



**TOWN PLAN AND ZONING COMMISSION**  
**PUBLIC HEARING AND REGULAR MEETING**  
**Wednesday, March 23, 2016**

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

**7:00 p.m.**

**A G E N D A**

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BY *Tanya D. Lane*  
TOWN CLERK

- I. **PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL AND SEATING OF ALTERNATES**
- III. **APPROVAL OF AGENDA**
- IV. **PUBLIC PARTICIPATION** (for items not listed on the Agenda; speakers limited to 2 minutes)
- V. **REMARKS BY COMMISSIONERS**
- VI. **PUBLIC HEARING**
  - a. Petition #05-16: Zoning Map Amendment and Zoning Text Amendment (New Section 3.19A: TOD Overlay District). TPZ, applicant/contact. Continued from March 9, 2016.
- VII. **APPROVAL OF MINUTES**
  - a. Regular Meeting on February 24, 2016
  - b. Regular Meeting on March 9, 2016
- VIII. **NEW BUSINESS**
  - a. Alumni Road Traffic Light Committee
  - b. Food Truck Approval Process
  - c. Interior Lots
  - d. Petition #07-16: Zoning Text Amendment (Section 3.15; 3.17; 6.11: Auto-Related Uses). Modern Tire Recapping Company Inc., applicant; Attorney Timothy J. Hollister, One Constitution Plaza, Harford CT, contact.

**IX. OLD BUSINESS**

- a. Petition #09-16: Special Exception (Section 3.2.8: Charitable and Civic Event) for the annual “Farmers Market” at the Municipal Parking Lot. Town of Newington, owner; Val Ginn, 56 Farmingdale Road, Wethersfield CT, applicant/contact.
- b. Petition #12-16: Special Exception (Section 3.2.8: Charitable and Civic Event) for the Charter Oak Firebirds’ “Classic Car” event at 3120 Berlin Turnpike (Panera Bread). Charter Oak Firebirds, applicant; Newington VF LLC, owner; John Lyon, 174 Coe Avenue, East Haven CT, contact.

**X. PETITIONS FOR PUBLIC HEARING SCHEDULING**

**XI. TOWN PLANNER REPORT**

- a. Town Planner Report for March 23, 2016

**XII. COMMUNICATIONS**

- a. CRCOG Zoning Amendment Reports to Berlin, New Britain, and West Hartford TPZ.

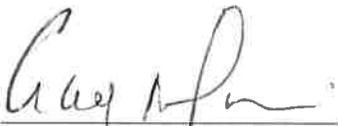
**XIII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**

**XIV. REMARKS BY COMMISSIONERS**

**XV. CLOSING REMARKS BY THE CHAIRMAN**

**XVI. ADJOURN**

Submitted,



Craig Minor, AICP  
Town Planner



Tanya D. Lane  
Acting 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 *Cup*  
**Date:** March 17, 2016  
**Subject:** **Petition #05-16: TOD Overlay District Zoning Map Amendment and Zoning Text Amendment (New Section 3.19A). TPZ, applicant/contact.**

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The attached revision contains three areas of changes:

1. There is a small pocket of Business (B) zone at the intersection of Cedar Street and Fenn Road, so I included that where the text refers to the existing, underlying zones.
2. A few edits to make the regulation read more clearly, and to use the same terminology that the Connecticut Department of Economic Development uses for business sectors that the DECD is promoting.
3. CRCOG has recommended we add language to strengthen the "pedestrian friendly" requirement of site plans. This revision uses text from Section 1.6.2 (Access and Circulation) and Section 1.6.4 (Building Design Standards) of the CRCOG model TOD regulations.

cc:  
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**Newington Town Plan and Zoning Commission  
Proposed Zoning Text Amendment**

(changes are shown in **bold underline** and ~~bold strikethrough~~)  
rev. Thursday, March 17, 2016

**Section 3.19A Transit-Oriented Development (TOD) Overlay District**

1. General:

a. The Transit-Oriented Development (TOD) Overlay District is an overlay of certain Planned Business (PD) and Industrial (I) zones, to encourage transit-oriented development of parcels on Cedar Street, Fenn Road, and streets adjacent to Fenn Road that are generally within walking distance of the CTfastrak station on Myra Cohen Way.

