

STAFF REPORT
"Firestone Complete Auto Care"

February 20, 2013

Petition #39-12
2903 Berlin Turnpike
Site Plan Approval for "Firestone Complete Auto Care"
Bismarck Real Estate Partners Inc, applicant

Description of Petition #39-12:

The applicant wishes to construct and operate an 8,400 square foot "motor vehicle service use" facility at 2903 Berlin Turnpike in the PD zone. The parcel has frontage on the Berlin Turnpike, but is located behind a "Non-Access Highway Line". The applicant is therefore proposing to access the property via the "Bonefish Grill" parking lot next door.

Staff Comments:

1. The applicant has addressed all of my concerns of January 15, 2013 via their revised site plans dated January 22, 2013 and their statements to the TPZ at the public hearing on the related special exception activity on February 13, 2013. However, the proposed overhead doors are subject to TPZ's acceptance of the applicants' proposal to mitigate their impact with the proposed berm and landscaping.
2. Copies of the site plans were sent to the Town Engineer, the Fire Marshal, and the Chief of Police ("Legal Traffic Authority") for their review. The Chief of Police replied that he had no comments. As of this date I have not received comments from the Fire Marshal.
3. While it is not an issue for this applicant, this site plan constitutes a change to the site plan that was approved for "Bonefish Grill". If approved, the operators of "Bonefish Grill" will need to come back to TPZ for site plan modification.

cc:
file

#40-12

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM

CR# 2859

APPLICATION #: 40-12
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) DMV Location Approval

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>Bismarck Real Estate Partners</u>	<u>11-26-12</u>	<u>A. Giordano</u>	<u>11/26/12</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" at 2903 Berlin Turnpike

February 20, 2013

Petition #40-12

2903 Berlin Turnpike

Division of Motor Vehicle Approval for "Firestone Complete Auto Care"

Bismarck Real Estate Partners Inc, applicant

Description of Petition #40-12:

The applicant wishes to construct and operate an 8,400 square foot "motor vehicle service use", which requires the operators to obtain a limited repairer's license from the State of Connecticut Division of Motor Vehicles.

Staff Comments:

Section 14-54 of the Connecticut General Statutes states that:

"Any person who desires to obtain a license for dealing in or repairing motor vehicles in a municipality having a population of no less than twenty thousand shall first obtain...a certificate of approval of the location for which such license is desired from...the zoning commission."

This approval is just a formality, since TPZ approval of the related site plan and special exception effectively indicate TPZ approval of this location. But approval of this petition will clear the way for the ZEO to sign off on their DMV license application when it gets to his desk.

Some Commissioners may recall "location approval" as being the responsibility of the ZBA. Your memory is correct. However, the law was changed four times in four years between 2003 and 2006. It is now the responsibility of the TPZ.

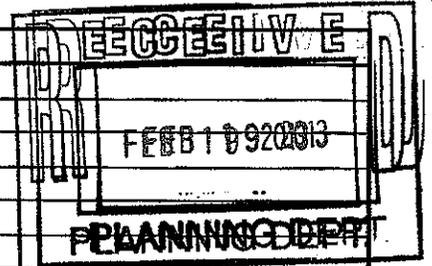
cc:
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DR# 2294

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM

APPLICATION #:	09-13
SUBMITTED DATE:	2/19/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	



LOCATION OF PROPERTY: 290³ Berlin Tpke ZONE: PO
 APPLICANT: Bonefish Grill TELEPHONE: _____
 ADDRESS: 290³ Berlin Tpke, Newington EMAIL: _____
 CONTACT PERSON: Darcie Roy / National Sign TELEPHONE: 203-949-1154
 ADDRESS: 7 Burning Tree Ln, Wallingford EMAIL: jdroy@comcast.net
 OWNER OF RECORD: Wax-Tuck Realty II 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 6.2.4 Sign 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>Darcie Roy</u>	<u>2/14/13</u>	<u>See attached</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
"Bonefish Grill"**

February 20, 2013

Petition #09-13

Special Exception (Section 6.2.4: Freestanding Business Sign)

2909 Berlin Turnpike

Darcy Ray/National Sign, applicant

Description of Petition #09-13:

The owners of "Bonefish Grill" would like to put a new sign on the existing pole in the southern corner of the property on Berlin Turnpike. Section 6.2.4 allows such signs in any non-residential zone by special exception.

Staff Comments:

I have no objection to the public hearing being scheduled for the next meeting on March 13, 2013.

cc:
file



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

Craig Minor, AICP
Town Planner

Memorandum

To: Town Plan and Zoning Commission
From: Craig Minor, Town Planner *CM*
Date: February 20, 2013
Re: Town Planner Report of February 27, 2013

1. Zoning Enforcement Issues Raised at Previous TPZ Meetings:

- a. Façade Changes at CVS on Main Street: Nothing new to report.
- b. Possible Change to Parking Lot at 1095 Main Street: Nothing new to report.
- c. Format of ZEO Reports: The IT department has prepared a new format which I think is much more readable and useful. We will start using it soon.

