



TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
Wednesday, April 8, 2015

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

7:30 p.m. [note later starting time]

A G E N D A

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL AND SEATING OF ALTERNATES**
- III. APPROVAL OF AGENDA**
- IV. ZONING ENFORCMENT OFFICER REPORT**
- V. OLD BUSINESS**
 - a. Petition #07-15: Text Amendments (Section 3.2.5: Hospitals, Sanatoria, Rest Homes, Senior Independent Living Facilities, Convalescent or Nursing Homes and Section 9.2: Definitions). Michael Frisbie, applicant.
- VI. PUBLIC HEARINGS**
 - a. Petition #08-15: Special Exception (Section 3.2.5: Continuing Care Retirement Community) at 751 Russell Road. HDC ONE LLC, owner; Amara Community Living LLC, applicant; Kari Olson, Esq., CityPlace I, 185 Asylum Street, Hartford CT, contact.
 - b. Petition #10-15: Special Exception (Section 6.2.4: Free-Standing Sign) at 2897 Berlin Turnpike ("Firestone Complete Auto Care"). National Sign Corporation, applicant; SB Newington 433 LLC, owner; Darcie Roy, National Sign Corporation, 780 Four Rod Road, Berlin CT, contact.
- VII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**
- VIII. REMARKS BY COMMISSIONERS**
- IX. MINUTES**
 - a. Special Meeting March 25, 2015
 - b. Regular Meeting March 25, 2015

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2015 APR -2 AM 9:42

BY *Tanya D Lane*
TOWN CLERK

X. NEW BUSINESS

- a. Discuss Possible Moratorium on Higher-Density Residential Development in the CTfastrak Station Neighborhoods.
- b. Petition #06-15: TPZ Approval (Section 3.23.1: Accessory Outside Use) for Fireworks Tent Sale at 56 Costello Road (T-Bowl Lanes). Keystone Novelties Distributors LLC, applicant; CMB Inc., owner; Chris Cook, 201 Seymour Street, Lancaster PA, contact.
- c. Petition #09-15: Site Plan Approval (Continuing Care Retirement Community) at 751 Russell Road. HDC ONE LLC, owner; Amara Community Living LLC, applicant; Kari Olson, Esq., CityPlace I, 185 Asylum Street, Hartford CT, contact.
- d. Petition #11-15: Extension to Site Plan Approval (Section 5.3.8: Time Limit) and Special Exception for Hunter Development at 751 Russell Road. HDC ONE LLC, owner/applicant; Kari Olson, Murtha Cullina LLP, 185 Asylum Street, Hartford CT, contact.
- e. Petition #12-15: Site Plan Modification (Parking Area) at 2272 Berlin Turnpike. Seva Sadan LLC, owner/applicant; Alan Bongiovanni, 170 Pane Road, Newington CT, contact.

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

None.

XII. TOWN PLANNER REPORT

- a. Town Planner Report for April 8, 2015

XIII. COMMUNICATIONS

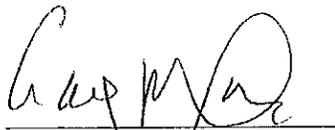
XIV. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

XV. REMARKS BY COMMISSIONERS

XVI. CLOSING REMARKS BY THE CHAIRMAN

XVII. ADJOURN

Submitted,



Craig Minor, AICP
Town Planner

STAFF REPORT
Text Amendment for "Continuing Care Retirement Community"

March 30, 2015

Petition #07-15:

Text Amendments (Section 3.2.5: Hospitals, Sanatoria, Rest Homes, Senior Independent Living Facilities, Convalescent or Nursing Homes and Section 9.2: Definitions).

Michael Frisbie, applicant.

Description of Petition #07-15:

This text amendment would do three things:

1. Types of Allowable Residential Development: This amendment would add "Continuing Care Retirement Community" (CCRC) to the list of the types of residential developments allowed under Section 3.2.5, and insert a definition of "Continuing Care Retirement Community" into the definitions section of the Zoning Regulations.
2. Height Requirement: It would create a different height requirement for hospitals, sanatoria, continuing care retirement communities, etc. in business and commercial zones only. The maximum height is currently 3 stories or 35 feet in all zones; this amendment would allow hospitals, sanatoria, etc. in business or commercial zones to be 5 stories or 75 feet.
3. Density: It would change the allowable density from 20 patient beds or living units per acre to 30 patient beds or living units per acre.

Staff Comments:

There were no public nor TPZ comments made during the public hearing that required any follow up analysis or research by the staff, so I have nothing new to report in this memo.

The consensus of the Commission at the conclusion of the public hearing on March 25 was to consider allowing the increased height and density only in the B-BT zone. I have prepared a revised amendment accordingly.

The proposed increase in density from 20 beds/units per acre to 30 beds/units per acre did not appear to be an issue for the Commission, but I am still concerned that this density is greater than allowed by other towns in the greater Hartford area. As stated in the spread sheet attached to my March 23 memo, Manchester is the most liberal town at 20 units per acre for assisted living units and 25 beds per acre for nursing care.

cc:
Attorney Kari Olson
file

Section 3.2 Special Exceptions Permitted in All Zones

The following uses are declared to possess such special characteristics that each must be considered as a special exception. They may be permitted by the Commission in any zone, subject to the following conditions and the provisions of Sections 5.2 and 5.3.

- 3.2.5 Hospitals, sanatoria, rest homes, senior independent living facilities, (Effective 12-1-01) convalescent or nursing homes and continuing care retirement communities, subject to the following standards.

A. Location

No site shall be approved unless it is on or within 300 feet of an arterial street as set forth in the Comprehensive Plan of Development, and unless it is connected to public water and sewers.

B. Height of Buildings

No principal building may exceed the height of three (3) stories or 35 feet in a residential zone, or five (5) stories and 75 feet in a business or commercial B-BT (Business Berlin Turnpike) zone. No accessory building may exceed the height of 15 feet.

C. Site Area

One acre of site shall be required for each ~~20~~ 30 patient beds and in no case shall the site be smaller than 5 acres. (Effective 12-1-01)

D. Site Requirements

Minimum lot frontage shall be no less than 100 feet. Buildings shall be sited, and landscaping and buffer areas provided to assure maximum privacy to the residents and adjoining uses. Suitable recreation facilities, appropriate to the function of the use, shall be provided. (Effective 12-1-01)

Section 9.2 Definitions

CLUB: An organization of persons incorporated pursuant to law, which is the owner, leasee or occupant of an establishment operated solely for the recreational, social, patriotic, benevolent or athletic purposes, but not for pecuniary gain, and includes the establishment so operated.

COMMISSION: The Newington Town Plan and Zoning Commission.

CONTINUING CARE RETIREMENT COMMUNITY: a retirement community with accommodations for independent living, assisted living and nursing home care all located on the same lot.

COUNTRY CLUB: A private membership organization for outdoor recreation.

DECK: A platform or floor which may be free standing or maybe attached to the principal structure shall be considered a part of the principal structure and shall comply with all yard setback requirements excluding decks constructed as part of an above or in ground pool.

**DRAFT SUGGESTED MOTION
"CCRC Text Amendment"**

March 25, 2015

Petition #07-15:

Text Amendments (Section 3.2.5: Hospitals, Sanatoria, Rest Homes, Senior Independent Living Facilities, Convalescent or Nursing Homes and Section 9.2: Definitions).

HDC ONE LLC, applicant;

Kari Olson, Murtha Cullina, 185 Asylum Street, Hartford CT, contact.

"I move to approve, with modifications, Petition #07-15: Text Amendments (Section 3.2.5: Hospitals, Sanatoria, Rest Homes, Senior Independent Living Facilities, Convalescent or Nursing Homes and Section 9.2: Definitions). HDC ONE LLC, applicant; Kari Olson, Murtha Cullina, 185 Asylum Street, Hartford CT, contact. Effective upon publication."

Findings:

1. The current zoning regulations lack any mention of "continuing care retirement communities".
2. The maximum height requirement proposed by the applicants as modified by the Commission would be limited to projects in the B-BT (Business Berlin Turnpike) Zone only, and not any residential zones.
3. This amendment is consistent with the Plan of Conservation and Development.
4. This amendment has been referred to the Capital Region Council of Governments, and was deemed to present "no apparent conflict with regional plans and policies or the concerns of neighboring towns."