b. The use of land, buildings and other structures within the TOD Overlay District shall be established and conducted in conformity with either the underlying zoning classification of the Planned Business Zone (PD), **Business Zone (B)** and ~~the~~ Industrial Zone (I), or the special requirements of this Section. This is not intended to prohibit any use otherwise permitted in the PD, **B** and I zones. Rather, its purpose is to give property owners the ability to use proximity to CTfastrak to leverage development of greater community and/or economic value.

c. The TOD Overlay District is bounded on the north by Holly Drive/Ella Grasso Boulevard; on the east by property of the National Railroad Passenger Corporation (Amtrak); on the south by a line parallel to and approximately 2000' south of Cedar Street; on the west by CT Route 9.

2. Purpose:

a. The purpose of the TOD Overlay District is to promote high quality development within walking distance of the CTfastrak station on Myra Cohen Way which will grow Newington's grand list, create employment, and provide Newington residents with additional retail, commercial, residential and entertainment opportunities.

b. Such development shall be in accordance with the 2020 Plan of Conservation and Development's "General Goal" of locating development in places and at densities which support the desired overall character of Newington, including smaller mixed land uses adjacent to transit stations (Page 24 of the 2020 Plan of Conservation and Development).

c. This purpose will be achieved through the following specific objectives and uses:

1. Mixed-use development, which will provide opportunities to live, work, shop, and/or be entertained within a single project, and when appropriate, in the same building.
2. Dining and entertainment clusters.
3. **Biotechnology, Bioscience, advanced manufacturing,** aerospace engineering, information technology, and other advanced technologies.

3. Definitions:

a. "Mixed-use development" shall mean development on a single parcel (or adjacent parcels with shared parking) that contains **at least one of each of** two or more of the following types of uses:

1. Retail (including dining and entertainment)
2. Office
3. Industrial (including research and light manufacturing)
4. Residential

**Newington Town Plan and Zoning Commission  
Proposed Zoning Text Amendment**

(changes are shown in **bold underline** and ~~bold strikethrough~~)  
rev. Thursday, March 17, 2016

b. "Dining and entertainment cluster" shall mean development on a single parcel (or adjacent parcels with shared parking) that contains two or more restaurants, bars, theaters, or entertainment venues.

4. Incentives:

a. Development proposals that contain any of the ~~above~~ "specific objectives and uses" **described in Paragraph 2.c** may be eligible for the following incentives:

1. Less mandatory landscaping (i.e. more useable floor area).
2. Less mandatory on-site parking.
3. Reduced front, side, and rear yard setbacks.

b. Eligibility for the above incentives will be based on the following:

1. The need for the proposed activity, as determined by the TPZ.
2. The public benefit of the proposed activity, as determined by the TPZ.
3. Public amenities included in the proposed activity.
4. The extent to which the proposed activity enhances ~~pedestrian access~~ **vehicular, bicycle, and pedestrian circulation** in ~~and around~~ the TOD Overlay District.

5. Architectural and/or functional compatibility of the proposed activity with nearby buildings and activities.

5. Procedure:

a. Any application for approval of an activity that complies with the underlying PD, **B** or I zoning shall be processed in accordance with Section 3.16, Section 3.17, Section 3.18, or Section 3.19 as appropriate **and Section 5.3**.

b. Any application for approval of an activity that does not comply with the underlying PD or I zoning but includes one or more of the "specific objectives and uses" listed ~~above~~ **in Paragraph 2.c** shall be processed in the following manner:

1. The applicant shall apply for a TOD Special Permit in accordance with Section 5.2. **The application shall include the following:**

A. A detailed description of the activity, and how it promotes the purpose of the TOD Overlay District.

B. If the application proposes to utilize any of the ~~above~~ incentives **listed in Paragraph 4.a**, the application shall include **a report prepared by an appropriate professional and** detailed descriptions of the following:

- 1) The need for or benefit of the proposed activity;
- 2) Architectural or functional compatibility with adjacent or nearby buildings and activities; and
- 3) Public amenities included in the proposed activity.

