

NEWINGTON TOWN PLAN AND ZONING COMMISSION

Regular Meeting

May 13, 2009

Chairman Cathleen Hall called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

I. ROLL CALL

Commissioners Present

Commissioner Casasanta
Commissioner Ganley
Chairman Hall
Commissioner Kornichuk
Commissioner Pane
Commissioner Pruett
Commissioner Schatz
Commissioner Lenares

Commissioners Absent

Commissioner Camerota

Staff Present

Ed Meehan, Town Planner

II. PUBLIC HEARINGS

- A. PETITION 11-09 – 90 Welles Drive North, New Meadow Phase II property, Henry Schadler Associates, PC, 5 Waterville Road, Farmington, CT 06032 attention Paul H. Selnau, applicant representing New Samaritan; Town of Newington, Newington Housing Authority and New Samaritan Corporation, owners, request for Special Exception Section 3.7.2 to construct 32 age restricted affordable housing units for seniors, R-12 Zone District. Continued from April 22, 2009.**

Chairman Hall: The applicant is present, state your name and address for the record, please.

Paul Selnau: My name is Paul Selnau from Henry Schadler Associates. Thank you very much, in fact what we have this evening specifically to discuss are some of the ways that we have addressed the concerns raised by the board and also by the residents. The first issue raised by the residents was asking us to take a look at a new location for the transformer, the generator and the chiller, hopefully move them to the opposite side of the site and install a berm with some landscaping. We have been able to do that, we looked at several locations and we have found a location for the transformer which is certainly out of the way, and away from the end of the property next to the residents, and we have located our chiller and our generator on the far end of the site, away from the residents, in a little corner of the site which is outside of the wetlands buffer zone. We have been able to depress an area behind the building, in between the building and the wetland buffer zone and depress an area consistent with the grade, off site and install the chiller and the generator in this location. We have a screen around here, that we are putting and as well a fence with sound attenuation around that area to shield some of the noise coming from

the chiller. This is a drawing indicating the decibel ratings coming from the chiller and it extends off of the lease line and we have determined that we are going to end up with a forty db rating by the time that it gets to the Housing Authority, which is certainly well below the minimum standards that would be required for sound emission for the different buildings. You can see that this is the berm area that we have created in here, and the plantings that we have provided on there. The other thing that we have done is we have taken the sidewalk out along the property line and pushed the row of plantings back. That's a brief description of the way that I think we have addressed all the concerns raised at our last meeting, so if you have any questions that we can answer based upon this, or from the site visit, we will be glad to answer that now or whatever your prefer. My site engineer is also here to answer any type of questions you may have.

Chairman Hall: Ed, do you have anything to add to what Mr. Selnau has said so far?

Ed Meehan: No, the other changes that were made were more construction design changes pursuant to site plan requirements for like concrete curbing, details on the plan, but the plans that have been presented as amended I think capture the concerns of utility locations, and the berm, the berm on the easterly side of the property. I have nothing to add.

Chairman Hall: Are there any questions from the Commissioners? I just have one, he was talking about the sound, I think you have done a little bit of research on the decibels, what is the town standard? It's above the forty, isn't it?

Ed Meehan: From residential to residential it's fifty to fifty-five, depending on whether it's day or night, so this is under that and the generator would be treated as an emergency stand by generator which is exempt when it is operating, from the noise ordinance.

Chairman Hall: And the chiller would be used pretty much for the cooling, so that would be in the summer time and most of the time that the chiller is being used, the windows are closed anyway, usually.

Ed Meehan: I would think so.

Chairman Hall: Any other questions from the Commissioners? Anyone from the public wishing to speak in favor of this petition? Anyone wishing to speak in opposition to the petition? Anyone simply wishing to speak. Come forward, state your name and address for the record, please.

Christie Labella, 73 Welles Drive North: On behalf of the neighborhood we just want to say thank you for working with our suggestions and what we had put forth, what we were very concerned about. It looks really nice, Paul, you did a nice job and we appreciate you listening to us. Thank you.

Chairman Hall: Thank you. Any other comments, anyone else wishing simply to speak? Then at this point I don't see any reason, we have Conservation approval that needs to be, but I don't think we need to leave it open for that.

Ed Meehan: No, you can close it, but you cannot vote until you get your report from Conservation.

Chairman Hall: Do you wish to speak?

Barry Childress, 78 Welles Drive North: I have a question about the lighting. I don't know the standards of height, whatever, is it going to be to the maximum height of the lighting standards of feet, how high you put the lighting, you know.

Chairman Hall: The lighting standards, do they do that during site plan.

Ed Meehan: It's really a site plan question, but it could be a neighborhood overflow....

Chairman Hall: Right, probably not as tall as that street light that is there now.

Ed Meehan: I doubt it.

Chairman Hall: The one that overhangs....

Barry Childress: The reason that I bring that up is, the new, right next to the Citgo station on the Berlin Turnpike they put a.....

Chairman Hall: Shopping center?

Barry Childress: Yeah, now if you drive on Kitts Lane, right behind there, all I notice when I was driving by, I could see the lights, coming right through the neighbor's houses, you know, you can just see the lighting from the back of the building, you can see that, it just shines right out. That's why I was questioning the height of the lighting, if they were going to put it at the maximum or.....

Chairman Hall: I know that had shown it on one of their plans, I think they are looking for that now.

Paul Selnau: The pole height, all lights are dark sky, so they all cast lighting down, but the pole height is fourteen feet.

Chairman Hall: Fourteen feet. Thank you. Do we have any idea how tall that light is now?

Ed Meehan: Street lights are about twenty, the pole is usually about thirty, thirty-five, the street light is usually eighteen to twenty.

Chairman Hall: So this will be lower than what is already there, and it will be boxed, right? And it is a down light, versus the light that is there now shines out.

Ed Meehan: The standard is not to exceed seventeen feet, so they are three feet lower than the standard.

Chairman Hall: Thank you, thank you very much. And we did get it on the record that we are closing this, subject to, we won't vote until Conservation Commission has given approval.

B. PETITION 13-09 – Market Square, Newington Chamber of Commerce, 1046 Main Street, Newington, CT 06111, contact David Johnson, 3153 Berlin Turnpike, Newington, CT 06111, Town of Newington owner, request for Special Exception Section 3.2.8 Special Event Classic Car Show, June 11, 2009, Market Square from Constance Leigh Drive to Main Street.

David Johnson, 52 Pheasant Run, Newington: Good evening. I'm here on behalf of the Newington Chamber of Commerce for a special exception to hold our third annual cruising Newington, on Market Square. The last two events that we have held have been successful. We had over 200 cars last year of classic vintage and I would estimate between one thousand and two thousand people visit Market Square to see the cars and the surrounding businesses which is the idea behind this whole event, to bring other people down to the Market Square area that

might not otherwise come. I respectfully request that you grant the special exception so we can hold our event this year, and I will open it up to any questions.

Chairman Hall: Ed, do you have anything to add? I know that he gave us a nice handout.

Ed Meehan: No, the companion requirement for department review and sign-off is going through the department's process now. The Chamber coordinates with the highway, staff and police department to arrange for necessary set-ups in advance and one housekeeping item that we require, and they have taken care of in the past is the insurance, event insurance which we usually try to get a few days in advance of the event.

David Johnson: We will provide that again this year.

Ed Meehan: It's very successful.

Chairman Hall: Any questions from the Commissioners? I know each year so far you have increased the attendance and the participants and I have already heard people talking about looking forward to it this year. I notice that you have two rain dates which is probably smart this year, sadly. Any other questions from the Commissioners? Anyone from the public wishing to speak in favor of this petition? Come forward please, state your name and address for the record.