Modification:

1. The greater height would be allowable in the B-BT (Business Berlin Turnpike) zone only.

Move/ Second										
	Anest	Leggo	Camillo	Aieta	Serra	Sobieski	Hall	Andrzejewski	Claffey	
YEA										
NAY										

cc:
file



TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION
APPLICATION FORM

LOCATION OF PROPERTY: Corner of East Cedar St. and Russell Rd. ZONE: B-BT

APPLICANT: Amara Community Living, LLC TELEPHONE: 860-462-0527

ADDRESS: 54 Pond Hill Rd., North Haven, CT 06473 EMAIL: mike@hunterdev.com

CONTACT PERSON: Kari L. Olson, Esq. TELEPHONE: 860-240-6085

ADDRESS: Murtha Culliva LLP, Cityplace I, 195 Asylum St Hartford CT 06103 EMAIL: kolson@murthalaaw.com

OWNER OF RECORD: HDC ONE, LLC

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 3.2.5 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>Amara Community Living, LLC</u>		<u>HDC ONE, LLC</u>	
<u>Kari Olson, Esq.</u>	<u>3/3/15</u>	<u>Kari Olson, Esq.</u>	<u>3/3/15</u>
APPLICANT	DATE	OWNER	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.

TO: Town of Newington Planning and Zoning Commission
FROM: Kari L. Olson
DATE: March 3, 2015
RE: Special Permit and Site Plan Applications for Amara Community Living, LLC

Dear Commission Members:

This firm represents HDC ONE, LLC ("HDC") and Amara Community Living, LLC ("Amara"). In conjunction with its already pending application for text amendments to Sections 3.2.5 and 9.2 of the Town's Zoning Regulations, HDC and Amara have herewith submitted applications for a Special Exception pursuant to Section 3.2.5 (as amended) and Site Plan approval for a Continuing Care Retirement Community ("CCRC"). The CCRC is proposed to be located at the corner of East Cedar Street and Russell Road in the B-BT Zone. The property consists of nearly 9 acres. The proposed site for the CCRC has all necessary permits to construct a gas station, hotel and strip mall. The proposed CCRC would be created in lieu of these uses and structures.

A CCRC, like the one Amara is considering creating in Newington, is a comprehensive all inclusive facility that provides its members with the opportunity to age in place. This means that all housing, health care and amenities must be contained under one roof. In general, the types of care and services needed in a successful CCRC are segregated into levels: Sub-Acute, Skilled Nursing, Transitional Care and Memory Support Care.

Specifically, Amara is proposing to construct a 5-story community that will contain the following CCRC-related levels of care.

- 1) Independent Living (IL)
- 2) Assisted Living (AL)
- 3) Memory Support Assisted Living (MSAL)
- 4) Sub-Acute Out-Patient/ In-Patient Rehabilitation (SA)
- 5) Adult Day Care (ADC)
- 6) Skilled Nursing (SN)
- 7) Transitional Support (TS)

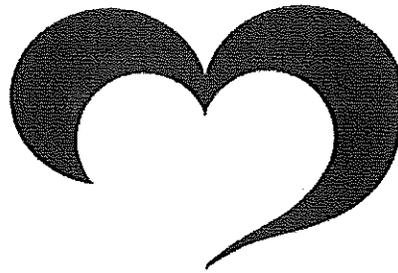
Within the proposed complex, multiple amenities are proposed including aquatic therapy, a wellness center, spa services, recreational programs and services, amphitheaters, a mini mall, banking, pharmacy, medical office suite, walking paths, etc... The size of the structure is designed specifically to properly separate without isolating residents requiring varying levels of care from the rest of the community. It creates a senior living community that fosters a sustainable long-term living environment and an effective means by which to provide quality of life to the seniors in Newington. Attached hereto is a brochure from Amara further explaining the proposed project.

Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Kari L. Olson".

Kari L. Olson



AMARA

COMMUNITY LIVING
AT NEWINGTON

An Integrated Continuing Care Retirement Community
All Inclusive Services for Life

Patricia A. LeGault – Owner / CEO

plegaultamara@gmail.com – (860) 682-2040

Assisted Living / Continuing Care Retirement Community:

Square Footage:	297,000sq/ft.
Assisted Living Units (AL):	130
Independent Living Units (IL):	45
Memory Support Assisted Living United (MSAL):	30
Sub-Acute In-Patient / Outpatient Units:	30
Skilled Nursing Units (SNF):	15
Hospice/ Palliative Care Units (HPC):	10
Adult Day Care Clients (ADC):	30
Total Members:	290
Personnel:	380

- Gourmet Commercial Kitchen/ Fine Dining
- 24 Hour Concierge Services
- Mini Mall
- 50's Style Restaurant
- Irish Recreational Pub
- Walking Trails and Respite Stations
- Amphitheater (In-Door and Outdoor)
- Thematic Period Sitting Rooms with Gas Fireplaces
- Greenhouse with Free-Standing Raised Bed Gardens
- Extended Terraces for IL
- Thematic Sitting Rooms
- 24-Hour Room Service
- Fully Integrative AV/ Graphic Systems
- Flat Panel Touch Screens
- House-Wide Wi-Fi
- Integrative Phone System with Smart Phones
- GuestTek Hospitality Services
- Starbucks
- On-Site Banking
- Main Entrance Fountain
- Full Back Up Power Generation Systems
- High End Finishes
- AL Kitchen for Recreation and Common area
- Livery Services
- Holistic Modeling, Green Technology
- Comprehensive Recreational Program
- Aquatic Fitness Pool and Warm Water Therapy Pool
- Physical Therapy Center
- Recreation Center
- Fitness and Wellness Center
- Centralized Plant Operations to include Chill Water Systems, Boiler Plant, Geo Thermal Plant, Photo Voltaic Power Generation Systems
- Wifi- Throughout the Campus
- Patient Monitoring and Telemetry Systems
- 100% Back-Up Power Generation
- Access Control Systems
- Secured Units Where Applicable
- Health Spa with Full Cosmetology Program
- 24 Hour Clinical Services on Site
- On-Site Ambulance Services
- On-Site Physician Offices with a myriad of Physician Based Clinical Specialties

Continuing Care Retirement Communities Explained

It almost goes without saying that most of us would prefer, in our later years, to settle into comfortable, friendly, home-like surroundings where our changing needs would be met as our care requirements increase—without making us dependent on family members for our care. Living in the same place as we age, one in which we can receive the various types of health and homemaking services we may need in a familiar setting, is called "aging in place."

Among the wide range of housing and care options available to financially secure seniors is an option called the continuing care retirement community, or CCRC. Based on the premise of aging in place, this unique residential arrangement is gaining in popularity across the nation.

What is a Continuing Care Retirement Community?

CCRCs are not independent living communities, assisted living facilities, or nursing homes. They are combinations of all of these residential and care options, owned and operated by private companies and staffed to provide a "continuum of care" for their members. The assisted living and nursing home components of CCRCs usually are intended for use only by members from the independent living units that are part of the CCRC and not by seniors from outside of the membership community. Although, in this model we have taken it to the next level wherein we provide an intergenerational approach.

As with other types of residential environments that are specifically tailored to seniors' needs and tastes, CCRCs and their members establish a business arrangement through a legal contract specifying exactly what supportive services, nursing care, other healthcare, and housing will be provided for members. If a member's care needs increase over time, he/she will be able to move to the next level—assisted living or, if needed, the transitional support unit without relocating geographically, since all levels of housing and supportive healthcare provided by the CCRC are located on one campus.

One of the key attractions of CCRCs is the range of amenities, health, wellness and life programs as well as healthcare and supportive or assistive services. These may include nursing, social work, dietician services, physician care, pharmacy and various therapies for residents who may experience either a short bout of illness or an ongoing health problem. CCRC staff can provide emergency response systems, wellness programs, assistance with insurance claims and forms and routine health assessments. Contract fees may cover housekeeping and laundry services and meals served in congregate dining facilities. Some transportation services also may be included in basic fees.



Amara Community Living at Newington, LLC., A woman owned and operated company, is entering the final stages of the approval process with the Town of Newington to develop a comprehensive Continuing Care Retirement Community (CCRC) on the corner of Cedar Street and Russell Road formally owned by the Hunter Development Group. This site was previously approved to develop a hybrid site model which included a Hotel, Gas Station, Restaurant and Medical Office Complex. The approvals remain in place for the original site plan which are in the process of re-application and/or variance to accommodate the new development plan.