**Newington Town Plan and Zoning Commission  
Proposed Zoning Text Amendment**

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2. The applicant shall apply for Site Plan Approval in accordance with Section 5.3 of the zoning regulations. **The site plan shall address the following:**

**A. The layout of streets, alleys, lots, building sites, and other elements of development shall be designed to maximize safe and convenient vehicular, bicycle, and pedestrian access to the CTfastrak station and, where appropriate, provide the views and community amenities that help define the CTfastrak station as the focal point of the District.**

**B. Vehicular, bicycle, and pedestrian circulation systems shall be designed to allow vehicular, bicycle, and pedestrian cross-access to existing or allowable development on adjoining lots.**

**C. Driveway curb cuts are allowed only if vehicular access cannot be provided via a cross-access easement. Driveway curb cuts shall be no wider than 24 feet and shall be located at least 50 feet from a street intersection and at least 100 feet from another driveway curb cut on the same block face.**

**D. Buildings shall be configured in relation to the site's other buildings so that building walls frame and enclose one or more of the following, if applicable:**

- 1) **The corners of street intersections or entry points into the development;**
- 2) **A "main street" pedestrian and/or vehicle access corridor within the development site;**
- 3) **Parking areas, public spaces, or other site amenities on at least three sides; or**
- 4) **A plaza, pocket park, square, outdoor dining area, or other outdoor gathering space for pedestrians.**

**E. Architectural elevations submitted in accordance with Section 5.3.4.B shall be prepared as follows:**

**1) Where the street-level facade of a building faces the CTfastrak station or a public gathering space, no less than 35% of the facade area shall be comprised of transparent window or door openings to allow views of interior spaces and merchandise.**



Tanya D. Lane  
Acting 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: March 17, 2016  
Subject: **Alumni Road Traffic Light Committee**

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### Description:

At the regular TPZ meeting on March 9, 2016 a committee was formed to develop a plan for moving the traffic signal on Cedar Street at Maple Hill Avenue to Alumni Road, and open up Alumni Road to unrestricted access from Willard Avenue.

### Staff Comments:

The committee met on March 17, 2016. Present were TPZ Commissioners Stan Sobieski and Dominic Pane, and Town Planner Craig Minor, Town Engineer Chris Greenlaw, and Acting Town Manager Tanya Lane. The committee discussed the safety imperatives of getting a traffic light at Alumni Road, which would involve realigning Maple Hill Avenue. The committee agreed on the steps in the process, the need to enlist neighborhood support, and involve other town staff (the Police Department and the Fire Marshal) in the process. The benefits of having a traffic engineer finalize the concept plan were also discussed.

I expect Commissioners Sobieski and Pane will be happy to elaborate on this and answer questions at the meeting.

cc:  
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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: March 17, 2016

Subject: **Food Trucks**

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### **Background:**

The current process of regulating food trucks in Newington requires the applicant to obtain a vendor's license from the Police Department, and a health license from the Central CT Health District, but it does not involve TPZ. There is no coordination between the Police Department and the CCHD. The CCHD website informs food vendors that a Police permit is required and to contact the Planning and Zoning Department for more information, but there is no reciprocal warning on the Police Department's "Application for Vendor's License".

This has not been a problem for trucks on town streets, but it has led to confusion about food trucks on private property. There is also some question as to whether the streets where food trucks are allowed are in the most appropriate areas of town.

### **Comment:**

As requested by TPZ, I have asked Police Chief Clark to consider revising the Police Department's vendor permit application form, to add a spot for the ZEO to indicate that there are no zoning issues with the application. He has indicated that he is willing to do this. See attached.

In my previous memo I suggested TPZ recommend the Acting Town Manager revisit the list of streets where food trucks are allowed, and possibly update the food truck policies. I am still working on this.