Gail Whitney, 31 Old Hatchery Lane: I'm the executive director of the Newington Chamber. Obviously this is a very important event for us, our third year. The first two years were just wildly successful and it's just great for the businesses in town in the Market Square area and I just think it's something that you should approve because it is beneficial for the town, and it's just a nice community event. Thank you.

Chairman Hall: Thank you. Anyone else wishing to speak in favor of this petition? Anyone wishing to speak in opposition? Anyone wishing simply to speak? I think we probably can close this one too. There haven't been any complaints at all on this, that we have heard.

Ed Meehan: No, nothing, not that I have heard.

Chairman Hall: So it is really something to look forward to and wish you the best of success at it.

David Johnson: Thank you.

Chairman Hall: We will close this petition.

III. PUBLIC PARTICIPATION (relative to items not listed on the Agenda-each speaker limited to two minutes)

None.

IV. MINUTES

April 22, 2009

Commissioner Pruett moved to accept the minutes of the April 22, 2009 regular meeting. The motion was seconded by Commissioner Kornichuk. The vote was unanimously in favor of the motion, with seven voting YES.

V. COMMUNICATIONS AND REPORTS

Ed Meehan: There is an item on the table just calling the Commission's attention to the New Britain-Hartford busway project. They have an open house coming up on May 19th, over at CCSU and a second open house on the 20th, 4:00 to 8:00 p.m. This open house will be in a large floor space because they have almost room size scale drawings of the entire busway route now, from New Britain up to Hartford, showing the lane arrangement, showing the overpasses and the busway stations and they are also probably going to be talking about some of the operational components such as station maintenance, security. They have been doing a lot with IT networks for signage and so forth, so you will see a lot of progress if you have a chance to go to these open houses.

Chairman Hall: And there is no problem with several of us going, if we so choose?

Ed Meehan: It's an event that you are visiting as a member of the public. They are not asking for any formal position from anybody, just come and get informed.

Chairman Hall: Anything else?

Ed Meehan: There is an item from the Board of Ed through Lou Jackimowicz. I just saw Lou walk in, maybe he and I should talk under Staff. It has to do with signage, so it's more of a technical nature, it's probably better under staff.

VI. NEW BUSINESS

- A. PETITION 12-09 90 Welles Drive North, New Meadow Phase II property, Henry Schadler Associates, PC, 5 Waterville Road, Farmington, CT 06032 attention Paul H. Selnau, applicant representing New Samaritan Corporation; Town of Newington, Newington Housing Authority and New Samaritan Corporation, owners, request for Site Development Plan approval Section 5.3 to construct 32 age-restricted affordable housing units for seniors. Inland Wetland Report required. Continued from April 22, 2009.**

Paul Selnau: Thank you very much, and again this is the second part of our application obviously we have spoken before about the things that we have done for the residents, but just for the record, if you would like, to say that we have moved the transformer, and the generator and the chiller to the opposite side of the site. We relocated the berm and the (inaudible). We have taken the other comments into account, removing the sidewalk and planting and we did some of the technical things that Ed has spoken about which related primarily to the curbing and other details. Again, we have the decibel ratings showing that we are in compliance with the ordinances and I think that is basically the things that came up at the public hearing as well as this section on the application. So again, I can just answer any questions that you might have from a technical point.

Chairman Hall: Any questions from the Commissioners? Ed, anything that you might want to add?

Ed Meehan: I have no questions.

Chairman Hall: I think that you have given us a lot of detail, and you certainly have re-worked everything that we had hoped that you could put in, including the excavation, one side versus the other and so, any other questions, comments? Thank you for all that you have done.

Paul Selnau: Thank you very much.

B. PETITION 08-09 Assessor Map SW 1865, .93 acre vacant parcel located between 115 and 173 Pane Road, NB Realty Group, LLC owner, Quality Customer Construction, 160 Jerome Avenue, Burlington, CT 06013, applicant, request for Site Plan approval Section 5.3, 4,500 sq. ft. light industrial use building, PD Zone District.

Commissioner Pane recused himself from PETITION 08-09.

Jeff LaChance: These are the colors, split face block, this is the color that is on the print. The customer requests that the trim, the rakes and the gutters instead of Colony Green as is on the print, they want to paint it Cocoa Brown.

Chairman Hall: If you could put those up on the lip and then refer to those so we can see.

Jeff LaChance: This is the main color.

Chairman Hall: And the trim would be the cocoa brown?

Jeff LaChance: Yes.

Chairman Hall: And then the split face block, do we have.....

Ed Meehan: Are you going to present yourself, or is your.....

Jeff LaChance: I had, the building plans I believe are with them.

Ed Meehan: Are you going to present, or is your engineer.....

Jeff LaChance: Tony Ferraro said that he wasn't required to be here.

Ed Meehan: Okay.

Chairman Hall: Could you just give your name and address.....

Jeff LaChance: I'm Jeff LaChance from Quality Customer Construction, 160 Jerome Avenue, Burlington, Connecticut.

Chairman Hall: Would you take us through this application, give us an idea of where it is, and what you intend to do with it.

Jeff LaChance: This is the main building right here, fifty by ninety feet, approximately fifty feet off of the road, there is a parking lot coming in, two catch basins with underground storage for water from the roof gutters and the parking lot, not the roof gutters, the roof gutters go back into here, and it's going to be absorbed in the back and the roof leaders, well, going back here, the catch basins, two catch basins with underground storage for the parking lot, with an overflow going to the catch basin on Pane Road.

Chairman Hall: And the road that is in front is Pane Road?

Jeff LaChance: This is Pane Road.

Chairman Hall: That road curves, and essentially, are you on the curve as it goes out, in other words, tell us what is on either side of you to give us some perspective.

Jeff LaChance: Okay, there's an existing building here, an existing building here, the road, the opening is right on the edge of the turn with a big wide radius, and there is nothing, no obstructions for viewing to come out into the road.

Chairman Hall: Do we have anything that looks like the outside of the building? Do we have any of that?

Ed Meehan: The plan sheets are attached there.

Chairman Hall: So that we can see what these colors would be referring to.

Jeff LaChance: This is the front of the building. The Town of Newington requested two thirds of the way split face block. This entrance here is also split face block, it was a smaller block at the time that we handed this in, but then they made us change it.

Chairman Hall: So it will be the same?

Jeff LaChance: Same. All the brick over here the same. This is the back side which is just regular sheeting, same color.

Chairman Hall: What is that bottom part? Is that.....

Jeff LaChance: This is the foundation underground.

Chairman Hall: It's underground.

Jeff LaChance: Yeah. This is the left side again, they wanted because this is more like the front main part where you are going to be accessing the building. They wanted the two thirds to continue, to here, and then this is the opposite side, if you are looking at the building from Pane Road on the right side, 22-6 block, and then it ends.

Chairman Hall: And the rest of that is siding.

Jeff LaChance: Sheeting.

Chairman Hall: Which is the sand?

Jeff LaChance: Yeah.

Chairman Hall: So where is the cocoa brown?

Jeff LaChance: Right here, the gutter line in the eaves, and then.....

Chairman Hall: So it's just a trim line, it's not the top part.

Jeff LaChance: Nope. That's the roof part, still desert sand, or desert tan and then this is cocoa brown, and this break right here.

Chairman Hall: Ed?

Ed Meehan: Is that a steel seam roof or asphalt, what.....

Jeff LaChance: Steel.

