagnon".

Cary Gagnon

Ph. 860-666-1890

3384 Berlin Tpke Newington CT

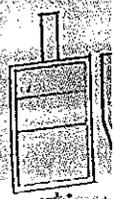


3384 Berlin Tpke -
 Newington

DATE: 11/14/15
 BY: [Signature]
 11-5

DONUTS

FASIA SIGN



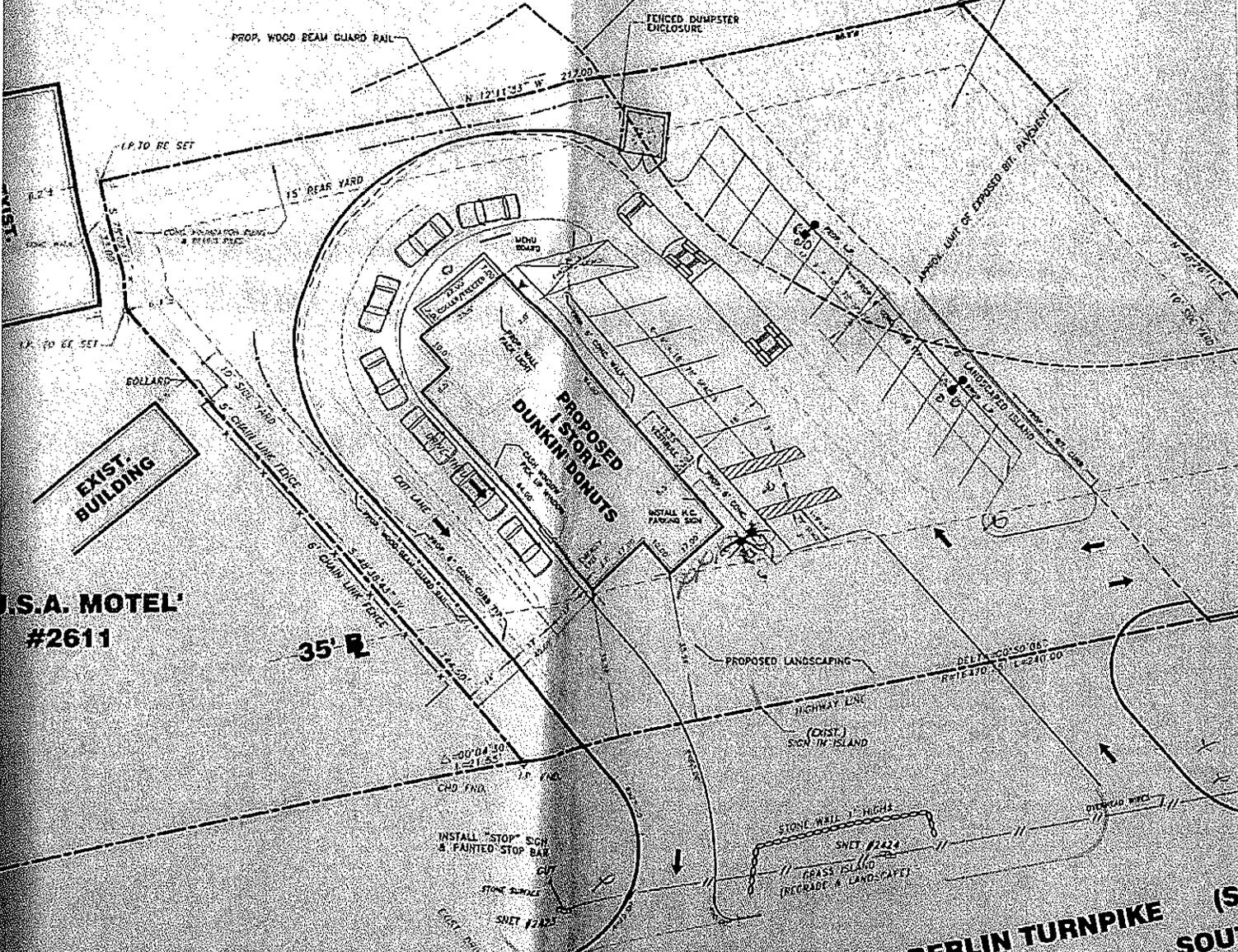
FOR LARGER DRAWINGS
 IF DOWNLOADED
 30 14 15 15 15

23-147 (ASSESSORS MAP & ROUTING NUMBER-TYP.)