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# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Police Department



Stephen M. Clark  
Chief of Police

### APPLICATION FOR VENDOR'S LICENSE

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone # \_\_\_\_\_

Age: \_\_\_\_ Date of Birth \_\_\_\_\_

Ex Serviceman: Yes \_\_\_\_ No \_\_\_\_

To Represent the Following Company:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Vehicle Being Used: \_\_\_\_\_ OR Push Cart \_\_\_\_\_

State: \_\_\_\_\_ Marker # \_\_\_\_\_

Have You Ever Been Arrested? Yes \_\_\_\_ No \_\_\_\_

If Yes:

Date	Charge	Place	Disposition
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\_\_\_\_\_

CT Sales Tax # \_\_\_\_\_

Street Location Requested \_\_\_\_\_

(Food Truck Applicant Only)

Zoning Enforcement Officer Approval: Yes \_\_\_\_ No \_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_



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 *CM*  
Date: March 17, 2016  
Subject: **Interior Lot Zoning Regulations**

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### **Description:**

Prior to 2007, interior lots (building lots that do not have the minimum amount of frontage on a town road) were allowed in Newington, by Special Permit. Section 6.7 was deleted from the zoning regulations in 2007 as part of a major revision to the zoning regulations. TPZ is considering re-instating them and directed me to draft a revised regulation.

### **Staff Comments:**

See attached proposed draft. This draft contains some language from the old interior lot regulation; some language from the Town of Cromwell's interior lot regulation; and some language which came out of the TPZ discussion last meeting.

You will notice that Section 3.4.9B and 3.4.9C are in **strikeout**. That's because these are provisions from the Cromwell regulations which may or may not be appropriate for Newington. They are presented here just "for your information". I am not necessarily recommending them – they are just for your consideration.

cc:  
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## Draft Proposed Amendment to Section 6.7 (Interior Lots)

[Proposed additions are shown in **underline**.  
Proposed deletions are shown in **del**.]

### Section 6.7 Interior Lots and Single Family Homes (deleted 8/15/2007)

#### 6.7.1 General:

~~Buildings shall not be erected, or a building permit issued, unless they abut a highway or street in conformance with these regulations.~~

~~No building to be used for a dwelling shall be constructed or located in the interior of a building situated on the same lot, nor shall any building be constructed in front of or moved to the front of a dwelling situated on the same lot.~~

The purpose of this regulation is to enable the subdivision of existing lots of relatively large size which, due to their limited frontage and unusual character or topography and the historic pattern of land division, practical difficulty exists in meeting the setback and area requirements of Section 4.5 of the Zoning Regulations.

#### 6.7.2 Special Exceptions for Interior Lots

Interior lots may be authorized in accordance with Section 3.4.9.

~~A building permit may be issued for the construction of a single-family dwelling on an interior lot subject to the granting of a special exception by the Commission in accordance with the following conditions and the provisions of Section 5.2, and the underlying zone requirements:~~

- ~~A. The provision of an unobstructed right of way at least 20 feet wide to an accepted street and designed to accommodate emergency apparatus, vehicles, etc., to such lot. The minimum driveway pavement width shall not be less than 10 feet and the driveway shall not be closer than 5 feet from adjoining property lines. If, however, the area of such lot shall exceed twice the area requirements of the zone in which the interior area is located, such right of way to said area shall be at least 60 feet wide and no building permit shall be issued for more than one building in the original interior area until all regulations for subdivision have been complied with. In lieu of providing a 60 foot right of way the property owner may encumber a portion of the interior land to restrict future subdivision. For a right of way longer than 200' the width shall be increased to 25' and a report from the Fire Marshal as to the safety of the access shall be made a part of the public hearing. (Effective 12-01-01)~~
- ~~B. The lot does not have any other access which will permit it to meet the minimum requirements of this regulation.~~
- ~~C. The unusual character or topography of the subject land and the historic pattern of land division have created practical difficulty in meeting the requirements of frontage and access as are required within this regulation.~~
- ~~D. All Lot standards as set forth in Section 4 of these regulations shall be applicable to the design of Interior Lots except Lot frontage and area. Lot~~

## Draft Proposed Amendment to Section 6.7 (Interior Lots)

[Proposed additions are shown in **underline**.  
Proposed deletions are shown in ~~bold strikethrough~~.]