Ed Meehan: Okay. My staff report is brief. This is a small building, 4500 square feet. The important thing on this lot and any of these lots that front on Pane Road is the control of storm water drainage and the Town Engineer has met with the applicant's site engineer, so the drainage design is to control the water from the parking lot, which is a small parking lot, it only has six spaces and a turnaround for a truck, plus any roof drainage, to bring it into a storm water quality system which has an oil and water separator and then goes to a galley system which is controlled at zero runoff before it goes into the street system on Pane Road. That is located in the front of the property. That is basically the collection system. The southerly side of this property, a little less than half, there's no building activity. It's the area that, it's not up there now, I'll put that back up because that's important. This part of the property abutting on the south side, this is left in its natural condition. I did observe some clearing there, some grubbing, that probably should be looked at to see if it needs any stabilization so there is no erosion or excessive runoff. There is a landscape plan component with this application for foundation plantings, loam and seed of the grass area, proposed grass areas and then restoration of street trees along Pane Road. We asked when it came through to widen the driveway radius so there is better turning onto Pane Road. The heavy S-turn is just to the east of this property, shown on the index map and this lines up with the driveway across the street, I think that's Reno Tool, so we wanted the driveways to line up on that corner so the driver can focus on cars directly across from him.

Only six parking spaces were shown on the plan, and it's because it's a small light manufacturing machine shop. They don't have a high employment level at this time and when the applicant, I guess the owners were with Mr. LaChance, starting out small, moving into Newington, hopefully if they grow they can then grow southerly over time. That's pretty much the site in a nutshell. It meets all the zoning setbacks as far as side yards, and site plan requirements for drainage, utilities are underground. One question that I think I asked Clem today is there any, on the left side, is this a transformer pad or is that a HVAC pad.

Jeff LaChance: AC pad.

Ed Meehan: AC pad, for what, the office in front?

Jeff LaChance: Yes.

Ed Meehan: As long as that, that shows that it is behind the setback line which is okay, and the other thing I asked was the information on the colors and the proposed blocking. Originally the client had not proposed any split face block, it was all going to be panels, either steel or vinyl, so when they came in for staff review, we urged them to try to do what we have done in other industrial areas, and do some, most of your block buildings give a more substantial look and would be more compatible with other properties in the area, so that is why the applicant responded with the split face block design. That's all I have.

Chairman Hall: Any other questions? My only question was about the heating and cooling, and essentially that is just an air conditioner pad. Are you going to have one of the ceiling mounted heaters that come out, or how are you going to do that?

Jeff LaChance: Well, the heaters on the inside, they are still working on that part for the inside, but it's going to be an inside blower, but you won't see it from the outside.

Chairman Hall: So everything will be internal.

Jeff LaChance: Right.

Chairman Hall: Any questions from anyone? That's it. Thank you for your time.

C. PETITION 14-09 – 35 Budney Road, On-Site Gas Systems, Inc., Guy Hatch applicant, Hursey Enterprises, LLC owner, represented by Fuss & O’Neil Inc., Ronald Bomengen, 146 Hartford Road, Manchester, CT 06040, request for Site Plan Modification to add additional parking, PD Zone District. Inland Wetland Commission report required.

Chairman Hall: State your name and address for the record, please.

Ronald Bomengen: Sure. My name is Ron Bomengen, thank you for pronouncing my last name right, it’s very rare. I’m with Fuss & O’Neil, a professional engineer and I represent On-Site Gas Systems, Inc., for their parking lot expansion at their site at 35 Budney Road, which is just off the Berlin Turnpike in the Budney Industrial Park. Lowe’s is right about over here. It’s in the PD Zone. I’m here for a modification to the existing site. The facility is in need of some more parking. Right now the employees, there are too many employees for the number of parking spaces that they have. They have twenty, and I don’t have the exact number of employees but it’s somewhere between thirty and thirty-five, so there’s not enough parking. They are parking on the sides of the driveway entrance and also on Budney Road which is not allowed in the Budney Industrial Park. The building is about 12,500 square feet of warehouse/manufacturing space, and about 3500 square feet of office space. The existing parking lot is here, just for employees, there is a loading area here for deliveries and pick-ups. This area back here is all currently lawn. There is heavy brush down through this area, this is a very steep embankment down to some existing wetlands. The property right here I believe is conservation land, this is wetlands from the property line down this way. The building roof drainage as well as the site drainage all drains to a MDC sanitary, MDC storm water pipe which has an easement down this property line here, and then empties, discharges into the wetlands.

The proposed application, we are looking to expand the parking lot by eighteen parking spaces which is shown here. The existing conditions right now, there is about, there’s thirty-three percent of the site covered by impervious surface so thirty-three percent coverage which is about .6 of the 1.8 acres that is the site. Under the proposed condition we go to forty-two percent coverage, .76 acres which is just an increase of .16 or 7,000 square feet. We are changing the drainage slightly by adding this parking lot. In the existing conditions, the site drains away from the building to a couple of catch basins along the drainage easement and discharges down into the wetlands. Under the proposed condition, we are going to have bituminous curbing, it’s a bituminous parking lot, there is curbing on both sides, but not on the end. The site is going to drain, sheet flow down the parking lot and go over this four foot wide rip rap, special rip rap stone, which will dissipate storm water energy, remove some of the debris from going directly into the wetlands. We have submitted a drainage analysis, we submitted that yesterday to Tony Ferraro, along with the wetlands application, which we submitted last week. So we have to go to Wetlands for this. We are well within the buffer area of the wetlands. There is an increase of storm water runoff to those wetlands. I’m not sure if he has had the time to review it or not, but it is a slight increase. It’s a small addition to the parking lot, so it’s not a huge increase, it’s just a small increase. There are also two new lights to light the parking lot, for safety. We did the photo metrics and there is no light trespass into adjacent properties. There is one light pole here, and one light pole here. The proposed grades of the parking lot will match the existing conditions as much as we possibly could to reduce the amount of fill going in. We are not impacting wetlands. We’re going right up to the wetlands as delineated from the town mapping, but we are not going into them. We’re not proposing any structures for storm water, this is all just run off into the wetlands area. I think that should do it. Any questions?

Ed Meehan: From a zoning point of view, it’s basically a parking lot expansion to accommodate the growth of the business. It meets your standards for parking lot design as far as the double bay, the sixty foot width, the standard nine by eighteen stalls. It was presented to the Economic Development Commission last week because it is in the Budney Industrial Park. They don’t have

a formal application permit process like Planning and Zoning and Inland Wetlands, but they are aware of this application and they are happy to have a business expanding in Budney Industrial Park. The bigger issue I think is when the Town Engineer looks at the proposal to have like a bio-filter to take care of the sheet flow versus maybe a water quality structure to direct the storm water from the 7,000 square foot parking lot into that adjacent storm line. It's a decision, water quality decision that he needs to make and work with the applicant on. I believe this will be the less expensive approach versus a water quality structure but that is something that will have to be discussed with the Conservation Commission because it is well within the hundred foot wetland buffer. The buffer probably runs almost through the middle of that building, east to west so they will want to be sure about the water quality. The land to the south is all part of the Costello Road drainage system that actually brings water down from Apple Hill, under Culvert, through this park, Global Granite now, the business to the west and then out to the Berlin Turnpike, so there is a fair amount of water going through here. So that is the reason that you need a professional engineer to do the calculations and make those decisions, but it's a wetland application also, so you would have to wait until your next meeting to act on it, pending the Conservation report.

Chairman Hall: Any questions from the Commissioners?

Commissioner Casasanta: For my own clarification, the existing system to take care of the water, that's going to stay in place. This is just going to be in addition to, correct?

Ronald Bomengen: Correct. That catch basin will remain there, and these two catch basins here that are the MDC will remain.

Commissioner Ganley: Actually two. One, at the end of the parking lot, where you are going to have this sheet run off, are you going to have any lolly columns or guard.....

Chairman Hall: That was my question too, or guard rail.

Commissioner Ganley: The other thing is, since it is going to rely on what you have presented here this evening for simply sheet run off into that area there, the rip rap, what happens when it snows, and the plows decide that is the end of the lot, and the water goes up behind the snow piles, which then becomes a problem for you guys because now you have an icy parking lot. So you would have to be careful as to how that is handled. It looks so easy, just come down and plow right down the middle, end right there, back up, scout the rest of it out, and then, come April, you can swim in the thing.