The Amara community based need model will provide Comprehensive Senior Living Services in a currently underserved market for the quickly growing senior population in Newington and surrounding communities. The "holistic design" and approach to this concept has been created in order to provide a fully comprehensive all inclusive living environment for those individuals in search of an alternate living model. The all inclusive age restricted community will bring over four hundred jobs to the community and a significant tax revenue base for the community.

In conversations with the Town of Newington Economic Development Division, this project is in line with the present and future development of the community where those at or entering their senior years are looking for alternatives to their current living environment. As the Baby Boom population ages in place, this model provides a high standard of living with a comprehensive care and recreational activity in an environment that is worry free and has been proven out to extend life in both age and quality.

This concept will be the first in Connecticut where all services are housed under one roof where there is no need to be transferred from one facility to another as life changes take their course. Our model was specifically designed around the combined fifty years of experience in healthcare and wellness. It was specifically designed to create a life experience that is conducive to wellness and extended life expectancy.

This fully integrated model includes many amenities that extend beyond the norm of the current senior living options available today. The model provides a quality of life similar if not improved than traditional home ownership at a stage of life where the home has become more work than one would like to burden in the later years of life.

Anticipated ground breaking is currently slated for late spring and Pre-Sales are slated for the Mid Winter. The A la Carte program for occupancy cover all spectrums of income capacity from Entry Fee Models with Ownership, Lease to Purchase Models with Ownership and Direct Lease rates as well.

This project is a landmark for the Town of Newington and for one that is economically progressive and responsive to the needs of its residents and future. Newington is undecidedly ahead of the game in addressing the needs of its community.



STAFF REPORT
Special Exception (Continuing Care Retirement Community)
at 751 Russell Road

March 30, 2015

Petition #08-15:

Special Exception (Section 3.2.5: Continuing Care Retirement Community) at 751 Russell Road. HDC ONE LLC, owner; Amara Community Living LLC, applicant; Kari Olson, Esq., CityPlace I, 185 Asylum Street, Hartford CT, contact.

Description of Petition #08-15:

This is an application for a special exception to operate a “continuing care retirement community” (CCRC) at 751 Russell Road. This is the same location as the Hunter Development mixed used development that was approved by TPZ in 2007.

At the time of this writing the zoning regulations do not expressly permit a “continuing care retirement community”. The applicant has applied for a text amendment to Section 3.2.5 (“Hospitals, sanatoria, rest homes, senior independent living facilities, convalescent or nursing homes”) to include the phrase “continuing care retirement community”. Approval of that amendment by TPZ is pending.

Staff Comments:

Section 3.2.5 (Hospitals, sanatoria, rest homes, senior independent living facilities, convalescent or nursing homes, and continuing care retirement communities) does not contain any special requirements for a CCRC beyond several bulk, density, and location requirements, so we must turn to Section 5.2 (Procedures and Standards for All Special Exceptions or Special Permits) for subjective requirements.

- 5.2.6 In reviewing the proposed special exception or permit, the Commission shall consider the following criteria as well as any specific standards pertaining to the requested special exception or special permit and record its findings in the record of the meeting:
- A. The need for the proposed use in the proposed location.
 - B. The existing and probable future character of the neighborhood in which the use is located.
 - C. The size, type and location of main and accessory buildings in relation to one another, and in relation to other structures in the vicinity.
 - D. Traffic circulation within the site; amount, location and access to parking, and traffic load or possible circulation problems on existing streets or proposed streets and driveways considering impact on existing streets are effected. For large scale retail developments in excess of 40,000 square feet of gross floor area a traffic impact analysis report with proposed mitigation measures shall be submitted with the application.
 - E. Availability of public water and sewer, and possible overloading of water and sewage systems and the adequacy of the existing off site storm water system serving the property to safely accommodate any increase in drainage. (Effective 12-01-01)

- F. Location and type of display signs, lighting and landscaping and the impact of type signs on adjacent properties.
- G. Safeguards to protect adjacent property, and the neighborhood in general, from detriment including, but not limited to proper buffering.

As of this writing the applicants have not submitted a report showing how this project complies with these criteria.

cc:
Attorney Kari Olson
file



CR# 3006

Petition # 10-15

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 2897 Berlin Tpk Zone: PD

APPLICANT: Darcie Roy National Sign TELEPHONE: 203-949-1154

ADDRESS: 780 Four Rod Rd, Berlin CT 06037 EMAIL: jdroyz@comcast.net

CONTACT PERSON: Darcie Roy TELEPHONE: 203-949-1154

ADDRESS: 780 Four Rod Rd, Berlin CT 06037 EMAIL: jdroyz@comcast.net

OWNER OF RECORD: 3B Newington #33 LLC

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 (Sign) 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): Install new 3'-8" x 16'-4" (60ft) pylon sign at 18' overall height.

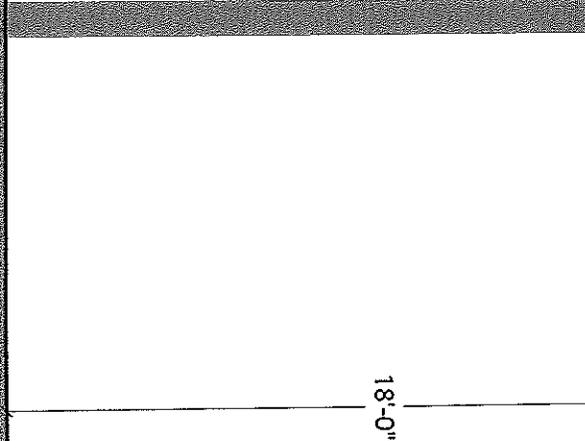
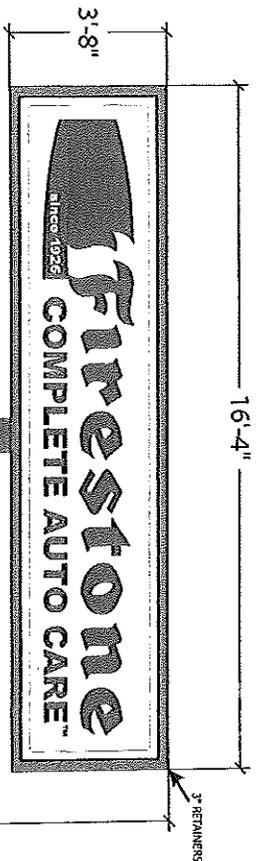
SIGNATURE:

Signature box with fields for APPLICANT, DATE, OWNER, and DATE. Includes handwritten signatures and dates: Darcie Roy 3/6/15 and See attached.

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.

Install new 31'-8" x 16'-4" (60#) pylon sign at 18' overall height
 Setback = 35'

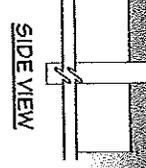


ALUMINUM FABRICATED CABINET & RETAINERS. PTD TO MATCH PWS# 300C.
 NEW 3/7 6" POLYCARBONATE PAN-FORMED FACES W/ EMBOSSED FACES WITH POLYCARBONATE.

COLORS:
 (A) TOP PART OF LOGO - 3M D.ARK RED # 3639-73.
 (B) BOTTOM PART OF LOGO - 3M BRISTOL BLUE # 3639-97 W/ WHITE SHO-THRU COPR. READING "SINCE 1926"
 (C) "FIRESTONE" - 3M DARK RED # 3639-73.
 (D) "COMPLETE AUTO CARE" - 3M BRISTOL BLUE # 3639-97
 (E) FACE BKGD. - WHITE SHO-THRU.