~~frontage and access shall be as required by Section 6.7.2.A. Lot area for Interior Lots shall not be less than one and a half times the minimum area standard for the Zone District where the proposed Interior Lot is to be located.~~

~~E. The Commission may require a site plan in accordance with Section 5.3, showing sufficient data to clearly indicate the lot and surrounding properties.~~

### Section 3.4 Special Exceptions Permitted in All Residential Zones

#### (new) 3.4.9 Interior Lots:

- A. No lot shall be divided into more than two (2) interior lots.
- B. Each interior lot shall have at least double the minimum lot size required for that zone.
- C. Each interior lot shall contain a "buildable square" of not less than the minimum lot size for that zone. "Buildable square" is an area of roughly equal length and width which contains no wetlands or watercourses and no slopes greater than 33 percent.
- D. Each interior lot shall have a driveway within an accessway which has a continuous width of at least 20 feet, which is owned in fee simple by the owner of the interior lot, and which has frontage on a Town street.
- E. The driveway shall be not longer than 2000 feet unless approved by the Newington Fire Marshal. Such approval shall be submitted with the application.
- F. The minimum driveway pavement width shall not be less than 10 feet and the driveway shall not be closer than 5 feet from adjoining property lines.
- G. No portion of the lot between the street and the lot line that intersects the accessway shall count toward the minimum lot size.
- H. Each interior lot shall have double the minimum front yard setback required for that zone, measured from the lot line which intersects the accessway and is perpendicular to the accessway.
- I. Each interior lot shall comply with all other setback and building requirements for the zone in which it is located;
- J. No two (2) interior lots shall have frontage on the same street any closer to each other than the minimum lot width for that zone, except that two contiguous interior lots may be approved sharing a common driveway, and the application for such interior lots shall include an Agreement specifying that the owners of said driveway will share responsibility for its maintenance;

## Draft Proposed Amendment to Section 6.7 (Interior Lots)

[Proposed additions are shown in **bold underline**.  
Proposed deletions are shown in ~~**bold strikethrough**~~.]

- K. **The Planning and Zoning Commission may require that slope rights on an adjacent frontage lot which is under the control of the applicant be provided to accommodate driveway construction, and that a proposed interior lot share a common driveway with an adjacent frontage lot under the control of the applicant where appropriate.**
- L. **The applicant for the proposed interior lot shall obtain the required Special Permit before submitting an application for subdivision approval.**



Tanya D. Lane  
Acting 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 *CM*  
Date: March 17, 2016  
Subject: **Petition #07-16: Zoning Text Amendment (Section 3.15; 3.17; and 6.11: Auto-Related Uses). Modern Tire Recapping Company Inc., applicant; Attorney Timothy J. Hollister, One Constitution Plaza, Harford CT, contact.**

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### **Description:**

This is an application to amend the Auto-Related Uses zoning regulations (Sections 3.15, 3.17, and 6.11). According to the cover letter this application is "in connection with efforts to settle a pending lawsuit, *Colleen Bielitz, et al. vs. Wex-Tuck Realty, LLC et al.*, to which the Town Plan and Zoning Commission and the Town of Newington are parties..." That lawsuit pertains to the Firestone Complete Auto Care store that recently opened at 2897 Berlin Turnpike.

### **Staff Comments:**

Town Attorney Jonathan Chapel and I met with Attorney Tim Hollister and his client, Robert Amenta, to discuss some changes to their proposed amendment that I had suggested. Those changes were:

1. Retain the prohibition on used car dealerships and car rental agencies on the Berlin Turnpike, and continue to allow them in the Industrial zone. This is per my understanding that the TPZ wants to maintain the visual integrity of the Berlin Turnpike, but not prohibit these uses elsewhere in town.
2. Delete the wall signage language that Attorney Hollister had proposed. I felt there was no need to create special signage regulations for auto-related uses, and it would get confusing.
3. Delete the noise ordinance enforcement language that Attorney Hollister had proposed. TPZ has no legal authority nor technical capability to enforce these laws.

At the meeting Mr. Amenta also had some changes which he presented to all of us, for the first time. These changes were to mostly to clarify that an existing auto-related use will be able to expand or otherwise change in the future without being treated as if it were a non-conforming use. I had no objection to that.

See the attached revised amendment which Attorney Hollister sent to me earlier this week.