Ronald Bomengen: What they do now is they push the snow to the end of the parking lot, so it's going to a similar condition. There are a couple of spaces, we went over, we don't really need all eighteen, probably need closer to fifteen, so there will be some empty spaces, and some spaces added for visitors, snow storage would be great for those, if they aren't used. Snow storage in this turn around area, or in these last two parking spots. They will probably push it right up to the side, I don't think safety is too much of a concern since people are going to be walking away from it.

Commissioner Ganley: I was referring to water collecting behind it, is what I was saying, not being able to run into that area. That's what I was talking about.

Chairman Hall: And you are going to have some kind of a safety feature at the end, either concrete columns or

Ronald Bomengen: Oh yeah, we could either add some guide rail or some blocks.

Chairman Hall: Any other questions?

Ronald Bomengen: Thank you.

Chairman Hall: Thank you.

VII. OLD BUSINESS

- A. PETITION 09-09 1052 Main Street (Rear), The Hidden Vine, Wine Bar LLC applicant, Motta Investments owner, represented by Salvatore Motta, 1052 Main Street (Rear) Newington, CT 06111 request for amendment of Special Exception Petition 31-08 approved June 25, 2008 to expand restaurant area by approximately 400 sq. ft. B-TC Zone District.**

Commissioner Pruettt moved that PETITION 09-09 1052 Main Street (Rear), The Hidden Vine, Wine Bar LLC applicant, Motta Investments owner, represented by Salvatore Motta, 1052 Main Street (Rear) Newington, CT 06111 request for amendment of Special Exception Petition 31-08 approved June 25, 2008 to expand restaurant area by approximately 400 sq. ft. B-TC Zone District be approved the Commission finding that patrons of the larger restaurant space can be accommodated by the adjacent public parking; and further that a prior owner of 1052 Main Street cooperated with the Town by donating approximately 16,000 sq. ft. for public parking use.

The motion was seconded by Commissioner Casasanta.

Chairman Hall: Ed, anything you have to add to this?

Ed Meehan: No.

The vote was unanimously in favor of the application with seven voting YES.

- B. PETITION 13-09 – Market Square, Newington Chamber of Commerce, 1046 Main Street, Newington, CT 06111, contact David Johnson, 3153 Berlin Turnpike, Newington, CT 06111, Town of Newington owner, request for Special Exception Section 3.2.8 Special Event Classic Car Show, June 11, 2009, Market Square from Constance Leigh Drive to Main Street.**

Commissioner Ganley moved that PETITION 13-09 – Market Square, Newington Chamber of Commerce, 1046 Main Street, Newington, CT 06111, contact David Johnson, 3153 Berlin Turnpike, Newington, CT 06111, Town of Newington owner, request for Special Exception Section 3.2.8 Special Event Classic Car Show, Market Square from Constance Leigh Drive to Main Street be approved subject to the following conditions:

1. Newington Chamber of Commerce shall be responsible for notifying businesses and property owners abutting Market Square and inform them of this event and the need to reschedule business and remove vehicles from Market Square the afternoon of the car show.
2. Newington Chamber of Commerce shall coordinate with the Police Department the hiring of officers to assist with traffic control.
3. Food vendors shall contact the Central Connecticut Health District and obtain any required permits.

4. Town of Newington Event Application form shall be completed and the required insurance coverage certificate filed with the Town Manager's office prior to June 4, 2009.
5. This event is approved for **Thursday, June 11, 2009** rain dates are June 18th or June 26th.

The motion was seconded by Commissioner Kornichuk.

Chairman Hall: Ed, anything to add to this?

Ed Meehan: No, as I mentioned earlier, there is an event form that goes between the departments and we sign off and then we have a meeting with Dave and Gail about a week before the event just to coordinate what the town staff does, and street sweeping and barrels and all that stuff, so we help get set up and it's worked very well the last couple of years.

Chairman Hall: Discussion among the Commissioners?

Commissioner Schatz: I think it adds a lot to Newington by having this, it's a great event.

Chairman Hall: I know a lot of people look forward to it, and it's only been two years but they start talking about it early in the year. Any other comments?

The vote was unanimously in favor of the motion, with seven voting YES.

VIII. PETITIONS FOR SCHEDULING (TPZ May 27, 2009 and June 10, 2009.)

- A. PETITION 10-09 768 North Mountain Road, Carlos V. Susaya owner and applicant, 26 Montrose Street, Hartford, CT 06106, request for Site Plan Development to construct 1,600 sq. ft. structure, I Industrial Zone District. Inland Wetlands Commission report required. Schedule for presentation May 27, 2009.
- B. 2020 Plan of Conservation and Development **Draft** presentation and discussion with Planimetrics. Schedule for presentation May 27, 2009.

Ed Meehan: You have that place holder for the Town Plan of Conservation and Development draft, that will be ready in time to present to the Commission as a draft and get, you know, we can revise it as necessary or just make minor revisions and officially set it down in June for the sixty-five day workshop and public comment. That gives us more time to work on it over the summer, then officially get into it in the fall.

Also, to update you a little bit on the municipal parking lot project, I believe on the 27th, but I'll know better before the agenda is set the Town Council will be in a position to refer under 8-24 the draft site plan for the municipal parking lot and that may include some easement requests of property owners for sidewalk maintenance like in the area between Steve's Place and 100 Market Square. We were talking about sidewalks coming in there, and possibly the Bonelli piece depending on how the Town Attorney succeeds or how he moves forward with that property between now and the end of this month. Town Council as you may know voted on April 14th to authorize the manager to contact Mr. Bonelli to try to do a friendly negotiation of sale, and in lieu of that, consider condemnation. So we have instructed the project engineers to design the site including the Bonelli piece and various letters have gone back and, well have gone to him, haven't come back yet, so that is something that the Manager and the Town Attorney are handling but I had a meeting today with Mayor Wright and the Town Manager and we met with

the project engineer last week so we think we are on schedule to start it, putting the required procedural steps before the appropriate boards and commissions and that starts with the TPZ, 8-24, so if that is possible I'll make sure that it's on your agenda for the 27th.

Commissioner Ganley: Who would be making the presentation on behalf of the Council.

Ed Meehan: It will be a referral from the Town Council to this board, probably I would be making the comments to you, if it includes the Bonelli piece, maybe the Town Attorney will be here, but other than that, it's just straight site plan. It's not going to be the full site plan with the grading, the underground utilities, the lighting. It's going to be a site plan that shows the configuration of all the islands, the green space, the travel ways and the sidewalks. So that gives a template which they will then use during June to do a more detailed site plan drawing as part of the bid package, but before they get to those more detailed drawings, my recommendation was to get it before the TPZ because of your involvement with the parking lot over the years as well as the fact that it could involve property acquisitions or easements which by statutes are required to come before you first, so that is why it will possibly be on the agenda. If the engineers can't make that date, then it will be bumped to the first meeting in June.

Chairman Hall: Any other questions? North Mountain Road?

Ed Meehan: A small building, 1600 square foot utility type building on a lot right now that is a very marginal piece of property. If you are up that way looking around, it's got a lot of outside storage on it, squeezed in between two other developed pieces, so this attempt here is to get this gentleman's equipment into this building, have the overhead doors in back so they don't face the street, and address some issues for outside storage relative to the wetlands in the back of this piece, so we've been working with him off and on for a year, going back to some issues with wetland violations. So finally at a point where he can put a building up.

Commissioner Pane: What company was that?

Ed Meehan: He is a private site contractor.

Commissioner Pane: It wasn't the paver that was there?

Ed Meehan: Carlos, I think, he does a lot of concrete and granite curbing work. That's what seems to be stored up in his yard in very miscellaneous stone and site work, but it has not been well organized so I think this is an attempt to get it organized.