2. Old Performance Bonds held by Town:

See attached.

3. Status of the "Modern Tire" Appeal of the Motor Vehicle Zoning Amendment:

The appellants have submitted their brief. I sent a copy of it to you by postal mail earlier this week. Nothing else to report.

4. Status of "Newington Walk" Subdivision (Toll Brothers):

Nothing new to report. This is on hold pending the decision of the Conservation Commission application, which I anticipate taking place sometime in late February.

5. Newington Junction Planning Study:

Nothing new since my last report.

6. "Low Impact Development" Regulations Project:

The RFQ's from prospective consultants have been received. The committee members are reviewing them now.

cc:
file

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

REPORT as of 02/21/2013

TOWN PLAN & ZONING DEVELOPMENT BONDS

	Project Name/Address/ID #	Bond Amount Surety	Date Funds Deposited	Full Name of Depositor
1	Big Sky Fitness Center 58 Commerce Court	\$0	Released 7/14/2010	
2	Niro Landscaping 46 Commerce Court #24-02	\$6,000 Cash	2002	Peter Niro Commerce Court Realty
3	J5 Culver Street 228 to 240 Culver Street	\$0	Released 10/13/2010	
4	4 Play Sports Bar 512 Cedar Street	\$2,500 Cash	1995	Anthony Gallicchio, owner.
5	LADA Motors 426 Hartford Avenue	\$0	Released 1/24/2013	
6	Fountain Pointe 435-485 Willard Avenue #45-06	\$5,000 Cash	2007	Richard Rotundo, owner.
7	Global Granite 3320 Berlin Turnpike #18-08	\$17,000 Cash	2008	GGM Properties LLC

REPORT as of 02/21/2013

TOWN PLAN & ZONING DEVELOPMENT BONDS

Project Name/Address/ID #	Bond Amount Surety	Date Funds Deposited	Full Name of Depositor
8 Marchewka 153 Main Street	\$0	Released 11/23/2009	
9 Newington Center LLC Lowrey Place #16-07	\$7,700 Cash	2008	Malcolm Arnold Newington Center LLC
10 Newington Business Park Alumni Road #18-98	\$20,300 CD – Passbook Wells Fargo Bank	2004	Stuart Lichter
11 "Newington Ridge" #53-05	\$0	Released 12/0/09	
12 "Occhialini Court" Tremont Street	\$5,000 CD – Passbook Webster Bank	1991	David Occhialini, owner
13 Strawberry Estates	\$0	Released 2/25/2011	

REPORT as of 02/21/2013

TOWN PLAN & ZONING DEVELOPMENT BONDS

	Project Name/Address/ID #	Bond Amount Surety	Date Funds Deposited	Full Name of Depositor
14	"Sunrise Estates" (aka Waverly Drive) Griswoldville Avenue	\$30,000 CD – Passbook New Alliance	2006	Griswoldville Associates LLC
15	Three Angels Church 508 Church Street #26-08	\$44,000 CD – Passbook People's United	2010	Sandy Harris, treasurer Three Angels 7 th Day Adventist Church
16	"Woodlands" by Pulte Homes Fenn Road	\$0	Released 9/18/2012	
17	711 Willard Avenue	\$0	Released 11/23/2009	
18	ZAG Machine 39 Progress Circle	\$4,200 Cash	1992	Adam Z. Golas, owner
19	LA Fitness 3563 Berlin Turnpike #42-07	\$5,000 Cash	2009	Newington-Berlin Retail LLC

REPORT as of 02/21/2013

TOWN PLAN & ZONING DEVELOPMENT BONDS

	Project Name/Address/ID #	Bond Amount Surety	Date Funds Deposited	Full Name of Depositor
20	McBride Properties 171 Pascone Place #48-08	\$0 Cash	Released 12/9/2009	
21	Bel Air Manor 256 New Britain Avenue	\$0 Cash	Released 12/9/2009	
22	Dunkin Donuts 2368 Berlin Turnpike	\$0	Released 10/13/2010	
23	Peter K. Lee 150 Waverly Drive	\$0	Released 6/26/2012	
24	Premier Development 108 Waverly Drive	\$0	Released 10/15/2010	
25	95 Waverly Drive #01-04	\$5,000 Cash	2006	Griswoldville Associates LLC

REPORT as of 02/21/2013

TOWN PLAN & ZONING DEVELOPMENT BONDS

	Project Name/Address/ID #	Bond Amount Surety	Date Funds Deposited	Full Name of Depositor
26	Newington Profess. Center 1268 Main Street #15-10	\$20,000	09/12/2011	
27	Hops/IHOP Restaurant Berlin Turnpike	\$5,700	2000	
28	Mills Construction 63 E. Cedar Street	\$1,500	2000	
29	Target Richards Street	\$10,000	2003	
30	Premier Financial 141 Maple Street	\$5,000	2003	
31	MORETCO ?	\$3,338	2006	