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**PROPOSED ZONING REGULATION AMENDMENTS**  
**Revised March 11, 2016**

Section 3.15     Special Exceptions Permitted in B-BT Business Berlin Turnpike Zone

The following uses are declared to possess such special characteristics that each must be considered a special exception. They may be permitted by the Commission subject to the following conditions and the provisions of Section 5.2 and 5.3. All such uses must be included within a building or structure or accessory to a permitted principal use.

- 3.15.8     Auto-related uses in accordance with Section 6.11 and Sections 5.2 and 5.3 of the Zoning Regulations.

Section 3.17     Special Exceptions Permitted in I Industrial Zones

- 3.17.8     Auto-related uses in accordance with Section 6.11 and Sections 5.2 and 5.3 of the Zoning Regulations.
- 3.17.9     Leasing or renting motor vehicles under the provisions of Section 14-15(a) of the Connecticut General Statutes.
- 3.17.10    The sale of used motor vehicles under the provisions of Section 14-51(a)(2) of the Connecticut General Statutes.

Section 6.11     Auto-Related Uses

For the purpose of this section, "auto-related uses" are those listed in Section 14-51 of the Connecticut General Statutes; and the sale of gasoline or any other product under the provision of Section 14-319 of the Connecticut General Statutes. "Auto-related uses" does not include leasing or renting motor vehicles under the provisions of Section 14-15(a) of the Connecticut General Statutes, nor the sale of used motor vehicles under the provisions of Section 14-51(a)(2) of the Connecticut General Statutes.

- 6.11.1     Any validly-approved auto-related use in existence and commercial operation as of \_\_\_\_\_, 2016 [effective date of amended regulation] shall be deemed a conforming use, not subject to Section 5 of these Regulations, and any expansion, modification, or rehabilitation of the existing use shall require a special exception and site plan approval in accordance with Sections 5.2 and 5.3 of these Regulations.
- 6.11.2     Equipment used in an auto-related use, such as a fuel dispenser, shall be located at least 30 feet from any public or private street right-of-way.

- 6.11.3 No repairs or service conducted as part of an auto-related use shall occur within 200 feet of a residential zone or the property line of a lot that contains a structure used as a residential dwelling, unless such repairs or service are conducted entirely within the structure; the structure conforms to the setback requirement for the zone in which it is located; and the repairs or service as within the structure occur at least 30 feet from any public or private right-of-way.
- 6.11.4 Entrances and exits to or from a public or private street for an auto-related use shall be at least 100 feet from a school, religious use, hospital or residence.
- 6.11.5 Display, sale, or storage of any new motor vehicle shall be permitted except in any public or private street right-of-way.
- 6.11.6 All auto-related uses shall be operated at all times in compliance with the Town of Newington's noise ordinance. The Commission shall have the authority to impose approval conditions to ensure compliance with the noise ordinance.
- 6.11.7 Any new auto-related use approved subsequent to \_\_\_\_\_, 2016 [effective date of amended regulation] shall not have any overhead door facing either a public street, a structure used as a residential dwelling, or a residential zone. Any validly-approved auto-related use operating prior to \_\_\_\_\_, 2016 [effective date of amended regulation], and operating within 200 feet of a residential zone or property line of a structure used as a residential dwelling, and that has one or more existing overhead doors that do not meet this subsection, shall not be permitted to increase the number of overhead doors facing a public street, a structure used as a residence, or a residential zone, and shall equip and operate its overhead doors so that, except in an emergency, no more than one door may be open at one time, and only for the purpose of entering or exiting the service area.
- 6.11.9 The minimum lot area for a parcel containing an auto-related use shall be one (1) acre.
- 6.11.10 Pursuant to Section 14-321 of the Connecticut General Statutes, effective June 6, 2006 the Town Plan and Zoning Commission shall act as the local authority in approving Certificates of Location (Gasoline and Motor Oil Sales).
- 6.11.11 Pursuant to Section 14-54 and Section 14-55 of the Connecticut General Statutes, effective June 6, 2006 the Town Plan and Zoning Commission shall act as the local authority in approving Certificates of Location (Dealers and Repairers Licenses).







Tanya D. Lane  
Acting 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:** Town Planner Craig Minor, AICP   
**Date:** March 17, 2016  
**Subject:** **Town Planner Report for March 23, 2016**

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1. **Zoning Enforcement Issues Raised at Previous TPZ Meetings**

None.