Commissioner Ganley: Dom, you have been by there?

Commissioner Pane: Yes, I've seen it.

Commissioner Ganley: I've been by, can you tell me the nearest business to it, I couldn't seem to spot it.

Ed Meehan: I think maybe Whitney Machine, Whitney Tools may be on one side of it, it's almost directly across from Elliott. It's a narrow.....

Commissioner Ganley: Okay.

IX. PUBLIC PARTICIPATION

(For items not listed on agenda)

None.

X. REMARKS BY COMMISSIONERS

XI. STAFF REPORT

Chairman Hall: I'm going to go to staff report, and then we'll do Remarks by Commissioners after.

A. Schuco Company, 393 Alumni Road Bond Release

Ed Meehan: Schuco moved onto Alumni Road a little over a year ago and they are occupying the south end of the former Torrington Building and they are asking for a bond release. Schuco and the other, I think it's ICS got together and redid that whole south side of the building, paved it, put in drainage, sidewalks and landscaping. It looks like they have done their work satisfactorily and they are asking for a bond release. The other west end of that corner is the outside storage area that was done by ICS when the driveway was relocated to the back of the building. So I think that side of the building is becoming much more presentable if that is opened as a public street, street trees have been planted, I mentioned that some of the drainage has been fixed and they increased the width of the area in front of the overhead doors because of the trucks driving onto the lawn. That was an adjustment that was made by Schuco. That's where that stands.

Chairman Hall: Any questions on that? Then you were going to do something with Lou?

Ed Meehan: Lou Jachimowicz from the Board of Ed is here. There is a handout on the table that he would like to present. We talked about this I guess since winter about the concept of a electronic sign in front of the high school in the area right in front of the admin parking lot. Now many event signs are posted out there, A-frame signs. This was a class gift, I believe. Why don't you take it from there.

Lou Jachimowicz: Over the last five or six years most of the graduating classes have been providing a donation to the high school student activity account to start setting aside money to create a sign system for the building. Over the last two years, our principal Mr. Bill Collins has taken it upon himself to look into the options that would be able to be beneficial to the school district and be able to create a sign system that would easily maintained, be able to put timely messages up, as well as controlling content. What they would like to have considered is the possibility of having an electronic sign board that has giggle capabilities going in both directions, so a two sided sign that is in conformance with all of the regulations as far as highway setback, appropriate location on the site, and keeping with the themes and the spirit and the basic sign regulations that are established for the town. In the package that we made up for everyone, there is an aerial map of the area which we have a red dot on, the approximate location of where the sign would be located. Basically between the property line and the northeast edge of the front parking lot of the high school, and then we had our rendering done by the sign company we're considering using, which tries to meet the spirit of the sign regulations of the town in size and dimensions and style with a brick base and being able to be suitably fit for that spacing between the setback and the edge of the parking lot. Right now there is a bit of an elevation change in there, it's probably about three feet of height from the sidewalk level to the parking lot level so there would be a bit of grading and probably underground power to get to the area. It would be controlled through a computer in the principal's office with wireless network services so it would not, it would be as close to tamper proof, I can guarantee and obviously we would conform to whatever guide lines the town has as far as hours of operation, frequency of transition, once

every five minutes, size of the lettering, things like that. So, we're looking for getting a, not a formal approval, a sanction that there are no objections for us to consider this and then I would be looking for guidance from Ed's office as far as whatever formalized plans there would be and just going through the remainder of the process to meet the other town requirements.

Chairman Hall: I'll open it up to questions for Lou.

Commissioner Pruett: Lou, that would clean up all the other signs there.

Lou Jachimowicz: Yes.

Commissioner Pruett: That would be good.

Chairman Hall: All the little sandwich signs would go away.

Lou Jachimowicz: We'll try to have it equidistant between the two traffic control signals so it's not boxed into a corner where it would be a potential distraction for the drivers.

Chairman Hall: And there would be some control over whether it's scroll or stationary, colors, red versus yellow, or that kind of thing.

Lou Jachimowicz: It would be one color, it would either be a red or

Chairman Hall: That's what I'm saying, there would be some consensus as to what color.

Lou Jachimowicz: Correct. We really have no preference. The sign colors for the frame being Newington blue with white are a good contrast, really, the only color that we are pretty much set on.

Chairman Hall: With a brick base.

Lou Jachimowicz: Yes.

Commissioner Schatz: I have a question, through the Chairman, to Ed. This won't open up a lot of doors to other companies, will it?

Ed Meehan: It is going to be a precedent. That's a good question. Newington has exempted itself from zoning, but having said that, this Commission and going back many years has been always very cautious of digital signage, electronic signage that rotates, flashes, gyrates, whatever you want to call it. It's always difficult to say to a private business or anybody coming in, you can't do this, and they point, now they point to Walgreen's which is not supposed sometimes to be moving as fast as it does, but they could also point to a sign like this and say, well, why can you guys do it in Newington High School but I can't do it for XYZ Corporation on the Berlin Turnpike. The only thing we can say to them is that it is a public sign, it's, we've exempted ourselves, and do the best we can to explain it. So it does set a precedent. I know our neighbors over in Rocky Hill have some digital signs in their Silas Deane Highway area. I know some years ago I think Rotary talked about a sign, Rotary or Kiwanis, at the top of Lowry Place and Main, where we have our signboard now for town events, as well as over on the town green. That could open that up. It's a personal preference decision. Talking to Lou about this I mentioned that and he has put the regulations in here to talk about the prohibition on that type of thing. The sign base I agree should be brick, the frame and the heading as much as can be done or exactly as has been proposed for our administrative guidelines that are being followed here. I don't know, could the background be dark blue like Newington gold and blue, or does it have to be black?

Lou Jachimowicz: I honestly don't know, I'd have to find out.

Ed Meehan: I wasn't sure about the pixels on there. It could help clean up an issue, I mean right now there is stuff out there, but that stuff that you see out there now is in the state right of way. You can't put that out there in the winter with any assurance that it's going to be there after they plow or anything like that, so this has more year round utility than the A-frames, but you are right Bob, this opens up that area.

Commissioner Pane: I like the concept, but I'm concerned like Bob of what it does, open things up. I don't know if this opens it up, or Walgreen's sign already opened it up. The Walgreen's sign doesn't comply with our regulations, and I don't understand how it got passed. It doesn't meet the regulations that are stated on our regulations, and neither does this. That doesn't mean that I'm not in favor of it, but I have a difficult time approving something if it doesn't meet our regulations, whether or not we should look at the regulations or not. We've, over the last ten to fifteen years we've denied multiple companies, Friendly's, for example, from having one, and instead they put the changeable letter type out there instead, and there have been others too. So that is the concern that I have, and I would like to see some of the history of the Walgreen's, why that was approved and, that changes very fast, I mean, it doesn't meet our regulations, so I would like to read the minutes on that.

Ed Meehan: Well, I can tell you, it's a constant battle with the manager of Walgreen's, that when it was presented, it was presented as a basically stationary reader sign with you know, it wasn't going to change every thirty seconds, it would be like once an hour, or once every two hours, but on more than one occasion, it will change before even the light changes. So we go down and tell them, you have to slow it down and re-program it, and sometimes they do it, and sometimes they don't.

Commissioner Pane: Even if it changed every hour, or every two hours, that wouldn't meet our regulations, so how did the Commission at that time come to the conclusion that that was an acceptable sign?

Ed Meehan: They interpreted it that the presentation that they heard that night, and the amount of times it was presented it was going to change, was not into the area of a gyrating, rotating, flashing sign. That's, that was a judgment they made based on the presentation from the sign company and the attorney I believe who presented it. It turned out that it was okay for a while, and then they keep slipping and we pull them back and they slip some more, so the camel's nose is under the tent with that one. Sometimes the manager down there cooperates, sometimes the manager says this is being controlled by a satellite some place out in Iowa, I'm not sure I believe that, you know, but Pepsi in the morning and Advil in the afternoon.