(1) CONCRETE PAD W/ #3 REBAR ON 12" CENTERS - BY G.C.
 CONCRETE PIER REQ'D. - SIZE & DEPTH VARIES PER LOCAL CODE
 WALL STEEL SUPPORT REQ'D. - SIZE & LENGTH VARIES PER LOCAL CODE

ELECTRICAL ESTIMATE -
 TOTAL AMT. CIRCUITS REQ'D. = 1
 VOL. TAGE = 120V
 TOT. AL. DRAW = 8.7 Amps
 AMPS CIRCUIT BREAKERS = 20



P 60 SF. Pylon Sign @ 18' OAH.
 One required - Manufacture and Install

Design: Firestone
Monument / Pylon
Location: Newington CT
Address: Newington CT
Act. Rep.:
Coordinator:
Designer:
Date:
Approval/Date:
Client:
Sales:
Estimating:
Art. Engineering:
Landed:
Artist/Date: MR 9/23/2010
REVISION/DATE:
 Rev. 1: MR 11/11/2010
 Rev. 2: MAH 1/16/15
 Rev. 3: MAH 1/18/15
 Rev. 4: MAH 2/24/15
 Rev. 5: MAH 3/5/15

ARCHITECTURAL APPROVAL, NOTIFICATION AND PERMIT: (SEE REVISIONS FOR WALL HEIGHT, MATERIALS, AND SIGNAGE) (SEE LOCAL CODES FOR SIGNAGE) (SEE REVISIONS FOR SIGNAGE)

Architectural Signatures:
 Date: _____
 Title: _____

Assented to Draw
 Approved with Change/ Hold

Architectural Graphics, Inc.
 2665 Informational Parkway
 P.O. Box 8175
 Virginia Beach, VA 23450
 (757) 427-1800

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FINAL ELECTRICAL CONNECTION BY CUSTOMER

UL
 LISTED FOR USE IN THE U.S.A.
 LISTED FOR USE IN THE U.S.A.
 LISTED FOR USE IN THE U.S.A.
 LISTED FOR USE IN THE U.S.A.

**MAIN STREET
(CONN. RTE. 176)**

Parking Summary Chart

Description	Required	Provided	Additional	Notes
Standard Spaces	118	118	0	
Handicap Spaces	11	11	0	
Motorcycle Spaces	0	0	0	
Other	0	0	0	
Total	129	129	0	

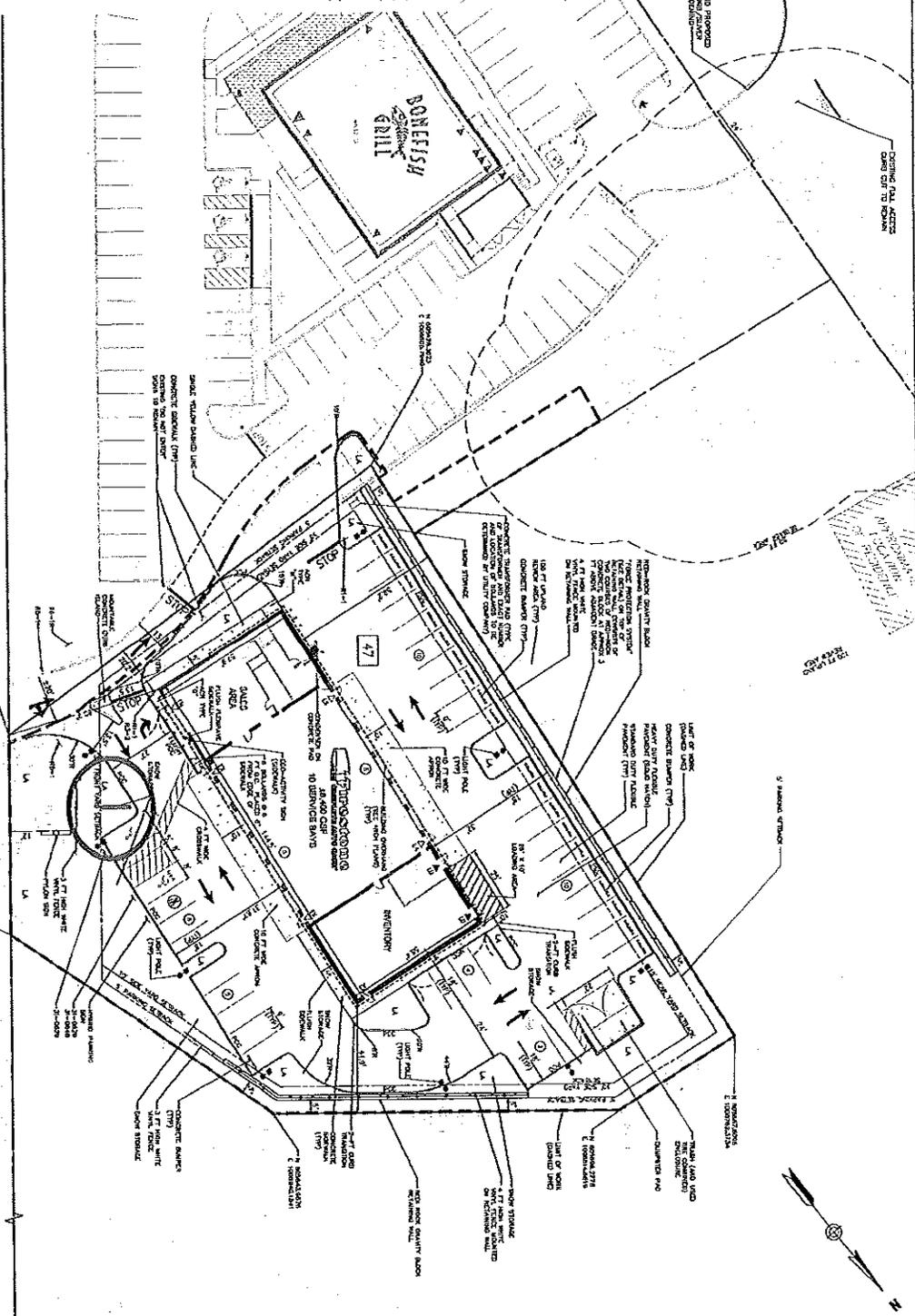
Zoning Summary Chart

Zoning Regulation	Required	Provided	Notes
Commercial	Yes	Yes	
Other	No	No	

APPROVED BY THE NEWINGTON
TOWN PLANNING AND ZONING COMMISSION
PETITION NO. 2012-28
AT THE MEETING OF: 12/17/12
CHAIRMAN: _____
DATE: _____

APPROVED BY THE NEWINGTON
CONSERVATION COMMISSION
PETITION NO. 2012-28
AT THE MEETING OF: 12/17/12
CHAIRMAN: _____
DATE: _____

**BERLIN TURNPIKE
(U.S. RTE. 5 & CONN. RTE. 15)**



PROJECT NO.	00000
DATE	0000
DESIGNER	0000
SCALE	AS SHOWN
DATE	0000
PROJECT NO.	00000
DATE	0000
DESIGNER	0000
SCALE	AS SHOWN
DATE	0000

FIRESTONE COMPLETE AUTO CARE
2903 BERLIN TURNPIKE
NEWINGTON, CT 06111
OWNER: WEX-TUCK REALTY, L.L.C.
121 PARK STREET
NEW CANAAN, CT 06840

STAFF REPORT
Free-Standing Sign at 2897 Berlin Turnpike ("Firestone Complete Car Care")

March 30, 2015

Petition #10-15:

Special Exception (Section 6.2.4: Free-Standing Sign) at 2897 Berlin Turnpike ("Firestone Complete Auto Care").

National Sign Corporation, applicant; SB Newington 433 LLC, owner;

Darcie Roy, National Sign Corporation, 780 Four Rod Road, Berlin CT, contact.

Description of Petition #10-15:

The applicant would like to install an 18' tall free-standing sign, with a signage area of 60 square feet, double-sided, as allowed in Section 6.2.4 (Free Standing Business Signs). The location of the sign is behind the front yard setback, as required for all properties along the Berlin Turnpike.

Staff Comments:

This application meets all of the requirements. There is currently no building signage on the premises, so the customary concern about a business exceeding the allowable signage area does not apply.

The question came up during the scheduling of this public hearing as to the propriety of approving a zoning permit for a project that is the subject to litigation. I have asked the Town Attorney to address that question.

cc:
National Sign Company, Inc.
file

STAFF REPORT
Moratorium in CTfastrak Neighborhoods

March 30, 2015

Petition #03-15:

**Moratorium on Higher-Density Housing in CTfastrak Neighborhoods
Newington Junction and Myra Cohen Way
Newington TPZ, applicant/contact.**

Background:

TPZ is concerned about being pressured into approving higher-density housing in the two CTfastrak station neighborhoods before adopting TOD residential zoning regulations. This moratorium would prohibit the submission of any such application for twelve months, or until the TPZ adopts such regulations, whichever comes first.