2. **Streetscape Program Phase VI on Constance Leigh Drive**

Nothing new to report.

3. **LID Moratorium**

Last year, the TPZ voted to temporarily exempt homeowners who want to build a garage or remodel their homes from the LID (Low Impact Development) zoning regulations. The TPZ had found that the LID regulation increases the cost of such projects by up to \$3,400 and puts a paperwork burden on home- owners. Also, it is debatable whether the benefits of LID justify the burdens. TPZ therefore put a freeze on the regulations to give the staff time to get familiar with them and to figure out exactly how they should be changed to give homeowners permanent relief. The moratorium expires on March 1, 2016.

The LID zoning regulation itself is fairly simple, because all of the complicated design details (rain gardens, dry wells, infiltration trenches, etc.) are not in the regulations: they are contained in the "Low Impact Development and Stormwater Manual for the Town of Newington". So to make this moratorium permanent, we need to amend the Manual. The Manual, however, is used by several land use boards and Town departments, so any change that TPZ wants to make to it should be referred to each of them first, and then approved by the Town Manager.

See attached draft of the recommended changes.

cc:  
file

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## 2.2.2 New Development and Redevelopment

The stormwater management standards apply to new development and redevelopment activities in the Town of Newington, unless exempted. Two types of exemptions may apply:

1. Projects creating less than 600 square feet of new impervious or redeveloped surfaces provided that all of the following conditions are met:

- The project drainage design will not have an adverse effect on offsite properties or offsite drainage infrastructure.
- ~~LID measures in accordance with the Town manual are implemented on the site to the maximum extent practicable to mitigate the effects of site disturbance and new impervious cover.~~
- The project proponent submits an exemption request.

This exemption is available only until the cumulative addition of unreviewed impervious surface on a site reaches 600 square feet, regardless of ownership changes. Residential "teardowns" - demolition and reconstruction or replacement of an existing residential dwelling with another residence of any size -are not allowed to exercise this exemption.

2. Routine activities with low potential for adverse impacts to drainage or stormwater quality:

- Resurfacing of an existing impervious area on a non-residential lot such as repaving an existing parking lot or drive with no increase in impervious cover.
- Routine maintenance to existing town roads that is performed to maintain the original width, line, grade, hydraulic capacity, or original purpose of the roadway.
- Repair or **replacement expansion** of an existing ~~roof of a~~ single-family dwelling **or new garage or other accessory building.**
- ~~Construction of a second (or higher) floor addition on a single-family house.~~



February 24, 2016

**TO: WEST HARTFORD PLANNING AND ZONING COMMISSION**

**REPORT ON ZONING REFERRAL Z-2016-14: Proposed revision to zoning ordinance Section 177-16.6 permitting increased density in the Central Business Zone. Maximum floor area ratio will increase from 1.25 to 1.75 if the floors above ground floor are used for residential purposes.**

**COMMISSIONERS:** Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

**COMMENT:** The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.

Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 3/22/2016.

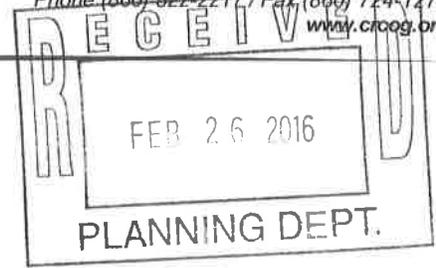
**DISTRIBUTION:** Planner: Avon, Farmington, Newington, Bloomfield, Hartford

Respectfully submitted,  
Sandra Bobowski, Chairman  
Regional Planning Commission

Karl Robert Profe, Vice Chairman  
Regional Planning Commission

A handwritten signature in black ink, appearing to read "Lynne Pike DiSanto".