Chairman Hall: Right, five for a dollar. Which brings me to my question as to how this would be programmed and who would be in charge of the programming and how easy would it be for our brilliant high school students to hack into it?

Lou Jachimowicz: It would be computer controlled, wireless networking between the principal's office where the computer would reside, under his direction and control only. It would not be on our school network, that would be hackable from that standpoint. It really falls to the reputation and integrity of the principal and his office for being able to maintain the decorum, you know, how we expect the sign to operate both on the rules and size and type of messages that are put up on there. The principal does have a private suite at the high school, I'm not sure everybody has been in there, where it is security controlled, so I don't have a lot of concern about intruding, somebody trying to get in and do a misdeed with it, if that is a concern of anyone. From my own reputation working here going on sixteen years now, and bringing these requests forward, we

have every intention of trying to meet your expectations and the Town's expectations for appropriateness, style that meets, you know, how you would like to present the Town, and consistency of how we follow through with that. Again, I guarantee that it's going to be fool proof, there is always some enterprising young man who will try to do something, but we are pretty sharp ourselves in technology security.

Chairman Hall: Can't be operated remotely, in other words?

Lou Jachimowicz: No.

Chairman Hall: Any other questions?

Commissioner Ganley: This, the administrative letter from the Town Manager's office, is probably more the governing authority than we are if you look at the applicability of the sentence, the third one down, all (inaudible) utilized on town owned facilities, and certainly a sign that says Newington High School tells you what it is. Then we get into the area that we have just been discussing, as to changing it for basketball games, baseball games, those kind of things. To what extent does this administrative letter preclude and/or assist or in any way inhibit our ability to act within our regulations. I refer now to page 55 of the attachment, second from the end, Section E, no flashing running or rotating signs, etc., that's our regulation, so there seems to be, not necessarily a conflict, they seem to be saying some different kinds of things.

Chairman Hall: A disconnect.

Commissioner Ganley: Yeah.

Ed Meehan: The policy subject, purpose, applicability, policy, one of the policy guidelines is any lighting of the sign shall be accomplished by external ground lights, not internal lit and the whole thrust of this administrative letter was that we had a variety of sign styles back in 2003 and 2004 and we tried to create a uniformity and hierarchy of signs based on what they were noticing to the public, so like you have a town center green sign, the Lowry Place sign is larger, bulletin boards, announcement boards coming in off of Willard to Garfield, you've got the Board of Ed, Police, Town Hall, so there is a hierarchy and that is what these little sketches attached to it are supposed to represent and it goes back to the basic issue of lighting and electronic signage. The policy put forth by Manager Featherston said it should have more of a clear, colonial motif of signage. It starts on the Berlin Turnpike with our sign in front of NU and coming from Wethersfield, and down the hill and that's the direction we started in five years ago.

Commissioner Ganley: I was just wondering how we could make this apply, first of all, how can we rule on this thing, I'm not sure we can do this, that's I guess my first question, and if it were, how we can limit what we do finally rule on to cover just public buildings, can we do that?

Ed Meehan: Well, the town has exempted itself from zoning. So it's not like a pylon sign or a ground sign coming before you from a private entity where you really could get into your standards and, so those standards apply to the private side. My read on this is that these standards apply to the public side. These are the standards that, in lieu of having zoning standards, any publicly posted, paid for signs are supposed to follow this criteria. The most recent example is the Young Farm sign that went up a couple of weeks ago. There was pushing and shoving that that sign would have been too expensive, some people wanted to put up an old wood carved sign, that we used to have at Clem Lemire park, and we pulled this policy out and said no, we spent four million for that property, let's put up a nice sign, so we've held to this. We've held to it across the street at the senior center, we asked them to put a colonial top on it, so, I don't know how you get around it.

Commissioner Ganley: You would have to be very careful in cleverly crafting the solution to inhibit, or just about essentially prevent anybody from getting into our decision, making it clear in some fancy, smancy language that it's only for public buildings.

Chairman Hall: But we have seven schools.

Commissioner Ganley: Yes I understand that, but they are public buildings.

Chairman Hall: What I am saying is one, and then we have six more.....

Ed Meehan: You have the fire departments, who may want to do lettering.

Chairman Hall: I know at one point they had wanted to do something in front of Company One, and they ended up with a sign that is.....

Commissioner Pane: We denied it.

Chairman Hall: Exactly. They ended up with a sign which is attractive, but it is not what they would like. They would like to have a little bit more bang for their buck as well.

Ed Meehan: In fact, that is part of what initiated this whole administrative letter going back to these sketches.

Chairman Hall: Correct, as to what it should look like.

Commissioner Casasanta: Well, if we were able to deny that, then, I mean, that is still a public building, so why wouldn't.....

Chairman Hall: This is fresh ground, that's what we are saying.

Commissioner Casasanta: But I guess if they denied Company One sign, how does this differ from that?

Ed Meehan: There was no administrative policy letter back then when they come in. They brought this to the head, and then this was crafted. The whole thing is the electronic part of it.

Commissioner Pane: What happens if there is multiple events? What would be your intention? Have like sections on there, or.....

Lou Jackimowicz: No, there would probably be just one message, say Lacrosse, 7 p.m., Basketball, 8:00, depending on the size of the sign, maybe you can have three lines of nine inch letters, two lines of twelve, the message would have to be abbreviated. We obviously are not looking to create a controversy or difficulties for the Commission, we will work with whatever parameters are established, so if we have multiple events, it's one line per event and it's a staff message.

Commissioner Pane: Okay, and then the next question, and I know that I mentioned this once before, but I really would like to be able to read the minutes of what the Commissioners had to say and what they came up with on the Walgreen's sign, in order for me to better facilitate whether or not we could go ahead on this, in my opinion, or be able, I'm sure we will have additional ones coming in. I would like to have that.

Commissioner Pruet: I think in this case the high school is unique because you have so many different sporting events, you have plays there, you have business meetings there, Chamber of Commerce banquets and stuff, I think it would be useful for the public to see something attractive and uniform, rather than just a make shift sign out there, with twenty other signs for football, this, that and the other stuff, right down the road. I think it would clean it up and I think it would be informative, attractive, to the public.

Chairman Hall: I don't disagree with that, it's just from here where do we go, and that's what we have to be concerned about. If we do agree to this, which I think we probably all think is a pretty good idea, what ramifications will that have, and how do we handle future, and how many of these signs do we think we might have by the time that we are finished. That's the problem.

Commissioner Casasanta: I guess maybe I'm over simplifying things, but I guess from my perspective there are kind of like two separate issues, for the simple reason, if the town has exempted itself from zoning regulations, for lack of a better word, then they really don't need our approval, even though they are looking to us for some type of blessing, they really don't need it. So whether we don't like it, they can still say, well, we take your advice under consideration, you can go pound sand because we are exempt from this. But at the same token, I guess the other thing too is, is that if somebody else wanted to come in down the road and said well, it's at the high school, why can't I have it, then it becomes two separate points because if the Town is saying these rules don't apply to us so we can do whatever we want, so that is a separate issue and you have no control over that, but we do have control over a private business.

Chairman Hall: Private business I can see, but we have seven schools and Kellogg has events, Wallace has events, PTA dances and whatever at the elementary school, so again, we have to be concerned about that and think about that now, if we are saying yes for one, even though it is town property, we have many other town properties. We have to get something that we feel comfortable saying that we did it here because and we feel comfortable that it is a unique situation and therefore our answer was unique.