N/F

DANIEL B. FOREST

NORTHERLY 17,000 SQ. FT.
PARKING RIGHTS IN COMMON
SEE VOL. 125 PG. 170-N.L.U.



S.A. MOTEL #2611

35'

LEGEND

- PROPERTY LINE
- - - EXISTING EDGE OF PAVEMENT
- - - EXISTING BIT. CURB
- - - PROPOSED BIT. CURB

2601 Berlin Tpke -
Newington

APPR
PLAN
CHARTER

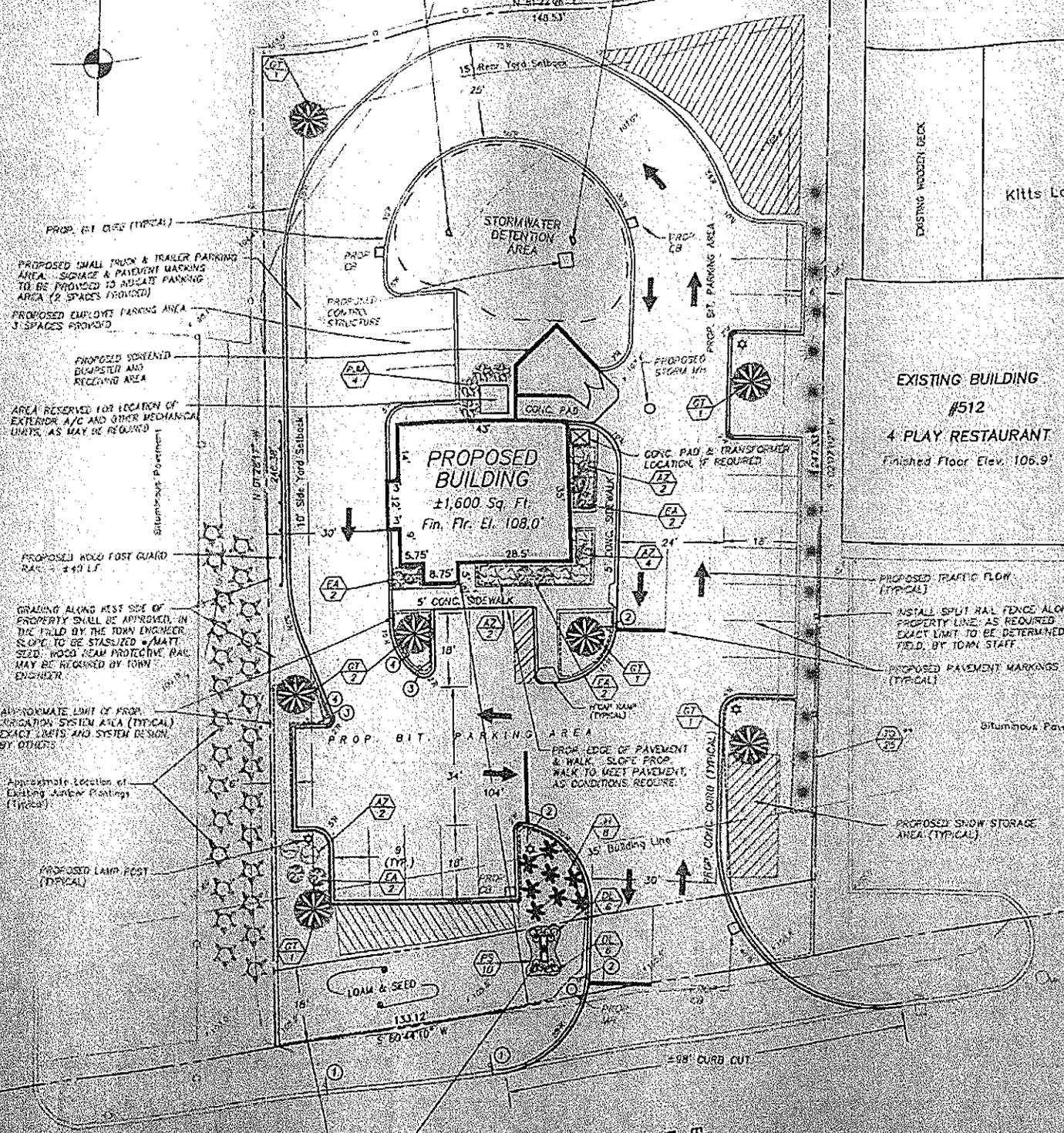
2601 Berlin Tpke Newington

548 Cedar St Newington

n/l
Charles F. Long, Et Al
Crest Pentiac/Mazda

EXISTING VOLLEYBALL COURTS

n/l
Kitts Lane As



PROPOSED SMALL TRUCK & TRAILER PARKING AREA - SURFACE & PAVEMENT MARKING TO BE PROVIDED TO ACCENT PARKING AREA (2 SPACES PROVIDED)
PROPOSED EMPLOYEE PARKING AREA - 3 SPACES PROVIDED