Lynne Pike DiSanto, AICP  
Senior Planner and Policy Analyst



February 24, 2016

**TO: BERLIN PLANNING AND ZONING COMMISSION**

**REPORT ON ZONING REFERRAL Z-2016-8: Proposed revisions to numerous sections of the Zoning Regulations pertaining to farms and agricultural uses. Farms as a principal use will be allowed as a permitted use in all zones. Proposed regulations also address agricultural best management practices and provide for special regulations for agriculture which address buildings, sales, signage, the keeping of animals as accessory to residential uses, etc.**

**COMMISSIONERS:** Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

**COMMENT:** The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies of neighboring towns. The proposed regulations generally support the Regional Plan's policies to "Preserve and look for opportunities to reclaim the Capitol Region's working lands," "Encourage zoning regulations that address urban agriculture and local food systems," "Reduce environmental impacts of the food system," and "Encourage preservation of farmland in the Capitol Region." The regulations are also generally in keeping with the agriculture requirements of the Plan of Conservation and Development for the Central Connecticut Region, 2013-2023. We commend the Town for its comprehensive efforts to update its regulations pertaining to agriculture.

Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 3/31/2016.

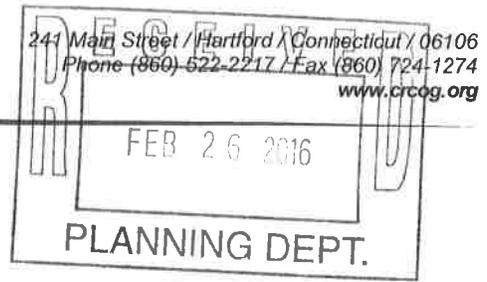
**DISTRIBUTION:** Planner: Newington, Rocky Hill, Southington, New Britain, Cromwell, Middletown, Meriden, River COG, South Central COG

Respectfully submitted,  
Sandra Bobowski, Chairman  
Regional Planning Commission

Karl Robert Profe, Vice Chairman  
Regional Planning Commission

A handwritten signature in black ink, appearing to read "Lynne Pike DiSanto".

Lynne Pike DiSanto, AICP  
Senior Planner and Policy Analyst



February 24, 2016

**TO: NEW BRITAIN PLANNING AND ZONING COMMISSION**

**REPORT ON ZONING REFERRAL Z-2016-11: Proposed one year moratorium on the permitting of motor vehicle repairers and motor vehicle dealers to allow time to study and assess the various issues related to these types of land uses and to develop zoning controls.**

**COMMISSIONERS:** Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

**COMMENT:** The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.

Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 3/8/2016.

**DISTRIBUTION:** Planner: Berlin, Farmington, Newington, Plainville, Southington

Respectfully submitted,  
Sandra Bobowski, Chairman  
Regional Planning Commission

Karl Robert Profe, Vice Chairman  
Regional Planning Commission

  
Lynne Pike DiSanto, AICP  
Senior Planner and Policy Analyst



February 24, 2016

**TO:** BERLIN PLANNING AND ZONING COMMISSION

**REPORT ON ZONING REFERRAL Z-2016-6: Proposed revisions to Section II B (Definitions) and Section XI CC of Zoning Regulations pertaining to Assisted Living Facilities. The proposed change would allow the use by special permit in the PS-B (Planned Shopping) zone.**

**COMMISSIONERS:** Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

**COMMENT:** The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns. We do note, however, that the PS-B zone is shown in the Town of Berlin's 2013 Plan of Conservation and Development's Land Use Map as Retail/Shopping. Should the Commission support this proposed zone regulation amendment, we would encourage the Town to ensure that the development supports the Capitol Region Plan of Conservation and Development's Housing Goal A: "Increase the range of choice in housing for people of all incomes and all ages, but especially for those who have the least choice in achieving their locational preference" and the regional Land Use policy recommendation C. 6. "Encourage revision of commercial zone regulations, especially in community centers, to allow more human scale, pedestrian friendly, and context sensitive development."

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 2/25/2016. Questions concerning this referral should be directed to Lynne Pike DiSanto.

**DISTRIBUTION:** Planner: Newington, Rocky Hill, Southington, New Britain, Cromwell, Middletown, Meriden, River COG, South Central COG

Respectfully submitted,  
Sandra Bobowski, Chairman  
Regional Planning Commission

Karl Robert Profe, Vice Chairman  
Regional Planning Commission

Lynne Pike DiSanto, AICP  
Senior Planner and Policy Analyst