Commissioner Casasanta: I guess I'm a little confused in the sense that if the Fire Department wanted something similar and it was declined, how come we were able to decline that, because this administrative letter doesn't even address the type of sign that they are discussing. This doesn't address signs that can be changed or even illuminated from within, or anything like that so if this administrative letter doesn't even apply to this particular type of sign, so I guess that I'm confused in the sense that if the Fire Department was denied and the town is saying that we are exempt from the rules how come even since then the Fire Department sign hasn't changed. It just doesn't make sense to me.

Ed Meehan: Let me give you some background. This letter does apply in this situation because it very clearly says that you can only have externally lit signs. So it applies, so if you were to apply your administrative policy letter to town signs, the answer would be no. Question is, and it could be legalistic, does this apply to Board of Ed, or general government. I don't know. I don't want to go down that route. But, more background on the Fire Department, they had a benefactor, someone who was going to provide a sign and it was going to be everything, their Easter Lilies, every event, training events, it was going to be on a reader board, and they presented it, and that got the ball rolling for, let's come up with a uniform design for all town buildings. If we have five fire houses, let's have uniform signage, we've got an ambulance garage, an ambulance building, police, let's have uniform signage, so to answer your question, that is what generated this administrative letter. The Fire Department said, okay, we are not going to do it, and they have basically gone ahead, and in the spirit of this administrative letter and they have the signage that meets our criteria, except they chose red, fire safety. The issue came up a year ago about the ambulance building on John Stewart, and they wanted to repair

their sign because the weather had gotten to it and they were going to tear it down and try to meet a similar design which the fire department guys did with red and in the end they decided it was too costly, they went back and left it but they put the town seals up, they have ground lighting, they don't have internal lighting so, it's really a preference I think as to what you think is appropriate for Newington. If you want to go electronic, digital signage this is your chance to bring it to the powers that be, which is you, and make that decision.

Commissioner Pane: Couple of things, even though the Town of Newington is exempt, government is exempt from the regulations, I think this board has a lot to say on what kind of signage goes up. We make recommendations to whoever is coming in and they usually follow those recommendations and/or policies that we present. Could we also get Ed, the minutes from the fire house meeting, I'd like to remember what was said at that meeting too.

Ed Meehan: I'll see if I can track those down.

Commissioner Pane: I know this is something that the Board of Ed has been wanting to do for a long time because of all the A-frame signs and stuff and I remember Tony Gallichio talking about it years ago, getting a sign up there. I think a sign up there, one uniform sign, whether it's this one or another one, dictating the events is an excellent idea. Whether or not it should be electronically or not, or changeable letters or something is yet to be said, but I'd like to read the minutes and.....

Commissioner Casasanta: Changeable, like the sign in front of St. Mary's, is that what you are thinking about, like in front of the school where you change the.....

Chairman Hall: Yeah, that's where they change the letters too, but that gets junky looking after a while, these look neat. Too bad on can't do it in the sense of, you know how they do the holograms, it's not really letters.....it's a dilemma. I think the feeling that we are getting is that we'd like to be able to somehow work this out if we can, but whatever decision we make we know is only the beginning, so I think we are going to have to work on this, get our heads together, and see if we can come up with something that will work for everybody. I'm not getting the sense that we think it's a bad idea, but I think we are concerned about where this will lead.

Lou Jachimowicz: That's why we wanted to bring this forward, we didn't want to just.....

Chairman Hall: Do it, and say, wait a minute, what is that sign doing there.

Lou Jachimowicz: Exactly.

Commissioner Kornichuk: I just have one question. Now the sign isn't going to change right, you are just going to have it plastered, this is Newington Indians baseball game today, it's not going to scroll like Domenic said.

Lou Jachimowicz: Well, you could have ten or fifteen intervals depending on how many things you want.....

Commissioner Pane: It has the capability to do that

Commissioner Kornichuk: That's like the question that you asked about Walgreen's. Walgreen's wasn't supposed to do that, if they had Pepsi, like five for a dollar, that's what it was supposed to say.....

Commissioner Pane: And then the next day it might be something else?

Commissioner Kornichuk: Yes.

Commissioner Pane: Well, that's why I want to read the minutes.

Commissioner Kornichuk: It wasn't supposed to be, okay we've got aspirin this hour and Pepsi next hour....

Chairman Hall: And open until midnight tonight.

Commissioner Ganley: I was looking at this, and you are right, there is that little catch phrase, any lighting of the sign should be accomplished by external ground lights. That was probably what was invoked at the time and it does in fact shut the door on what we were talking about, so what I did is I revised this and after the word by in that sentence which is the fifth sentence into that paragraph on the policy, by such means as present technology will allow which is aesthetically appropriate to the public sight.

Commissioner Pane: You are revising Paul's letter?

Commissioner Ganley: If you were to get the Town Manager to sign off on that little change you're home free. You're home free if they just change that.

Ed Meehan: Well, you are the Commission that pretty much sets the quality threshold for a lot of visual things in Newington. It's where you want to set the bar on this.

Commissioner Ganley: Someday maybe some type of a real high tech spiffy kind of a halogen, there's all kinds of stuff.....

Chairman Hall: Oh, they have them.

Ed Meehan: All you have to do is go to a baseball stadium.

Commissioner Ganley: If it was appropriate to the site, and I stress the word public site, then you could do it. Ground lights, I recall discussing about ground lights because that was kind of like the only game in town. Now there are all kinds of lights. But we are limited by this clause. Any lighting of the sign should be accomplished by external ground lights. So let's get rid of that clause and put something in there that opens the door for us and then, on a site by site basis put in what you want.

Chairman Hall: Maybe we can talk to John, maybe. We want to be in charge of this, whatever it is, we want to be in charge. Just see if maybe there is a way around this without opening the floodgates to flashing signs all over town. Let's think back, we're still not really happy with some red signage maybe five hundred feet to the north of where this sign would be, so, Lou, it isn't that we don't want it. So we will work on this and see what we can come up with.

Lou Jachimowicz: Oh, I know. Outside of just Ed and I having a discussion with John, is there anything you would like for follow-up information at this time. Obviously we haven't gone and spec'd this thing down to quarter inch size, unless you want me to.....

Chairman Hall: No, I think the only thing I think I might be interested in is what you are thinking of as far as color. I think color is important. If you are thinking a blue sign with gold letters which is really in keeping with Newington's theme colors of blue and gold versus a red, because a red sometimes can be very jarring. So see what your color choices are

Commissioner Pane: I'm sure they could do blue and gold.

Chairman Hall: Well, yellow, the yellow is the gold, the background is the blue and then they could do the yellow gold on top.

Commissioner Pane: I'm sure they could do that.

Chairman Hall: I think that would still give you enough visual for people to notice it. So if you could do a little research on that as to what the choices are. Any other questions, any other suggestions for Lou?

Commissioner Lenares: I have just one quick question. I think it's a great idea, everyone thinks it's a great idea to get the message across and like Dave said, it's very useful, not just for sports but for plays or meetings or whatnot. As you know, I used to coach at the high school and during the fall and spring predominately there's a lot of events that could be going on in one day and I gather that the Commission is worried about flashing, scrolling, looping. During a Friday I mean, you've got football, girls and boys soccer, that's three, you've got evening events, you could have track, indoor outdoor, cross country, so there could be like five or six sporting events alone, on one day. So if you are worried about the, and I'm not bashing the idea, I think it's a great idea, you're just going to have to figure out how, on those busy type days you are going to have to accommodate all the sports.

Chairman Hall: Well, the time that you allocate for each message.

Commissioner Lenares: Exactly, because you said you can only put two at a time...

Lou Jachimowicz: You can have four lines, four lines with eight inch letters.

Commissioner Lenares: I mean, that's just an idea, because you know that some days are busier than others, and you don't want to have anybody complain that their sport is not getting enough scrolling time.