PROPOSED SCHEDULED BUMPSTER AND RECEIVING AREA
AREA RESERVED FOR LOCATION OF EXTERIOR A/C AND OTHER MECHANICAL UNITS, AS MAY BE REQUIRED

PROPOSED WOOD POST GUARD RAIL - 4' LF

GRADING ALONG WEST SIDE OF PROPERTY SHALL BE APPROVED IN THE FIELD BY THE TOWN ENGINEER. SLOPE TO BE STABILIZED w/ MATT SEED. WOOD BEAM PROTECTIVE RAIL MAY BE REQUESTED BY TOWN ENGINEER.

APPROXIMATE LIMIT OF PROP. IRRIGATION SYSTEM AREA (TYPICAL) EXACT LIMITS AND SYSTEM DESIGN BY OTHERS

APPROXIMATE LOCATION OF EXISTING JUNKYARD PLANTINGS (TYPICAL)

PROPOSED LAMP POST (TYPICAL)

10' STRIP RESERVED TO THE STATE OF CONNECTICUT FOR THE WIDENING OF STATE ROUTE #175 (CEDAR STREET)

PROPOSED SINGLE Pylon SIGN LOCATION WITH RAISED FINE BANK MULCHED PLANTING AREA. SIGN SUBJECT TO RELOCATION AT THE ROADWAY'S IMPROVED

EXISTING BUILDING #512
4 PLAY RESTAURANT
Finished Floor Elev. 106.9'

PROPOSED TRAFFIC FLOW (TYPICAL)
INSTALL SPLIT RAIL FENCE ALONG PROPERTY LINE, AS REQUIRED EXACT LIMIT TO BE DETERMINED IN FIELD BY TOWN STAFF
PROPOSED PAVEMENT MARKINGS (TYPICAL)

PROPOSED SNOW STORAGE AREA (TYPICAL)

CEDAR STREET
(State Route #175)

548 Cedar St. - Newington

THE TOWN PLANNING AND DESIGN UNDER PETITION

- SYMBOL BOTANICAL NAME COMMON NAME
- * 21 JUNIPERUS HORIZONTALIS 'MILTONI' BLUE BUG JAR
- AZ AZALEA MOTHERS DAY AZALEA

IRRIGATION SYS FOR ALL LAWNS ALONG FRONT ALONG FRONT

**STAFF REPORT
"Dunkin Donuts"**

February 20, 2013

Petition 07-13

Special Exception (Section 3.15.3: Outside Restaurant Seating)

3384 Berlin Turnpike, 2601 Berlin Turnpike, and 548 Cedar Street

Cary Gagnon, owner/applicant

Description of Petition #07-13:

The applicant would like to install some outdoor seating for his customers. Section 3.15.3 allows restaurant with "outside seating areas" by special exception in the B-BT and the PD zones. See attached letter from the applicant.

Staff Comments:

This is a single application for three separate locations, as follows:

1. 3384 Berlin Turnpike: This is a little confusing. The site plan submitted by the applicant shows a landscaped area in the "el" of the building, but in reality there is none. I have asked the applicant to reconcile this.
2. 2601 Berlin Turnpike: The proposed seats will encroach into the 35' front yard, but very slightly.
3. 548 Cedar Street: The seats will be in the landscaped area on the east side of the building.

Under the zoning regulations, the number of parking spaces required for a restaurant is based on the amount of floor area "open to the public". I therefore wasn't sure how these outdoor seats impact that. However, the applicant informed me that he expects the seats to be used only by non-peak hour customers, so it won't really add to the need for parking.

cc:
file

As required by PA #09-03,
\$60 of this application fee
shall be paid to the CT
Dept. of Environmental
Protection

JK# 238

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION
APPLICATION FORM

PLANNING AND ZONING COMMISSION ACTION

APPLICATION #:	08-13
SUBMITTED DATE:	2/7/13
RECEIVED DATE:	
REJECTED DATE:	
PUBLIC HEARING DATE:	
SITE PLAN REVIEW DATE:	
EXTENSION DATE:	
COMMISSION ACTION DATE:	
PUBLIC NOTICE DATE:	
FIRST 65 DAYS:	
SECOND 65 DAYS:	

THIS APPLICATION (3-originals and 7-set of plans) SHALL BE SUBMITTED TO THE PLANNING AND ZONING COMMISSION OFFICE TWO (2) WEEKS PRIOR TO A REGULARLY SCHEDULED MEETING. THE APPLICATION SHALL BE RECEIVED BY THE PLANNING AND ZONING COMMISSION AT THE NEXT REGULARLY SCHEDULED MEETING, THE 2ND AND 4TH WEDNESDAY OF THE MONTH (EXCEPT HOLIDAY PERIODS).

APPLICANT: Sign Pro Inc.

ADDRESS: 168 Stanley St. New Britain, CT TELEPHONE: 860-229-1812

OWNER OF RECORD ON NEWINGTON LAND RECORDS: Robert Batson / New Center Corp.

COMPLETE DESCRIPTION OF LOCATION OF PROPERTY: 1095 Main St. Newington, CT

ZONE: B-TC

NAME, ADDRESS & TELEPHONE OF PERSON TO WHOM CORRESPONDENCE AND INQUIRIES SHOULD BE DIRECTED:
Kyle Niles / Sign Pro / 168 Stanley St. New Britain, CT 06051 TELEPHONE: 860-229-1812

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

- Zone Change to _____ Zone. (Public Hearing)
- Amendment to the Zoning Regulations. (Public Hearing)
- Filing for Subdivision
- Filing for Resubdivision. (Public Hearing)
- Special Exception as required by Section 6.2.4 of the Zoning Regulations. (Public Hearing)
- Site Development Plan Section _____
- Special Permit as required by Section _____ of the Zoning Regulations. (Public Hearing)
- Other (Describe in Detail) _____

SIGNATURE (S)

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.			
<u>[Signature]</u>	<u>2/8/2013</u>	<u>[Signature]</u>	<u>2/8/13</u>
APPLICANT	DATE	OWNER	DATE

NOTE:
PROPERTIES LOCATED WITHIN 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 DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

**STAFF REPORT
"Farmington Bank"**

February 20, 2013

Petition #08-13

Special Exception (Section 6.2.4: Freestanding Business Sign)

1095 Main Street

Sign Pro Inc., applicant

Description of Petition #08-13:

Farmington Bank would like to install a freestanding sign on Main Street in front of their new branch office. Section 6.2.4 allows such signs in any non-residential zone by special exception.

Staff Comments:

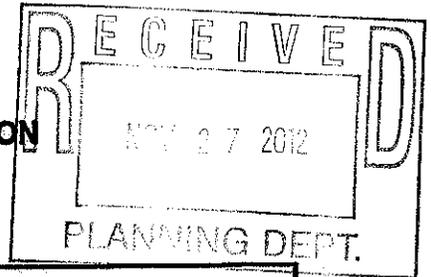
I have reviewed the plans submitted with this application. The proposed free-standing sign is in accordance with Section 6.2.4.A and 6.2.4.B, and in my opinion the design is "appropriate to the location and the general neighborhood (Section 6.2.4.C).

Please note that the size of the proposed free-standing sign assumes that Dunkin Donuts (shown as "Tenant 2" on the plans) will not request any more wall signage than they currently have. This is an issue for the landlord, not TPZ, but I wanted that to be made part of the record.

cc:
file

39-12

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION



APPLICATION FORM

CP # 2848

APPLICATION #:	39-12
SUBMITTED DATE:	11/27/2012
RECEIVED DATE:	11/28/2012
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: 2903 Berlin Turnpike ZONE: PD - Planned Development
 APPLICANT: Bismarck Real Estate Partners, Inc. TELEPHONE: (214) 872-4091
 ADDRESS: 3000 Internet Blvd., Suite 570 Frisco, TX 75034 EMAIL: robert.vann@guggenheimpartners.com
 CONTACT PERSON: VHB - Jason P. Mikrut, P.E. TELEPHONE: (860) 632-1500
 ADDRESS: 54 Tuttle Place, Middletown, CT 06457 EMAIL: jmikrut@vhb.com
 OWNER OF RECORD: Wex-Tuck Realty, LLC

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

- Zone Change to the _____ Zone (Public Hearing required)
- Zoning Amendment to Section _____ (Public Hearing required)
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section _____ of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) _____

SIGNATURE:

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.

	<u>10.25.12</u>	<u>a. Goufeno</u>	<u>10/31/12</u>
APPLICANT	DATE	OWNER	DATE

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 DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.