Comments:

At the last meeting I was asked to provide TPZ members with a draft moratorium on higher-density housing in the CTfastrak neighborhoods.

In my previous memo I informed TPZ that the Connecticut Supreme Court ruled in 1984 that a moratorium is a lawful exercise of zoning power if done thoughtfully and in moderation. To be legally valid (and avoid a "taking" complaint), a moratorium needs to contain the following elements:

1. Must be enacted with all procedural regularity of a zoning text amendment;
2. Cannot prohibit all economic use of a parcel;
3. Must be limited in scope (area) and duration (time);
4. Must be for a specific purpose, with a desired outcome.

Elements 1 through 3 are pretty straight-forward.

Element 4 calls for a "specific purpose", which in this instance would be to prohibit higher-density housing construction in the two CTfastrak neighborhoods until appropriate zoning regulations are adopted. The "desired outcome" is: TOD ("transit oriented development") zoning regulations that result in appropriate higher-density housing (multi-family, single-family, and mixed-use) in the two CTfastrak neighborhoods.

3. Draft Moratorium: see attached. I have sent a copy to the Town Attorney for his review, as requested.

cc:
file

Text to be removed is shown in ~~bold strikethrough~~. Text to be added is shown in **bold underline**.

Hearing Date: _____
Adopted Date: _____
Effective Date: _____

SECTION 3: ZONE USE REGULATIONS

[new] Section 3.0 **Higher-Density Residential Development Moratorium**

3.0.1 Temporary Moratorium in the CTfastrak Station Areas

A. Intent and Purpose: There are two CTfastrak stations in Newington, at 160 Willard Avenue ("Newington Junction Station") and on Myra Cohen Way ("Cedar Street Station"). CTDOT has projected CTfastrak ridership will eventually be as high as 16,000 riders per day. The demand for housing in the areas around these two stations will therefore almost definitely increase.

The current zoning regulations allow housing at densities ranging from 5 units per acre to 20 units per acre. To ensure appropriate residential development in the vicinity of the two CTfastrak stations, the Plan and Zoning Commission intends to adopt TOD (transit-oriented development) residential zoning regulations for these areas. To prevent the construction of inappropriate higher-density housing before such TOD zoning regulations can be adopted, a moratorium on higher-density housing in the vicinity of the two CTfastrak stations is warranted.

B. Activities Subject to this Moratorium:

- 1. The submission any application for residential development other than single-family housing consistent with the underlying zoning within ½ mile of a CTfastrak station;**
- 2. The submission of any application for a zone change within ½ mile of a CTfastrak station;**
- 3. The submission of any application for a text amendment of any higher-density residential zoning regulation on property that is within ½ mile of a CTfastrak station.**

C. Effective Date and Expiration:

- 1. This moratorium shall take effect upon adoption by the Town Plan and Zoning Commission.**
- 2. This moratorium shall expire 365 days from adoption.**
- 3. If the TPZ adopts TOD zoning regulations and/or amendments to the current higher-density residential zoning regulations before this**

Text to be removed is shown in ~~bold strikethrough~~. Text to be added is shown in **bold underline**.

~~moratorium expires, this moratorium shall expire on the effective date of such zoning regulation or amendment.~~

4. **The TPZ reserves the right to terminate this moratorium at either location prior to the expiration date stated in Paragraph C.2.**



CR# 5623

Petition # 06-15

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 56 Costello Road ZONE: PD

APPLICANT: Keystone Novelties Distributors, LLC TELEPHONE: 717-394-1078

ADDRESS: 201 Seymour Street Lancaster, PA 17603 EMAIL: ccook@keystonenovelties.com

CONTACT PERSON: Chris Cook TELEPHONE: 717-394-1078

ADDRESS: 201 Seymour Street Lancaster PA 17603 EMAIL: ccook@keystonenovelties.com

OWNER OF RECORD: CMB, Inc.

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 ... 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): Outside display of products intended for sale (Fireworks) per section 3.23.1 from 6/24/2015 to 7/5/2015

SIGNATURE:

Signature box containing applicant signature, date 2/4/2015, owner signature SEE ATTACHED L.O.P., and date

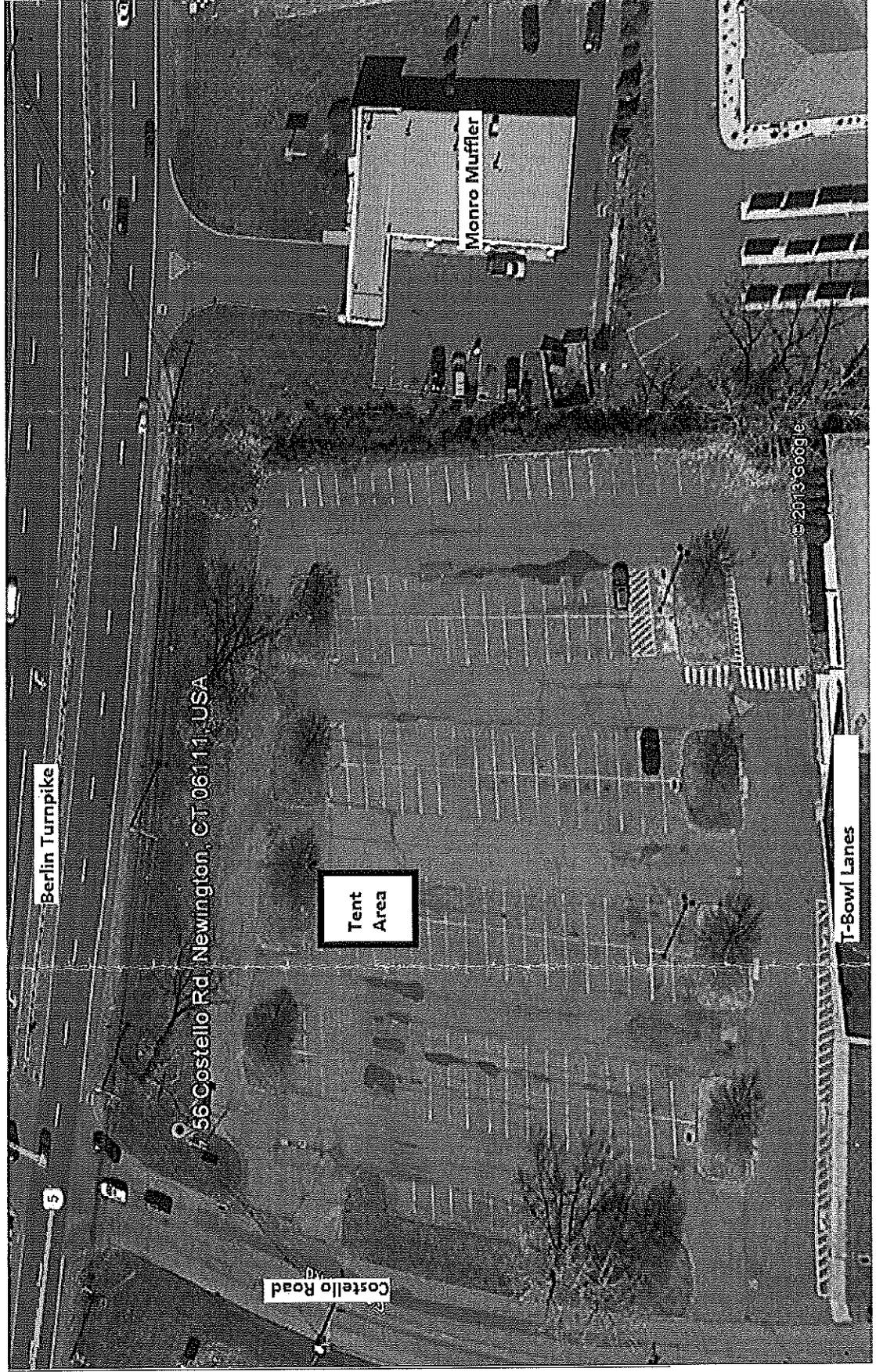
COMPLETE APPLICATIONS SUBMITTED TEN DAYS BEFORE THE NEXT TPZ MEETING WILL BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES THE APPLICATION FEE, TWELVE SETS OF PLANS (IF APPROPRIATE) AND A SEPARATE NARRATIVE EXPLANATION OF THE PETITION (IF APPROPRIATE).

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.

Location Name: Newington

Address: 56 Costello Road Newington, CT 06111

Notes:





Keystone Novelties, LLC

Keystone Fireworks

www.keystonefireworks.com
201 Seymour Street, Lancaster, PA 17603
(800) 390-0844 Fax (717) 290-7774

CM

February 4, 2015

Town of Newington
131 Cedar Street
Newington, CT 06111
Attn: Craig Minor

Craig,

We are in the process of planning for our Fourth of July tent sale for 2015. This year we will be at 56 Costello Road (T-Bowl Lanes). I have included in this package everything that I believe is necessary for the purpose of applying for the Town Plan and Zoning Commission Hearing. In this envelope I have included the following:

- A completed Town Plan and Zoning Commission Application Form
- A copy of the letter of permission
- A site plan showing the location of the tent
- A copy of our insurance certificate
- A check for \$175 to pay for the application

The set-up will be for the period from June 24 through July 5. The tent will be put up a few days in advance and removed as soon as possible after July 5. Of course, we have "No Smoking" signs placed at the entrance and will have a fire extinguisher. If I have not included any fees, please contact me and I will send a check to cover the costs.

I hope that this information is helpful to you and I thank you again for your consideration. Should you have any questions or if anything has change, please call anytime at 717-394-1078. Thank you.

Cordially,

Chris Cook
Field operations Manager

STAFF REPORT
"Keystone Fireworks" Tent Sale

March 31, 2015

Petition #06-15:

**TPZ Approval (Section 3.23.1: Accessory Outside Use) for Fireworks Tent Sale
56 Costello Road (T-Bowl)
Keystone Novelties Distributors LLC, applicant**

Description of Petition #14-14:

Keystone Novelties is requesting TPZ permission to sell fireworks from the T-Bowl parking lot on the corner of Costello Road and the Berlin Turnpike, from June 24, 2015 through July 5, 2015. Section 3.23.1 states that

"Products and equipment intended for sale may be displayed in front of the principal building, but not in the required frontyard setback area, when approved by the Commission."

Staff Comments:

This applicant was approved for this use at this same location for the past three years.

I have asked the Fire Marshal and the Police Department if there were any problems with this operation last year, and I will have their responses for the meeting.

cc:
Chris Cook, Keystone Novelties
file



TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION
APPLICATION FORM

LOCATION OF PROPERTY: Corner of East Cedar St. and Russell Rd. ZONE: B-BT

APPLICANT: Amara Community Living, LLC TELEPHONE: 860-462-0527

ADDRESS: 54 Pond Hill Rd., North Haven, CT 06473 EMAIL: mike@hunterdev.com

CONTACT PERSON: Karl L. Olson, Esq. TELEPHONE: 860-240-6066

ADDRESS: Martha Culture LLP, Cityplace I, 185 Asylum St Hartford CT 06103 EMAIL: kolson@marthaculture.com

OWNER OF RECORD: HDC ONE, LLC

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

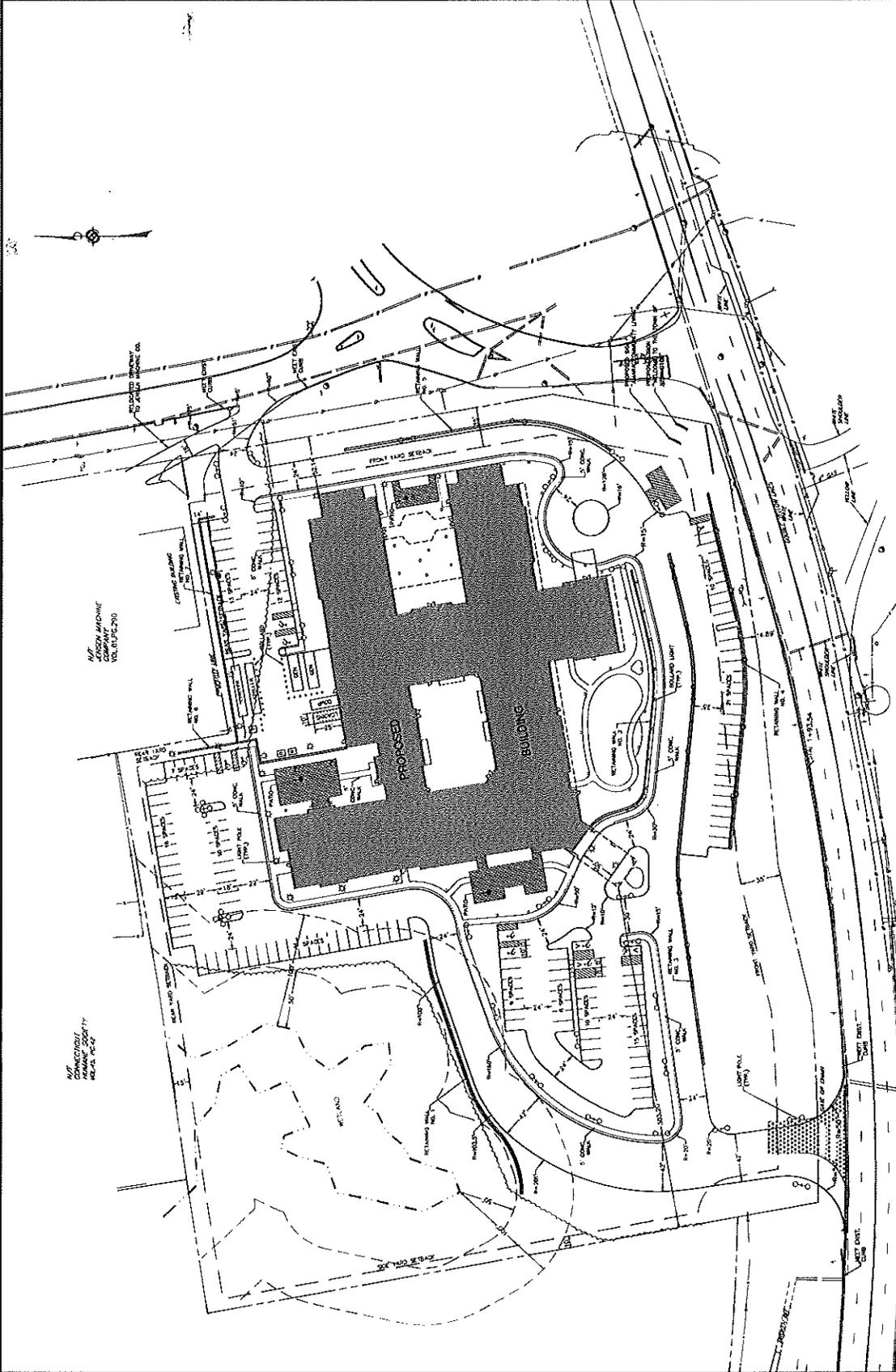
- Zoning Map Change from the _____ to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section _____. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per Section _____ 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>Amara Community Living, LLC</u>	<u>HDC ONE, LLC</u>
<u>Karl L. Olson, Esq.</u>	<u>Karl L. Olson, Esq.</u>
APPLICANT	OWNER
<u>3/3/15</u>	<u>3/3/15</u>
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.



PARKING RECOMMENDATIONS

ITEM	ITEM DESCRIPTION	RECOMMENDED	PROPOSED
1	MINIMUM REQUIRED FOR THIS ZONE	54	54
2	HOSPITAL, RETAIL, COMMERCIAL, OR NEIGHBORHOOD	142	132
3	HANDICAP SPACES	5	5
4	MINIMUM STALL DIMENSIONS	19' x 10'	19' x 10'

SEE ARCHITECT'S SPECIFICATIONS FOR BUILDING LAYOUT
 * 1 SPACE FOR EVERY 3000 SQ. FT. OF GROSS FLOOR AREA

ZONING INFORMATION

ITEM	ITEM DESCRIPTION	REQUIRED	PROPOSED
1	MIN. LOT AREA (SQ. FT.)	20,000	20,000
2	MIN. LOT FRONTAGE (FT.)	150	150
3	MIN. SETBACK (FT.)	N/A	N/A
4	MIN. SIDE YARD (FT.)	N/A	N/A
5	MIN. FRONT YARD (FT.)	15	15
6	MAX. BUILDING HEIGHT (FT.)	N/A	N/A
7	MAX. ADJ. STORIES	5	5

NEWINGTON, CONNECTICUT
 COMMUNITY LIVING
 AT NEWINGTON
 08/14/13

NEWINGTON MACHINE
 COMPANY
 VOL. 10, P. 210

TO: Town of Newington Planning and Zoning Commission
FROM: Kari L. Olson
DATE: March 3, 2015
RE: Special Permit and Site Plan Applications for Amara Community Living, LLC

Dear Commission Members:

This firm represents HDC ONE, LLC ("HDC") and Amara Community Living, LLC ("Amara"). In conjunction with its already pending application for text amendments to Sections 3.2.5 and 9.2 of the Town's Zoning Regulations, HDC and Amara have herewith submitted applications for a Special Exception pursuant to Section 3.2.5 (as amended) and Site Plan approval for a Continuing Care Retirement Community ("CCRC"). The CCRC is proposed to be located at the corner of East Cedar Street and Russell Road in the B-BT Zone. The property consists of nearly 9 acres. The proposed site for the CCRC has all necessary permits to construct a gas station, hotel and strip mall. The proposed CCRC would be created in lieu of these uses and structures.

A CCRC, like the one Amara is considering creating in Newington, is a comprehensive all inclusive facility that provides its members with the opportunity to age in place. This means that all housing, health care and amenities must be contained under one roof. In general, the types of care and services needed in a successful CCRC are segregated into levels: Sub-Acute, Skilled Nursing, Transitional Care and Memory Support Care.

Specifically, Amara is proposing to construct a 5-story community that will contain the following CCRC-related levels of care.

- 1) Independent Living (IL)
- 2) Assisted Living (AL)
- 3) Memory Support Assisted Living (MSAL)
- 4) Sub-Acute Out-Patient/ In-Patient Rehabilitation (SA)
- 5) Adult Day Care (ADC)
- 6) Skilled Nursing (SN)
- 7) Transitional Support (TS)

Within the proposed complex, multiple amenities are proposed including aquatic therapy, a wellness center, spa services, recreational programs and services, amphitheaters, a mini mall, banking, pharmacy, medical office suite, walking paths, etc... The size of the structure is designed specifically to properly separate without isolating residents requiring varying levels of care from the rest of the community. It creates a senior living community that fosters a sustainable long-term living environment and an effective means by which to provide quality of life to the seniors in Newington. Attached hereto is a brochure from Amara further explaining the proposed project.

Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Kari L. Olson".

Kari L. Olson



Alfred Benesch & Company
90 National Drive
Glastonbury, CT 06033
www.benesch.com
P 860-633-8341
F 860-633-1068

March 10, 2015

Amara Community Living
54 Pond Hill Road
North Haven, CT 06473

Re: Amara Community Living Development
Newington, CT

Dear Sirs:

At your request, we have reviewed the proposed development of the Amara Community Living Development on the site for the formerly approved Shoppes at East Cedar Street, along the north side of East Cedar Street just west of the Route 5/15 southbound ramps. The purpose of this review is to compare the anticipated trip generation and potential need for off-site improvements for the proposed new Continuing Care Retirement Community, known as Amara Community Living at Newington to the retail development formally approved for the site. The previously approved Shoppes at East Cedar Street was to consist of a 100 room Hotel, 3,500 square foot Convenience Store with Gasoline Pumps, a 5,256 square foot High-Turnover Sit-Down Restaurant, a 3,000 square foot Drive-In Bank and a 9,000 square foot Shopping Center.

The comparison of anticipated traffic generation for the proposed vs. previous development involves the calculation of the new trips generated by the continuing care facility and comparing them to the previously approved peak hour trip generation for the mixed-use development. The anticipated site generated traffic volumes for the Amara Community Living project were calculated using existing empirical data from the Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition, 2012. This publication contains Land Use trip generation rates for various uses including Land Use 225 Continuing Care Retirement Communities. When the Shoppes at East Cedar Street was approved, the AM peak hour trip generation was not calculated therefore the ITE trip Generation Rates for each of the various land uses were used to calculate the AM peak hour volumes for the mixed use development. The number of new trips that are anticipated to be added to the adjacent roadway network for each development and the difference are presented below in Table 1.

Table 1

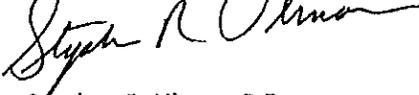
	Continuing Care Retirement Community (230 occupied Units)	Shoppes at East Cedar Street	Change	% Decrease
	Trips	Trips	Trips	
ADT	1178	6,382	-5,204	-82%
AM Peak Traffic	45	341	-296	-87%
Entering	29	183	-154	-84%
Exiting	16	157	-142	-90%
PM Peak Traffic	47	483	-436	-90%
Entering	18	247	-229	-93%
Exiting	29	236	-207	-88%

The table above indicates that the number of trips generated by the proposed Amara Community Living Development are significantly lower than the anticipated number of trips associated with the previously approved Shoppes at East Cedar Street. With less than 50 trips being added to the roadway network during the peak hours, the offsite improvements previously required for the construction of the retail development are not required.

If you have any questions or need additional information, please contact us.

Very truly yours,

Alfred Benesch & Company



Stephen R. Ulman, P.E.
 Senior Project engineer

(70234)/ Enclosure

STAFF REPORT
Site Plan Approval for Continuing Care Retirement Community

March 31, 2015

Petition #09-15:

Site Plan Approval (Continuing Care Retirement Community) at 751 Russell Road. HDC ONE LLC, owner; Amara Community Living LLC, applicant; Kari Olson, Esq., CityPlace I, 185 Asylum Street, Hartford CT, contact.

Description of Petition #09-15:

This is an application for site plan approval of a proposed "continuing care retirement community" at 751 Russell Road. This is the same location as the Hunter Development mixed used development that was approved by TPZ in 2007.

Staff Comments:

I have completed my review of the site plan. I noticed several pieces of information that are missing from the plans, but with the exception of the applicant's failure to address the new LID regulations, these are all items that I believe can be addressed as a condition of approval. The Town Engineer has met with the applicant's consulting engineers regarding their LID designs.

My review letter to the applicants is attached.

I have asked the Fire Marshal to review the emergency vehicle turning movements plan, and the Police Department to review the curb cuts in their capacity as "local traffic authority". They are working on that.

cc:
Attorney Kari Olson
file



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

April 1, 2015

Kari L. Olsen, Esq.
Murtha Cullina LLP
Cityplace 1
185 Asylum Street
Hartford, CT 06103

Re: Petition #09-15: Site Plan Approval (Continuing Care Retirement Community) at 751 Russell Road. HDC ONE LLC, owner; Amara Community Living LLC, applicant; Kari Olson, Esq., CityPlace I, 185 Asylum Street, Hartford CT, contact.

Dear Ms. Olsen,

I have completed my review of the above-reference site plans, and have the following comments.

1. Section 5.3.4 (Content of a Site Plan)

The following items are missing or incomplete:

- a. A context map (or "key map") at 200-scale (Section 5.3.4.A), showing all driveways within 500' (Section 5.3.4.F). This should be on Sheet PA-0.
- b. The Zoning Information table on Sheet C-1 should include an additional line for maximum impervious cover (showing compliance with Section 6.10.1).
- c. The soil type should be stated (Section 5.3.4.A.9).
- d. The proposed site drainage and the sanitary lines should show direction of flow (Section 5.3.4.A.4).
- e. The site plan is missing an Access Management Plan (Section 5.3.4.F).
- f. The Distance and bearings of all boundary lines and acreage of site (Section 5.3.4.C.2) is missing. This is shown on the survey map, but it needs to be on the site plans too.
- g. Monuments at corners and angles are missing (Section 5.3.4.C.7).
- h. Regarding the note on Sheet E-1 which reads, "Reference to arrangement for access drive over property line" on the Jensen Machine Company property: please submit a copy of the appropriate legal documentation.

2. Section 6.10 (Green Space, Landscaping and Buffer Requirements)

The following information is missing or incomplete:

a. Please verify that the site contains the minimum amount of impervious cover in accordance with Section 6.10.1.

3. Section 6.15: Stormwater Management

The following information is missing or incomplete:

a. I have asked the Town Engineer to review the plans for compliance with this section of the zoning regulations.

b. The LID (Low Impact Development) zoning regulations require all site plans to “demonstrate conformance with the applicable standards for stormwater management as specified in Section 2.1 of the Low Impact Development and Stormwater Manual”. There do not appear to be any LID techniques incorporated into this design.

4. Section 7.4: Design Standards

The following information is missing or incomplete:

a. A location for snow storage must be shown (Section 7.14.7).

b. Design calculations prepared by a professional engineer for any retaining wall that exceeds four feet must be submitted (Section 7.4.8.B).

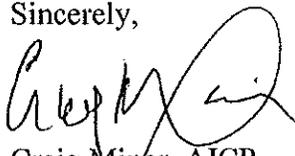
c. Substantial fencing is required at the top of high retaining walls (Section 7.4.19.A). While the “Site Details” page (Sheet C-7) shows a typical retaining wall with fence, the site plan doesn’t show where such fences will be.

d. The driveway at Russell Road should be not less than 28’ wide (Section 7.4.C).

e. The “Signature Block” is missing from the plans (Section 7.4.28). The block need only be on the cover page (Sheet PA-0).

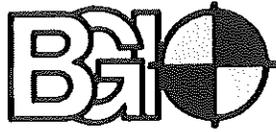
If you have any questions or comments, please contact me at (860) 665-8575.

Sincerely,



Craig Minor, AICP
Town Planner

cc:
file



THE BONGIOVANNI GROUP, INC.
LAND SURVEYORS, LAND PLANNERS

March 20, 2015

BGI #01-165

Mrs. Cathleen Hall, Chairperson
Town Planning and Zoning Commission
Town of Newington
131 Cedar Street
Newington, Connecticut 06111

Re: Site Plan Amendment (P&Z Petition #18-14)
Seva Sadan, LLC
2272 Berlin Turnpike

Dear Madam Chair,

Attached are plans for the above captioned project that show the front parking lot as approved by your Commission and Plans that I have amended to show additional parking in the front yard, as allowed by a variance granted by the Zoning Board of Appeals.

As this additional parking was part of an original application and the variance request was directed by your Commission as a procedural matter, I am hereby requesting that the Planning and Zoning Commission approve this Site Plan as amended.

I thank you in advance for your consideration of this matter.

Sincerely,

BONGIOVANNI GROUP, INC.

Alan Bongiovanni,
President

AB:rab/01165tnchair2

Enc.

Cc: Dr. P. Patel

STAFF REPORT
Modification to Site Plan Approval for Commercial Building
at 2272 Berlin Turnpike

March 31, 2015

Petition #12-15:

Modification to Approved Site Plan (Commercial Building)
2272 Berlin Turnpike
Parth Patel, owner/applicant
Alan Bongiovanni, 170 Pane Road, Newington CT, contact

Description of Petition #12-15

When the site plan for this building was prepared last year and submitted to TPZ for its approval, the design was predicated on the applicant's expectation of getting a waiver from the prohibition on any structures (including pavement) between the property boundary and the front yard setback. This was consistent with other development in this area of the Berlin Turnpike.

During the presentation the TPZ members did not appear to object to this request. However, due to the recent MacKenzie vs. Monroe TPZ Supreme Court decision, TPZ could not grant the waiver. A revised plan was approved that complied with the regulations.

But the TPZ suggested the applicants apply to the ZBA for a variance from that regulation. They did, and the ZBA granted the variance. The application before you now is to approve the revised site plans.

Staff Comments

I have no objection to this request.

cc:
Parth Patel
Alan Bongiovanni
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: March 31, 2015
Re: Status of HB 6851

The Planning and Development Committee approved a revised ("substitute") version of HB 6851 on March 27, 2015. The substitute bill contained the changes requested by the Office of Policy and Management as described in a March 20, 2015 memo from OPM Undersecretary for Legislative Affairs Gian-Carl Casa. According to that memo, the changes were:

1. The "host" town and TCDA will have to enter into a memorandum of agreement to delineate the parameters of the development district -- so if a town doesn't want TCDA development projects within its boundaries, it needn't sign an agreement.
2. The host town's chief elected official remains an ex officio member of the TCDA board for matters pertaining to the development in his or her community -- but would get a vote.
3. The executive director of the host Regional Planning Organization (RPO) would be a non-voting ex officio member
4. TCDA's Condemnation authority has been removed from the bill.
5. Language is added that clarifies that municipal zoning, subdivision or wetland regulations apply for developments on private or municipal land, just as under current law.
6. TCDA will be required to consider written statements submitted by the host RPO.
7. Deletes language requiring municipalities to cooperate with TCDA. That will be handled in any MOA.

Attached are excerpts from the substitute bill showing the changes in in bold underline and strikethrough. This was created by me and is not official.

cc:
file

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

*AN ACT ESTABLISHING THE CONNECTICUT TRANSIT CORRIDOR
DEVELOPMENT AUTHORITY.*

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1

(a) (3) "Connecticut Transit Corridor Development Authority development district" or "development district" means an area around a transit station, **determined by a memorandum of agreement between the authority and the chief executive officer of the municipality where such transit station is located, provided such area shall not exceed a one-half mile radius of such transit station;**

(6) "Transit station" means any passenger railroad station or **Hartford-New Britain busway project** [originally "bus rapid transit station"] station that is operational, or for which the department has initiated planning or that is included in the state-wide transportation investment program.

(c) (2) In addition to the members listed under subdivision (1) of this subsection, the chief elected official of each municipality in which an authority development project is planned, or such official's designee, shall serve as an ad hoc, **voting** [was "non-voting"] member of the board solely for matters directly affecting such project and not including matters pertaining to the general operations of the authority.

(3) [NEW] In addition to the members listed under subdivisions (1) and (2) of this subsection, the executive director of the regional council of governments for the planning region in which an authority development project is planned, or such executive director's designee, shall serve as an ad hoc, nonvoting member of the board solely formatters directly affecting such project and not including matters pertaining to the general operations of the authority.

Sec. 2.

(c) In addition to the powers enumerated in subsection (b) of this section, the Connecticut Transit Corridor Development Authority shall have the following powers with respect to authority development projects:

(1) (A) To acquire by gift, purchase, ~~condemnation~~, lease or transfer, lands or rights in-land and to sell and lease or sublease, as lessor or lessee or sublessor or sublessee, any portion of its real property rights, including air space above, and enter into related common area maintenance, easement, access, support and similar agreements, and own and operate facilities associated with authority development projects, provided such activity is consistent with all applicable federal tax covenants of the authority;

(2) ~~[DELETED] In consultation with the chief elected official of the municipality in which an authority development project is located, to condemn properties that may be necessary or desirable to effectuate the purposes of the authority, in accordance with the provisions of part I of chapter 835 of the general statutes;~~

(e) [NEW] Prior to taking any action in a development district, the Connecticut Transit Corridor Development Authority and municipality where such district is located shall enter into a memorandum of understanding. Such memorandum shall include, but not be limited to, (1) defined responsibilities of the authority and the municipality with regard to such district; (2) identification of the properties within such district that are controlled or owned by the authority, the state, the municipality or a private entity; (3) long and short range plans for the district, including any foreseeable changes of use or control of properties located therein; (4) identification and allocation of revenue sources for projects within such district, including, but not limited to, bonding, taxes, fees, rental income or parking; and (5) agreement as to the types of activities that will require a public hearing.

(f) [NEW] Nothing in sections 1 to 8, inclusive, of this act shall be construed as exempting development projects of the Connecticut Transit Corridor Development Authority on privately or municipally owned property from municipal zoning, subdivision or wetland regulations, municipal plans of conservation and development or any municipal ordinance.

(g) [NEW] Nothing in sections 1 to 8, inclusive, of this act shall be construed as limiting the authority of the Connecticut Transit Corridor Development Authority to enter into agreements to facilitate development or redevelopment of state property or facilities.

Sec. 5.

(d) All state ~~and municipal~~ agencies, departments, boards, commissions, councils and quasi-public agencies shall cooperate with the Connecticut Transit Corridor Development Authority in carrying out the purposes set forth in section 2 of this act.



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: March 31, 2015
Re: Town Planner Report for April 8, 2015

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1. Zoning Enforcement Issues Raised at Previous TPZ Meetings: None.
 2. Old Performance Bonds held by Town: No changes since my last report.
 3. Newington Junction TOD Committee: No report.

cc:
file

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