Chairman Hall: Well, then, seriously without making a big joke out of this, how long have they discussed selling advertising? That's another venue that sometimes these signs are, and who's going to come up with that idea. You know, here's a perfect place to have it, we'd like to buy some time of the sign, so there are a lot of things that we have to think about.

Lou Jachimowicz: We would much rather support other town agencies by putting their signs up or it becomes all Board of Ed events, one sign, there is not one at every school.

Commissioner Lenares: I think it's good because it cleans up all the A-frames out there and you will have a nice looking sign.

Chairman Hall: Okay, well thank you for coming before us tonight and giving us some information. We'll look forward to more information from you and we will talk among ourselves as to what we think we want to do.

Lou Jachimowicz: Thank you so much.

Chairman Hall: Thank you. Now, Remarks by Commissioners

X. REMARKS BY COMMISSIONERS

None.

XI. STAFF REPORT

Chairman Hall: Ed, what do you have?

Ed Meehan: Well, just a couple of things that you should know about. Hunter Development, Mr. Friesbie who has been before us this past winter, they did gain their State Traffic Commission Certificate approval at the recent STC meeting. They were able to show the STC that they had a driveway location and lane configuration that met the criteria for safety in the State's opinion. So that light, which would control their site driveway would be critical to other future developments on that property. The Town did make comments to the STC about what we see might happen up there in the future and we asked if anything does happen in the future it be controlled by one traffic signal and that efforts be made to close curb cuts at the Health-trax, Gospel Hall and Redan and combine the curb cuts and we also requested that the off lane from Berlin Turnpike to Russell to 175 be reconfigured so that we don't have this stop, be more of a continuous flow onto 175 which eventually, if Russell Road can be dead ended with the loop road going around the Humane Society solves that double ramp with the on ramp and the off ramp coming in so we suggested those long range ideas which they put in their staff comments but not actually in the Certificate, but they do support the closing of those curb cuts, so that is an important decision. I did talk to Mr. Friesbie informally at the counter, he was in doing research, we had a conversation, he's discussing with his legal people possibly coming back and asking for some site plan modifications to address his concerns about making this site more marketable in this economy, again, the order of the project. So we had a nice conversation about that.

Hidden Vine, Joe Motta was here tonight, you know there was a slight, not a slight, a fourteen foot encroachment into the town parking lot by their general contractor when he did the site last fall. Both Sal and Joe had spoken to their contractor and pointed out the error, but it has not been corrected. I did receive a letter from Motta, LLC that they will make the correction, they are in a court situation with the contractor to make that and some other issues be resolved, so hopefully that will happen coincidentally with our parking lot improvements.

Three Angels Church, their building committee chairman has contacted me and asked about the procedure to request the Commission to eliminate their steeple. You know, you have been by you have seen the roof up there, no steeple. They are doing it because of the cost issue, it's about \$3800.00. I have to go back and really read the record, the court agreement as well as the most recent site plan and special exception. My initial read is that they have to come back because the architecture was locked in as part of the special exception and it says any changes in the building architecture requires review by the Commission. I believe also and this was Mr. Chapman that I was speaking with, they are looking at eliminating the outside air handlers and going inside and just having the air conditioner compressors outside in the corners approved by the court settlement and so he was asking me, this was all in a verbal conversation, if they could not, if they did not have to put them in the wells. They would still screen them and fence them but because they are not the big huge air handlers, did they need the wells. Again, I would have to look at the stipulated agreement I think they should come back with all their changes at once. If they are going to change those two items there will probably be another one along the way before they get to much farther into the site.

Commissioner Pane: If they change the architecture doesn't that open it up for the public?

Ed Meehan: If it's tied to the special exception, it's a public hearing amendment. That's what got them back here before when they changed the outside architecture, they put the units outside, now they are going to put the units back inside, but they are going to take the steeple off.

Commissioner Pane: If they just put the steeple up, Ed, and the wells, if they are changing the units, and it's just condensing units outside then they shouldn't be as noisy and as long as they comply with noise regulations they don't have to be in wells.

Ed Meehan: That's what they want to know. That's big bucks to put them in wells.

Commissioner Pane: Yeah, they could save more money in the well areas than on the steeple.

Commissioner Kornichuk: Get rid of the wells, they can afford the steeple.

Commissioner Pane. Exactly correct.

Ed Meehan: I don't know what their budget is, they probably want to do both. My comment to them was, there's a good chance that you are going to have to come back to the Commission, and if it is tied to the special exception, you have to go through the public hearing process. So that is what is going on there.

I mentioned the municipal parking lot and where that stands, and that's all I have.

Commissioner Pane: We have a bond reduction?

Ed Meehan: Yeah, for Schuco, if that's okay with the Commission.

Schuco Company
393 Alumni Road
Bond Release

Commissioner Kornichuk moved that the bond balance of \$42,000 for 393 Alumni Road, Schuco Company, at Newington Business Park be released all site improvements having been satisfactorily completed.

The motion was seconded by Commissioner Pruett.

Chairman Hall: Ed, anything to add. Now you have been over there and it looks pretty good, right?

Ed Meehan: Yes. We may hold this release for a week or two to make sure some of the grass is germinated.

Commissioner Ganley: Would it be appropriate then to put that in the motion itself?

Ed Meehan: No I think we can do that administratively. By the time that we, this was secured by a letter of credit and by the time we do everything through the Town Manager's office....

The vote was unanimously in favor of the motion, with seven voting YES.

Chairman Hall: Any other questions, comments?

Commissioner Pruett: Any more word on someone taking over Applebee's and Northwood Plaza.

Ed Meehan: Northwood Plaza, I didn't talk to the principal owner who is Kurt Hirshner, I talked to a family member to try to get an update last week for Mayor Wright, asked me to check into it, and we were referred to another partner who has not responded to me or to Val Ginn from the Economic Commission, who is trying to get permission to do a Farmer's Market there and also

find out where he is with Best Yet Markets which has completely dissipated off of the scene. They're just not being responsive. I think Mr. Hirshner because of health issues is not really on top of this project so, we are trying to have a Farmer's Market there a couple of days a week. Applebee's, don't know what is going on with that, Circuit City, I had a request from the Town Manager to track down the property manager, that's starting to get.....

Chairman Hall: Cut the grass.

Ed Meehan: Yes, cut the grass and take care of that. The former Krispy Kreme site is being well maintained. We were contacted by the State of Connecticut about surplus land to the north side of that between Krispy Kreme and the retention basin is about thirty thousand square feet. Other state agencies passed on it, they have offered it to the Town. It's not really something that we have any use for, so I'm going to contact the real estate company that owns the former Krispy Kreme site, maybe as abutters they will pick it up, give them more frontage on the Berlin Turnpike, more visibility so it could enhance that as a development site.

We were over on the new Dunkin Donuts site Monday I believe it was, the Town Engineer and myself, to talk about grading. They have done a pretty good job up on top and we asked them to do a little bit more so that they intercept some of the water that may come over the top of that ridge, but they have to construct a swale up there, they have done as much as they can up there, they still have to move the fence, but it is starting to shape up, particularly along the rock face where they are setting up a shelf. There are still issues with possible rock coming down, from winter thaw, where you drive through, which is in your certificate of approval, they have to address that, but the site is starting to shape up. Better than I thought from driving by, when you get in there, it's not that bad. It's pretty good. I think they have a landscape company lined up to do something next week. They started to shape it up a little bit better today when I was over there.

The hotel down the street is moving very slow, but they are at a point where they have to start getting rid of extra material. They have a lot of dirt out front and they need to get that out of there and start shaping that up, so they can start boxing out to be paved. All in all, things are very slow, as you know.

XII. ADJOURNMENT

Commissioner Pane moved to adjourn the meeting. The motion was seconded by Commissioner Kornichuk. The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary