

Mr. Gibbon: It should not decrease the value of the surrounding homes and properties.

Mr. Bruno: Who seconded that?

Mr. Aieta: I did. I'll rescind my second.

Mr. Owens: I withdraw my motion, Mr. Chairman.

Mr. Bruno: We will come back to this one while they write up a motion.

Mr. Gibbon: Why don't we go to Item A?

Mr. Aieta: No one is here for A.

Mr. McCusker: One other thing before we leave that subject. They came in, they are talking about two phases for the site plan.

Mr. Bruno: I was going to bring it up. I was interrupted when I said that I had a few items to bring up. One of them was that it was in two phases. I thought that should be in there. There was a few others when I was interrupted.

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Mr. McCusker: Let's go on to Item A.

Mr. Bruno: We will go to A, Mr. Kowal, Petition 684-81, Frank W. Kowal & Sons, Inc., request for subdivision approval, Brookside for Section 1 showing Lots 1 thru 10 and 13 thru 15, property located on the north side of Little Brook Drive.

Frank Kowal: This is a subdivision and what we are looking for is subdivision approval of an approved site plan. The site plan was an overall plan of our development and now this is our first phase...it has been reviewed by the Engineering Department and.....I have no problems at all with any of the comments and oversights that our engineering had made and are pretty well in the process of being updated except for a couple of other problems my engineer has between the legal map and the U & I, which is being taken care of.

- 20 -

Mr. Bruno: Mr. Arburr has a question.

Mr. Arburr: The only comments I have on the map is one that I would like to have the commission members, for their own edification, is to look at... relative to site plan review, which the commission said it should be held in abeyance until such time as an evaluation could be made in the field when some of these units are constructed. I would like to have the commission members look at the map and see if the note is satisfactory to them.

Mr. Owens: You mean the final approval of the overall project?

Mr. Arburr: No, that one lot. There was one lot because of the closeness of the units there was a question about how it would fit in and you wanted to hold that in abeyance until some of the units were built in the field you could physically look and see.... Some time when Mr. Kowal feels that some of the units adjacent are built, he could submit you a plan of what he wants to do and you could make a decision whether it is compatible or not.

Mr. Owens: But you are planning on putting a foundation on that lot?

Mr. Kowal: No.

Mr. Bruno: He isn't going to do anything until we make a field trip and look at it and see if a home can be put there.

Mr. Arburr: The only other comment I have, Mr. Chairman, there is a note that appears on the Utilities & Improvement Map relative to future easement for connecting or extending drainage at the north end of the property through Brookside. That note should be shown on the plot plan.

Mr. Kowal: Okay.

Mr. Arburr: Those are the only comments.

Mr. Bruno: Any other questions for Mr. Kowal? I will entertain a motion.

Mr. Owens: I move it be approved, this section, subject to the change regarding the reference to the storm drainage on page 2 be applied to page 1.

Mr. Aieta: I second it.

Mr. Bruno: Any discussion?

Mr. Gibbon: This has reference to Section 1, Lots 1 thru 10 and 13 thru 15?

Mr. Bruno: Yes. All in favor? Anyone opposed? None? The motion is unanimous.

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Mr. Kowal: Mr. Chairman, there is one question. We have verbally discussed about permission from the commission to put a model home on either Lot No. 4 or Lot No. 5 and at this time I am not sure whether I am going to put up two model houses or one. How would we go about obtaining that permission?

Mr. Bruno: This is allowable. We have allowed it on many other developments really. I don't see any problem with it.

Mr. Owens: To be consistent, we have specifically granted this approval by vote.

Mr. Gibbon: I move that we permit Mr. Kowal to put models or a model on Lots 4 and 5 at his discretion and, of course, a permit will be issued to allow you to do it but C. O. 's won't be issued.

Mr. McCusker: 4 or 5?

Mr. Gibbon: 4 or 5 or both.

Mr. Aieta: I second it.

Mr. Bruno: A motion has been made and seconded. All in favor? Anyone opposed? It is unanimous. Is that motion ready?

Mr. Owens: Mr. Curry will read the motion that I will propose.

Mr. Bruno: Mr. Owens is proposing this motion.

Mr. Curry: I move that 685-81, petition of Howard Nelson, Vernel, be approved subject to the granting of . . . . and air quality permits by the Connecticut Department of Environmental Protection in compliance with any requirements made in conjunction with . . . . provided such approval

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Mr. Owens: I make a motion that Petition 668-81 of Frank W. Kowal, application for site plan approval of plan of subdivision of land to be known as Brooks Edge Subdivision, now known as Little Brook Subdivision, Section 7, located east of Shady Hill Lane, north of Little Brook Drive, and west of Trout Brook Circle, be approved with the stipulations as specified in Mr. Peter Arburr's memo to the Commission dated August 20, 1981 be all inclusive, that Mr. Donald's memo to the Commission dated August 26, 1981 be also all inclusive and that we add three more as follows: (1) that Lot 6 approval be provisional due to the close proximity to the lots abutting Lot 6 to the north; (2) that three additional street lights be installed with the approval of staff; and (3) that the site plan reflect double driveways as indicated on the "Typical Planting Plan" and that the applicant submit street names to the board for approval.

Mr. Aieta: I second it.

Mr. Curry: Shouldn't the map be labelled with respect to Lot 6?

Mr. Donald: You are not going to approve Lot 6 in the subdivision plan without prejudice perhaps.

Mr. Bruno: So he can come back.

Mr. Kowal: I show Lot 6 and you are not approving Lot 6....

Mr. Bruno: Without prejudice so that you can come back in within one year any time you feel. If we were to deny it, you would have to wait. This way, you can come in any time.

Mr. Kowal: Who will decide whether it is compatible?

Mr. Bruno: The commission, after a field trip.

Mr. Kowal: Thank you.

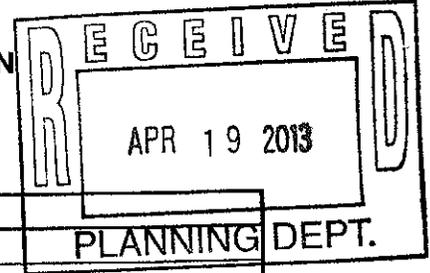
A vote was taken and all voted in favor and the motion was unanimously carried.

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The next item on the agenda was the Commission recommendations for development by Henry B. Sanson of Mini-Warehouses at 2600 Hartford-New Haven Turnpike.

OK# 1155

TOWN OF NEWINGTON  
TOWN PLANNING AND ZONING COMMISSION  
APPLICATION FORM



APPLICATION #:	23-13
SUBMITTED DATE:	
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: 24 Fenn Rd ZONE: PD  
 APPLICANT: Moogah Fenn LLC TELEPHONE: 860 490-2224  
 ADDRESS: 45 South Main St Ste 306 EMAIL: ruscan.2@yahoo.com  
 CONTACT PERSON: Matt Rusconi TELEPHONE: Same  
 ADDRESS: Same EMAIL: Same  
 OWNER OF RECORD: Heitman Hayes Newington LLC

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

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

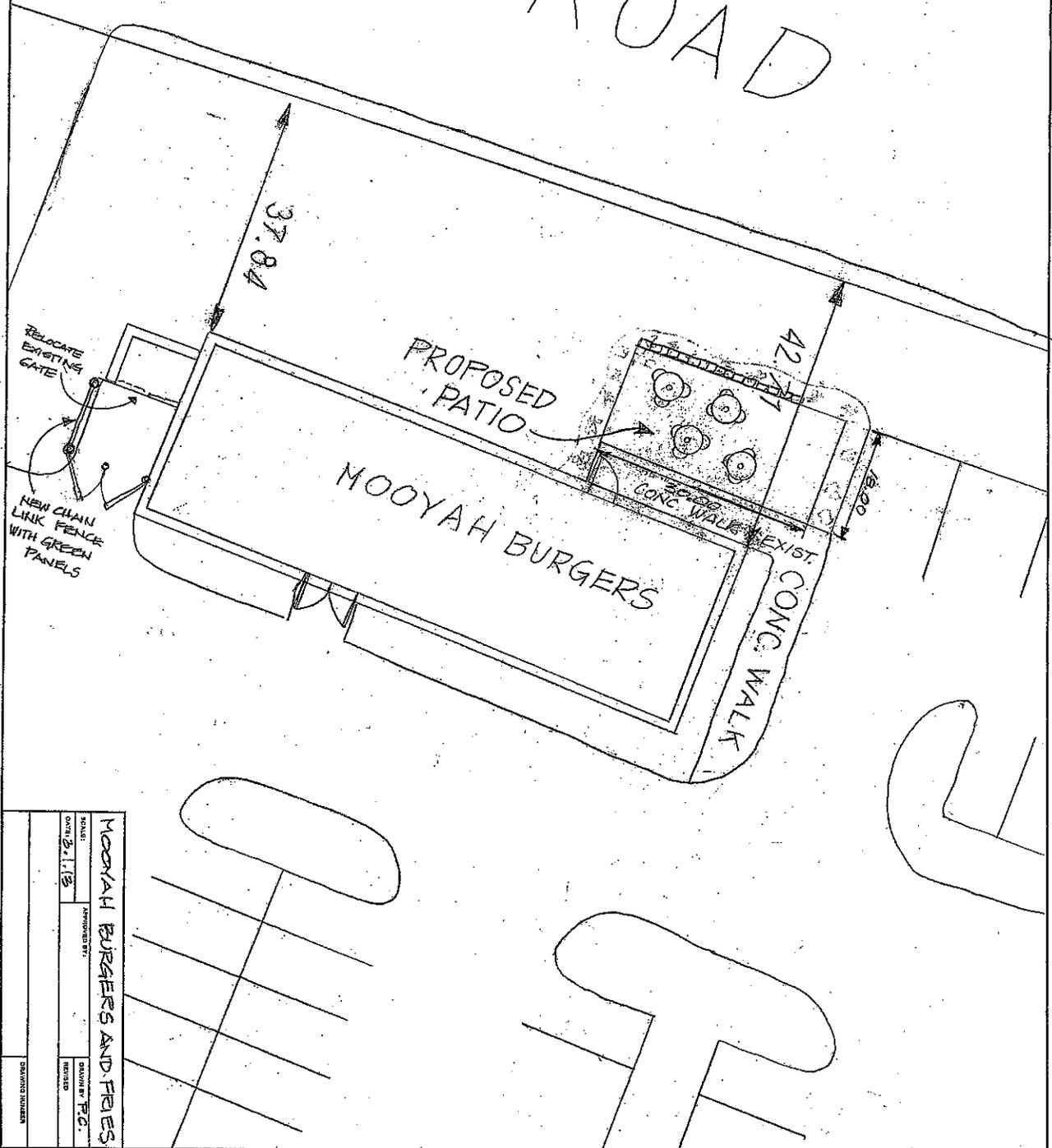
SIGNATURE:

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

	<u>4/19/13</u>		
APPLICANT	DATE	OWNER	DATE

NOTE:  
PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

FENN ROAD



MOOYAH BURGERS AND FRIES	
SCALE:	AS SHOWN
DATE:	11/18
DESIGNED BY:	LAURENCE BRY
DRAWN BY:	P.C.
REVISION:	
DATE:	
APPROVED:	
DATE:	

**STAFF REPORT**  
***"Mooyah's Outdoor Seating"***

**May 12, 2013**

**Petition #23-13:**

**TPZ Approval of Outside Restaurant Seating  
24 Fenn Road ("Mooyah's")  
Mooyah's Fenn LLC, applicant**

**Description of Petition #23-13:**

The owner of this new restaurant would like to offer his customers seasonal outside seating. This is allowed per Section 3.15.3:

"Restaurants (excluding drive-in or curb services restaurants.) Restaurants may offer outside temporary seasonal seating areas when approved by the Commission. (Effective 12-01-01)"

**Staff Comments:**

The restaurant owner would like to put out four tables outside on the lawn on the west side of the building. From the sketch it appears that these tables will be un-appealingly close to Fenn Road, but this area is lower than the street, and there are several low but dense trees between the tables and the street.

Commissioners will recall that last year we used the "site plan modification" process to approve seasonal outside seating for the "Chipotle" restaurant at the Gateway Plaza. I was not completely comfortable with that approach at the time, because restaurants are a special exception activity and any significant change to a special exception activity should have a public hearing. That is why I later recommended holding a public hearing on McDonalds' request for seasonal outside seating at their three restaurants.

However, I recently came across the minutes from the TPZ meeting in December 2001 where "seasonal outside restaurant seating" was added to the zoning regulations. It was clearly TPZ's intent at the time to make outdoor seating as easy as possible with a minimum of TPZ involvement. There was no talk of requiring formal site plan modification (which has a \$175 application fee).

I have also been unsure about whether outdoor seating required additional parking, so I reviewed the minutes for several instances of outside seating approved by TPZ since 2001. There was no discussion of any additional parking.

Therefore, I think this request can be processed as simple TPZ review and approval. If it is approved I will have the applicant submit a mylar for our plan files.

cc:  
file

**STAFF REPORT**  
**Zoning Amendment Regarding Signage**

**May 13, 2013**

**Petition #26-13:**  
**Zoning Amendment (Section 6.2: Signs)**  
**Town Plan and Zoning Commission, applicant**

**Description of Petition #19-13:**

These are proposed amendments to the Zoning Regulations to liberalize the use of temporary signage, and related incidental text amendments.

**Town Planner Comments:**

The genesis of this proposed amendment was the feeling that many of the violations of the temporary sign regulations are due to the regulations not reflecting the needs of local businesses. Most business owners want to comply with all local laws and regulations, but this can be difficult if the regulations are confusing or perceived as being "business unfriendly". See attached.

The draft amendment contains the following changes:

1. Deletes the language that declares merchandise displayed for sale outside to be "signage". This language is confusing and not necessary, since outside display is already regulated under Section 3.23.1.
2. Increases the length of time for a temporary sign from 25 days to 40 days, and clarifies that these forty days do not need to be contiguous; they may be in five day increments. It also specifies that temporary signs may only be up when the business is open.
3. Increases the length of time for a new business temporary sign or special event temporary sign from 20 days to 30 days.
4. Clarifies that approved home occupations may have signage.
5. I also added a section that the sub-committee has not seen, at the request of the Economic Development Director. It would allow, by special exception, a free standing sign at a location that is not on the same site as the business if the business is near certain major streets but not visible from those major streets. This is just for the TPZ's consideration.

cc:  
file

## Draft Proposed Amendments to Section 6.2 (Signs)

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

### Section 6.2 Signs

#### 6.2.1 General:

- A. No billboards are permitted and are non conforming uses that shall be removed and not replaced. (Effective 12-01-01)
- B. No advertising signage is permitted which does not refer to a business or activity located on the same premises **except as provided in Section 6.2.X.X. Merchandise and/or products displayed for sale are considered signage under this section except as permitted in 6.2.1.(F).**
- C. No signs shall be located above the parapet or roof peak.
- D. The placement and erection of any signs shall require a zoning permit and a building permit, except that directional signs not exceeding 3 square feet in area per side may be located within the street right of way without zoning or building permits upon the approval of the Town's Traffic authority.
- E. As defined in Section 9, a sign which has intermittent internal illumination by mechanical or digital controls that produce an illusion of movements such as, but not limited to, flashing, running, rotating, video graphics, change in color and brightness or scrolling advertisement message shall not be permitted except: (Effective 6-8-2011)
  - 1) Time and/or temperature sign by means of intermittent lighting, provided that the largest dimension of such a sign does not exceed 6 square feet. (Effective 6-8-2011)
  - 2) Fuel product price sign that is digitally controlled and a component of the business's free standing sign provided that each product per gallon price size does not exceed 1 foot high by 3 feet wide and does not move, flash, run, scroll, rotate or change color or brightness. Digitally controlled product price sign shall not be permitted in the Business Town Center District (B-TC) and the Business District (B) zones. (Effective 6-8-2011)

F. Temporary Sign permits:

**1)** for a sign advertising a real estate development may be issued for a six month period and may be renewed for a additional six month period.

**2)** Temporary permits for signs advertising a special events may be issued by the Zoning Enforcement Officer for ~~not more than twenty-five (25) consecutive~~ **not less than five day increments with a maximum total of forty** days per calendar year upon approval of a zoning permit prior to placement. **Temporary signs may be in place only during the hours of operation.** A Building Permit shall not be required for special event signs and only the zoning permit fee shall be charged. (Effective 6-8-2011)

**3)** A new business coming to Newington for the first time or an existing business relocating or expanding within Newington may request **a special event sign for** an additional ~~twenty (20) days of~~ **thirty (30)** promotional advertising days. (Effective 6-8-2011)

**4)** Temporary signs shall only be displayed on the property of the business advertising the sales and/or event and cannot be placed in the State or Town street right of way.

**5)** Temporary signs shall not be lighted, flashing, digital or rotating, and may be denied if determined by the Zoning **Enforcement** Officer to be a hazard to the public.

**6)** Temporary signs may be pennants, streamers or banners attached to the building promoting the sale event and ground signs, not to exceed two, not higher than 10 feet and larger than 50 square feet per side. Not more than one ground mounted cold air inflatable sign, not to exceed 18 feet in height is permitted. No roof mounted sign or cold air inflatable tethered to the roof are permitted. (Effective 4-6-2011)

G. No illuminated sign shall be lighted or placed so as to provide glare or blinding effects upon automotive traffic or adjoining residential zones, no shall such sign diminish or detract from the effectiveness of any traffic signal.

6.2.2 Residential Signs:

In residential zones, the following signs are only permitted on a lot:

- A. One sign not over one square foot in area, giving the name of the occupant of the premises.
- B. Not more than 2 "for sale" or "for rent" signs not over 6 square feet in area and located at least 10 feet from the lot line. **There is no time limit on such signs.**
- C. One bulletin board on church or school property not over 36 square feet in area and located at least 10 feet from the front lot line.

- D. Building contractors signs on buildings under construction limited to a total area for all such signs of 60 square feet or temporary on site ground sign not over 6 square feet in area. All such signs must be removed within 5 days after the completion of the building.
- E. For a residential development approved by Special Exception Section 3.7 a monument sign not more than 75 square feet in area on one side, nor more than 150 square feet in area on both sides and located within the building setback lines shall require Special Exception Approval of the Commission. (Effective 8-15-07).
- F. **Home occupation signs in accordance with Section 3.4.4.B.**

6.2.4 Free Standing Business Signs:

In any non-residential zone, Free Standing Business Signs may be permitted by the commission as a special exception subject to the following conditions:

- A. The sign may not exceed 18 feet in height nor be greater than 150 square feet in area on one side nor 300 square feet on both sides. Only one (1) free standing sign may be permitted per property **except as provided below.**

The aggregate square footage of a site's wall mounted business signs and Free Standing Business Signs shall not exceed the square footage permitted in Section 6.2.3.

Only one (1) free standing sign may be permitted per property except:

- 1.** on corner lots under one ownership the Commission may grant a second free standing sign when it finds that the frontage length of each intersecting street is at least 500 feet and that the distance between signs, as measured along the street right of way, is not less than 400 feet.
  - 2.** **for a major commercial activity on a street which intersects Main Street, Fenn Road, Cedar Street, East Cedar Street or the Berlin Turnpike but is not readily visible to traffic on any of the above-listed streets, the Commission may grant one off-site free standing sign when it finds that the activity's distance from any of the above-listed streets is likely to have a significant impact on the activity's viability. The square footage of such off-site sign shall be in addition to the amount permitted in Section 6.2.3.**
- B. Free standing business signs shall not be located in the right-of-way of any street. Written authorization for a sign location must be presented if the applicant is other than the owner of the proposed sign.
  - C. A plan of the sign shall be presented showing size, layout, materials, color and lighting. Such design specifications shall be appropriate to the location and the general neighborhood.

CR# 136

TOWN OF NEWINGTON  
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM

APPLICATION #:	30-13
SUBMITTED DATE:	5/14/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: Walmart 3164 Berlin Tpke ZONE: PD  
 APPLICANT: TNT Fireworks / Ann Kearney TELEPHONE: 203-218-3787  
 ADDRESS: 470 Emerald Place Stratford or Dobby EMAIL: Annmorgaretk@gmail.com  
 CONTACT PERSON: Brian Kearney, TNT Fireworks TELEPHONE: 203-903-6028  
 ADDRESS: 56 Prospect Ave West Haven, CT 06516 EMAIL: Kearneyb@TNTFireworks.com  
 OWNER OF RECORD: Walmart Corp / April Crawford (479) 273-4219

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

- Zone Change to the \_\_\_\_\_ Zone (Public Hearing required)
- Zoning Amendment to Section \_\_\_\_\_ (Public Hearing required)
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section \_\_\_\_\_ of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) Outside Display of Products Intended for Sale (Fireworks) per Section 3.23.1.  
10/20/13 - 7/9/13 sales dates  
delivery →

SIGNATURE:

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

Ann M Kearney 5/14/13 Attache & Corporate letter  
 APPLICANT DATE OWNER DATE

**NOTE:**  
 PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

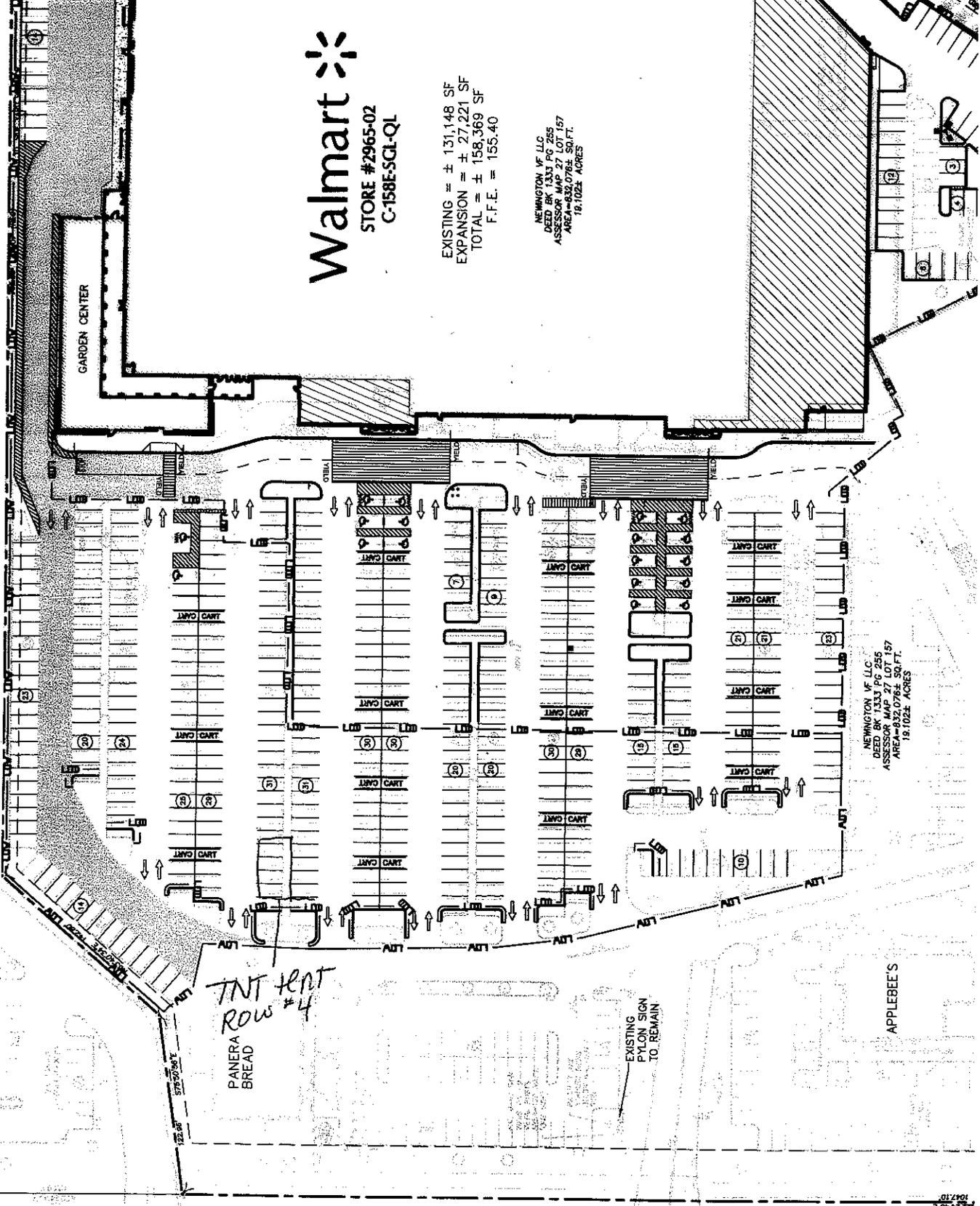


STORE #2965-02  
C-158E-SGL-QL

EXISTING = ± 131,148 SF  
EXPANSION = ± 27,221 SF  
TOTAL = ± 158,369 SF  
F.F.E. = 155.40

NEWINGTON AF LLC  
DEED BK 1333 PG 255  
ASSESSOR MAP 27 LOT 157  
AREA = 632,076± SQ. FT.  
18.102± ACRES

NEWINGTON AF LLC  
DEED BK 1333 PG 255  
ASSESSOR MAP 27 LOT 157  
AREA = 632,076± SQ. FT.  
18.102± ACRES



ROUTE 5 & 15  
VARIABLE WIDTH  
W/ 50 MPH

APPLEBEE'S

Brian Kearney  
Area Manager CT and RI  
Cell 203-903-6228  
Fax 888-724-4513



56 Prospect Ave  
West Haven, CT 06516

May 3, 2013

Building and Zoning

American Promotional Events, Inc., dba TNT Fireworks is looking to permit the following location for June 20, 2013-July 9, 2013 for the sale of state legal fireworks;

Walmart  
3164 Berlin Tpke  
Newington, CT 06111

This is an inside store location. We have a signed lease with the property owner that states they are full aware of the fireworks sale. There will be fire extinguishers in each tent readily accessible. "No Smoking" and age limit signs will be posted and enforced. The Product Listing with Perchlorate information has been sent to your Fire Marshall. We understand once Building and Zoning approves and the product is delivered, the Fire Marshall will do a compliance inspection. Also the Building Inspector may require an inspection.

We will provide a check to the City/Town once amount is determined, if not already enclosed with this letter as discussed previously.

Please contact me at the below with any questions or additional information you may need.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Ann M. Kearney".

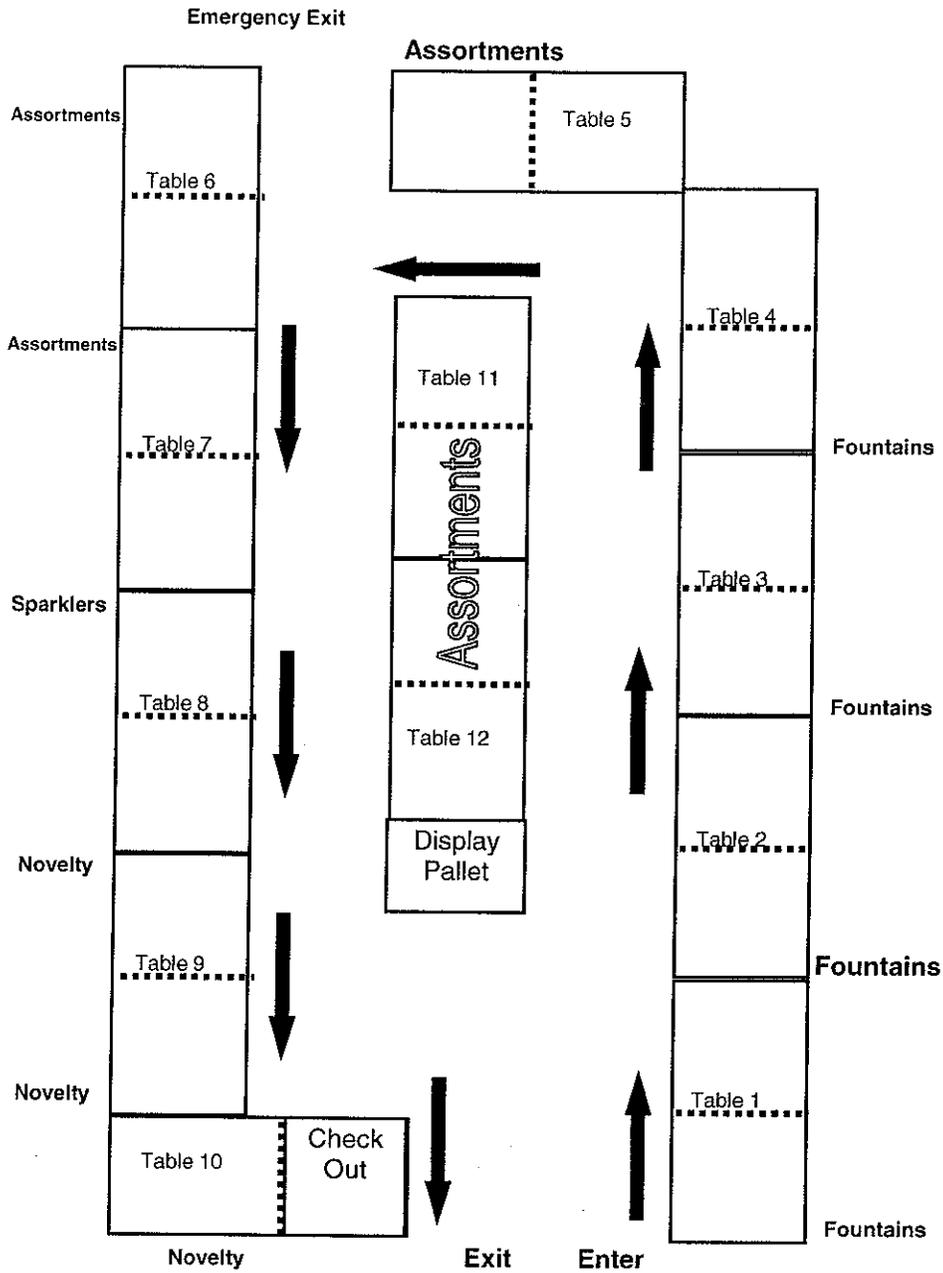
Ann Kearney  
TNT Fireworks  
Permit Coordinator  
Cell 203-218-3787  
Fax 888-724-4513  
annmargaretk@gmail.com

Building/Zoning Tent Approval \_\_\_\_\_

Date \_\_\_\_\_

If required, Fire Marshall Product review appt. TBD between dates of 6/20/13-6/23/13

**TNT® FIREWORKS  
PLAN-A-GRAM  
SAFE N SANE STORE**



Place all items together by category priced lowest to highest.  
Except, using taller assortments on table 5 to create height.  
Stack items high and low to create multiple levels.  
**DO NOT MIRROR IMAGE**

# TENT SIGNAGE PLACEMENT



73022AE



730169E



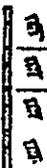
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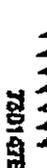
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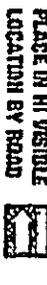
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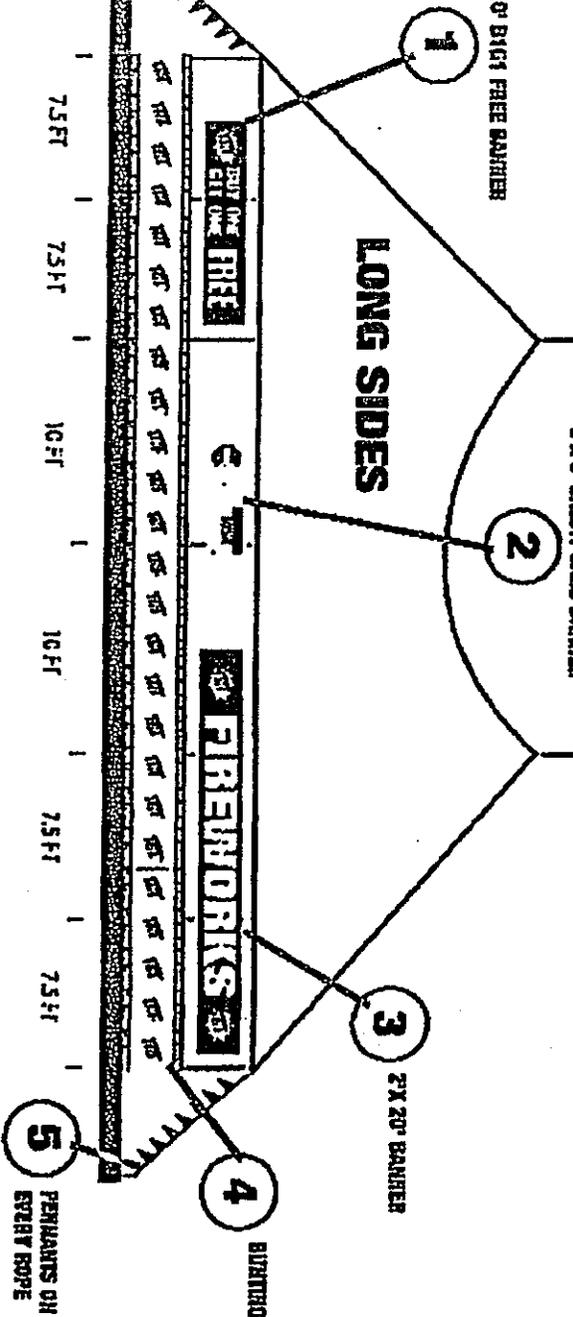
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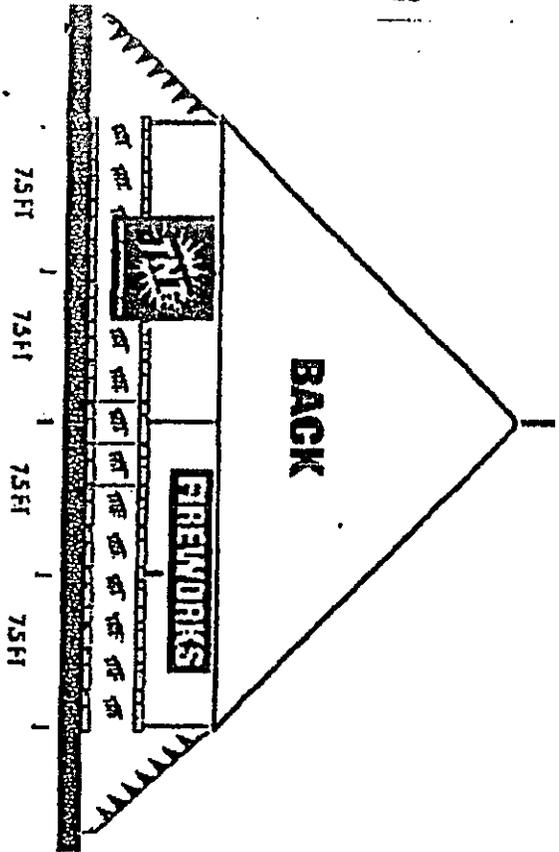
2' X 6' CREDIT CARD BARRIER

2' X 10' BIG FIBRE BANNER

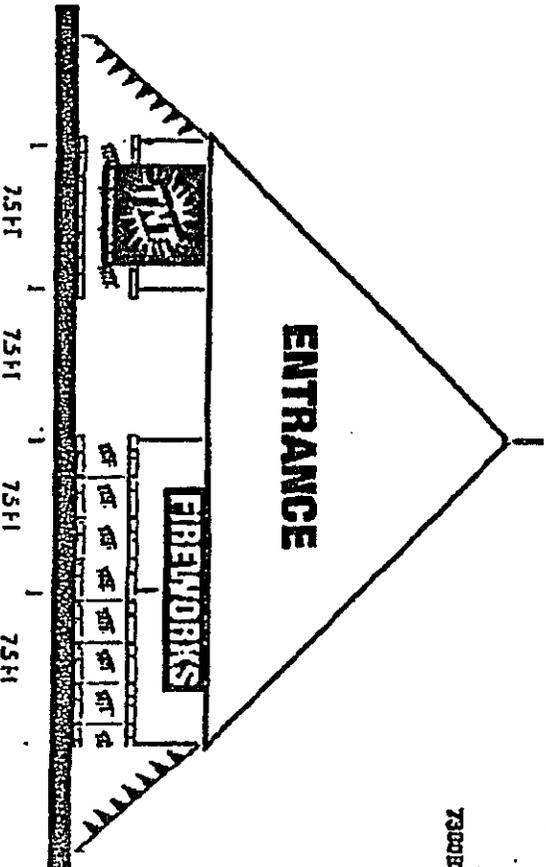
LONG SIDES



BACK



ENTRANCE



PLACE IN HI VISIBLE LOCATION BY ROAD



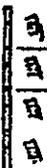
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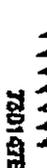
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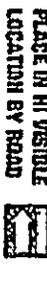
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730110E



730091E



730091E

730091E

730092E

5 PERMANENTS ON EGGW ROPE

3 2' X 20' BANNER

4 BURNING

2

1

5

3

4

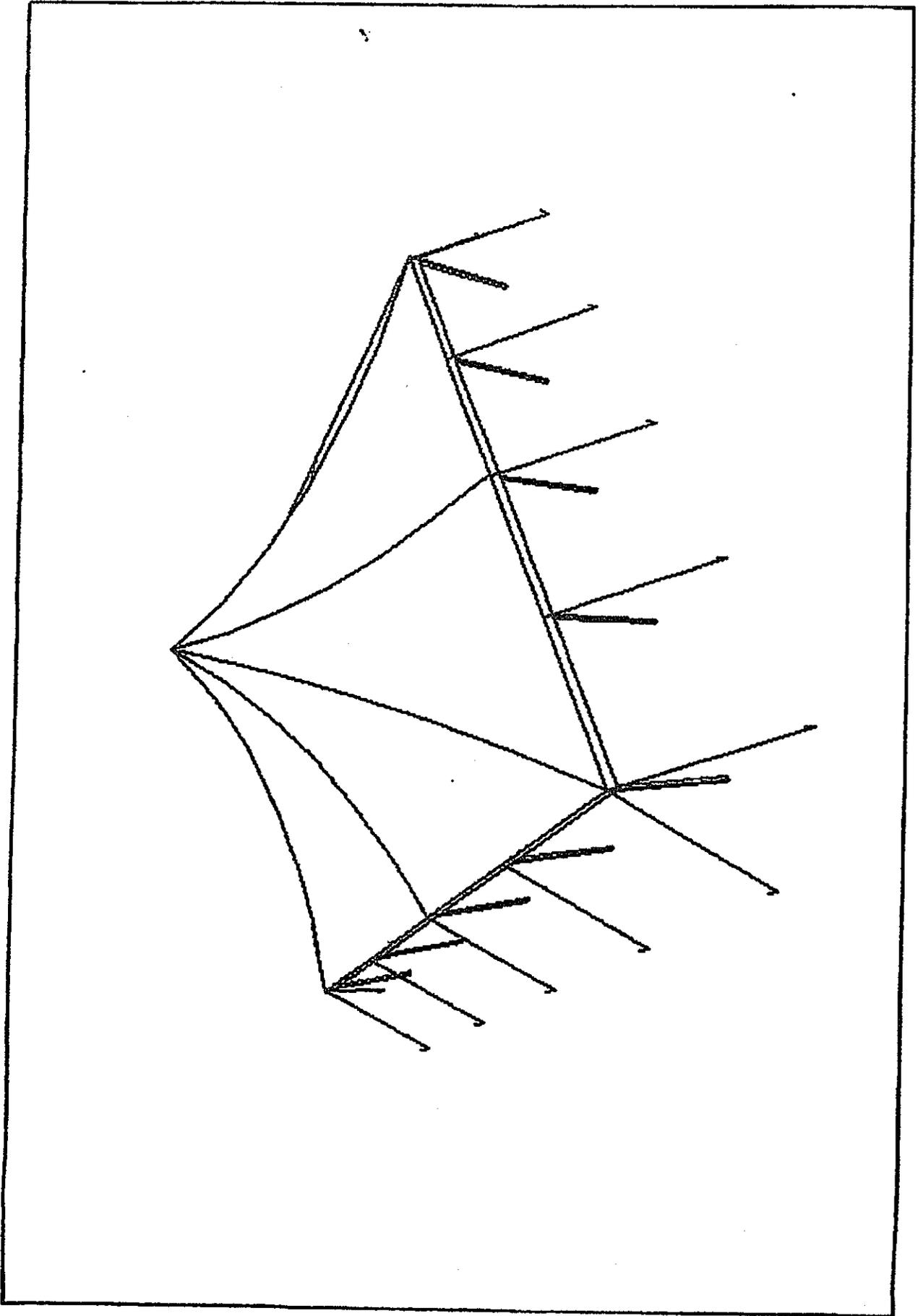
7.5 FT

7.5 FT

10 FT

10 FT

7.5 FT



**STAFF REPORT**  
**"TNT Fireworks Tent Sale"**

May 16, 2013

**Petition #30-13:**

**TPZ Approval (Section 3.23.1: Accessory Outside Use) for Fireworks Tent Sale  
3164 Berlin Turnpike (Walmart)  
TNT Fireworks, applicant**

**Description of Petition #30-13:**

TNT Fireworks is again requesting TPZ permission to sell fireworks from the Walmart parking lot, from June 20 through July 9. 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:**

I have sent the applicant's sketch to the Fire Marshal for his review from a public safety standpoint. If this petition is approved, it should be with the condition that the tent be approved by the Fire Marshal and the Building Official as was the condition in previous years.

There was a problem in previous years where other fireworks vendors placed numerous, illegal lawn signs around town. If this petition is approved, I recommend it be with the express condition that there be no lawn signs.

cc:  
file



John Salomone  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

**Town Planner**

Edmund J. Meehan  
Town Planner

Certified Mail No. 7196 9008 9040 0295 8959

## CERTIFICATE OF ACTION

**TO:** TNT Fireworks  
Attn: Melissa Goduti  
40 S. Cherry Hill Street, #23  
Wallingford, CT 06492

**DATE:** June 9, 2011

**SUBJECT:** Petition 21-11 – 3164 Berlin Turnpike Wal-Mart parking Newington VF LLC owner TNT Fireworks attention Melissa Goduti 40 S. Cherry Street #23 Wallingford, CT 06492 applicant request for site plan modification tent sale, June 18 to July 5, 2011, PD Zone District.

At a meeting held, June 8, 2011, the Newington Town Plan and Zoning Commission voted to approve the above referenced PETITION for site plan modification tent sale, June 18 to July 5, 2011 be approved for the temporary placement of one (1) 20' x 40' tent in the Walmart parking lot, tent location not to impede travel lanes, block sight lines or driveways.

Prior to use of the tent, TNT Fireworks shall submit permits and obtain approvals from the Newington Building Department and Fire Marshal.

Certified by:

Edmund J. Meehan  
Town Planner

EJM/crd

Cc: Chris Schroeder, Fire Marshal  
Doug Jourdan, Chief Building Official

cash  
**TOWN OF NEWINGTON**  
**TOWN PLANNING AND ZONING COMMISSION**  
**APPLICATION FORM**

APPLICATION #:	28-13	<div style="border: 2px solid black; padding: 5px; font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">MAY - 7 2013</div> <div style="border: 1px solid black; padding: 2px; margin: 5px 0;">PLANNING DEPT.</div>
SUBMITTED DATE:	5/7/13	
RECEIVED DATE:		
PUBLIC HEARING OPENED:		
PUBLIC HEARING CLOSED:		
DECISION DATE:		
DECISION PUBLISHED:		
COA SENT:		
MYLAR FILED:		

LOCATION OF PROPERTY: 32A Fenn Rd ZONE: \_\_\_\_\_

APPLICANT: BAIRES LLC TELEPHONE: 860-841-8829

ADDRESS: 151 CARR AVE EMAIL: agarrido@cox.net

CONTACT PERSON: ALBERT GARRIDO TELEPHONE: 860-841-8829

ADDRESS: 151 CARR AVE EMAIL: agarrido@cox.net

OWNER OF RECORD: \_\_\_\_\_

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

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

**SIGNATURE:**

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE OWNER OF THE PROPERTY AND SUBMITTED ALONG WITH SEVEN SETS OF PLANS AND THE REQUIRED FEE.			
	<u>5/6/13</u> DATE		<u>5/12/13</u> DATE
APPLICANT		OWNER	

**NOTE:**  
 PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

**STAFF REPORT**  
***"Restaurant at 32 Fenn Road"***

**May 16, 2013**

**Petition #28-13:**  
**Special Exception (Section 3.15.3: Restaurant)**  
**32 Fenn Road**  
**Baires LLC, applicant**

**Description of Petition #28-13:**

The applicant would like to establish a pizza restaurant in space 32A of the "Stop & Shop" plaza.

Section 3.15.3 allows "Restaurants for consumption of food prepared and served with the building at tables or counters and at outside seating areas when approved by the Commission; and restaurants where food is prepared within the building and sold to customers for takeout and consumption off site."

**Town Planner Comments:**

The previous tenant was a retail activity, and the applicant has shown me that the amount of his "floor area open to the public" will require no more parking.

I recommend the public hearing be scheduled for June 12.

cc:  
file

Cash

TOWN OF NEWINGTON  
TOWN PLANNING AND ZONING COMMISSION

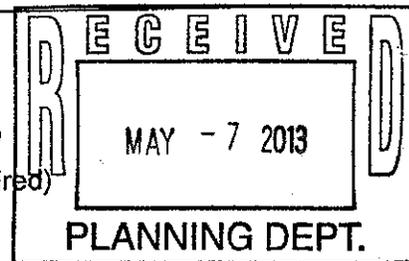
APPLICATION FORM

APPLICATION #:	# 29-13
SUBMITTED DATE:	5/7/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: 56 Fenn Rd. ZONE: \_\_\_\_\_  
 APPLICANT: Wayside Fence Co. TELEPHONE: 860-594-1090 (wayside local office)  
 ADDRESS: 63 Third Ave, Bay Shore NY 11706 EMAIL: \_\_\_\_\_  
 CONTACT PERSON: Christopher Gueret TELEPHONE: 860-594-1098  
 ADDRESS: 56 Fenn Rd, Newington CT 06111 EMAIL: Chris@waysidefence.com  
 OWNER OF RECORD: Doug DeLorenzo

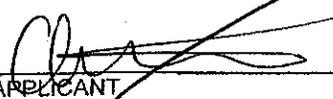
THIS APPLICATION IS FOR: (CHECK ONE OF THE FOLLOWING)

- Zone Change to the \_\_\_\_\_ Zone (Public Hearing required)
- Zoning Amendment to Section \_\_\_\_\_ (Public Hearing required)
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section 6.2.4 of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) \_\_\_\_\_



SIGNATURE:

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

 5.6.13 \_\_\_\_\_  
 APPLICANT DATE OWNER DATE

**NOTE:**  
 PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION. APPLICANTS PROPOSING TO BUILD, MODIFY EXISTING SITE PLANS, CHANGE OR ADD TO BUILDING ELEVATIONS OR PLACE SIGNAGE ON THE PROPERTY ARE RESPONSIBLE FOR SECURING THE NECESSARY APPROVALS FROM THE DEVELOPMENT COMMISSION PRIOR TO INITIATING THE WORK.

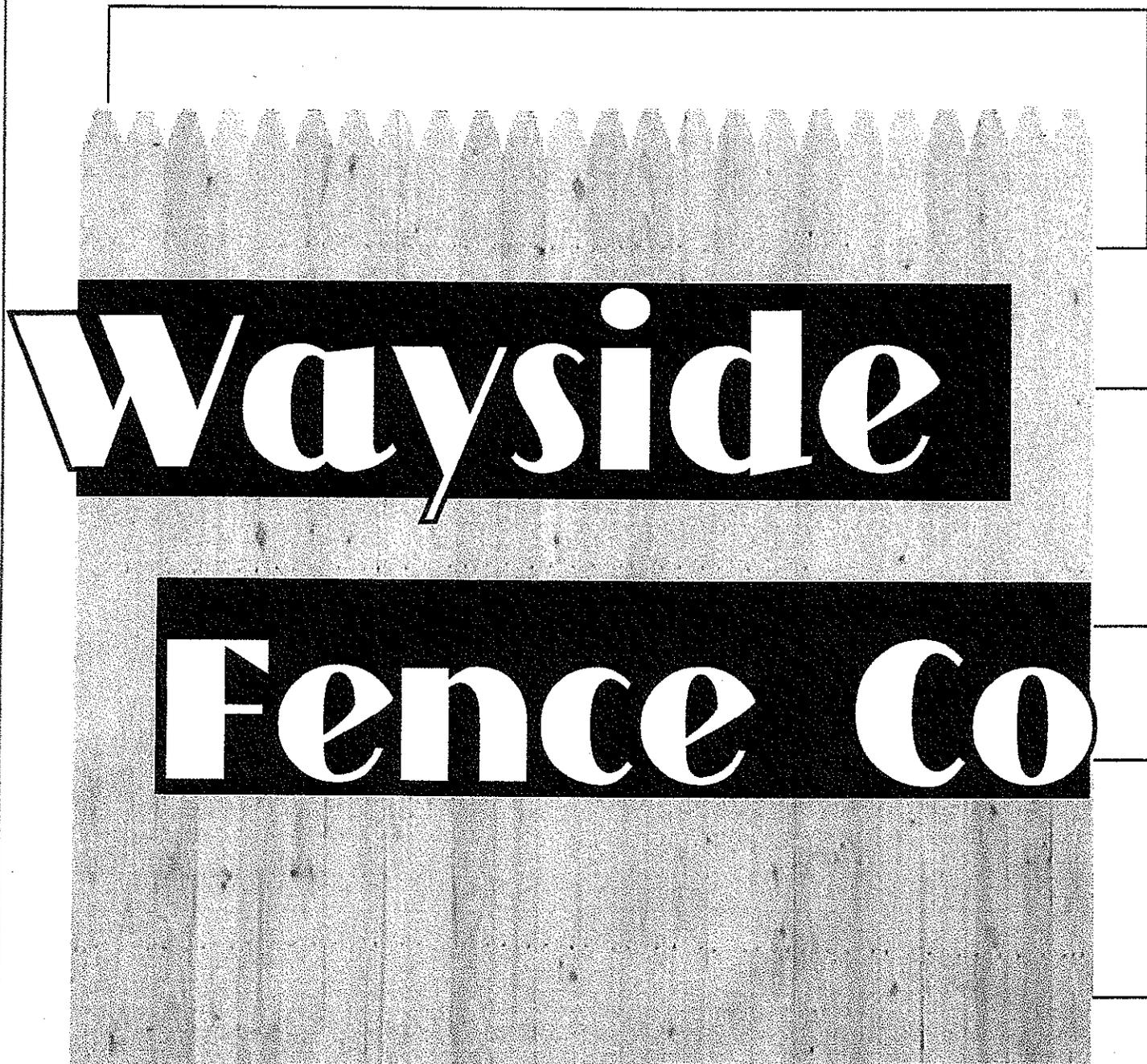
Wayside Fence Co.

56 Fenn Road

(860) 594-1090

Sign Design for Town Planner

8 ft.



**Wayside**  
**Fence Co**

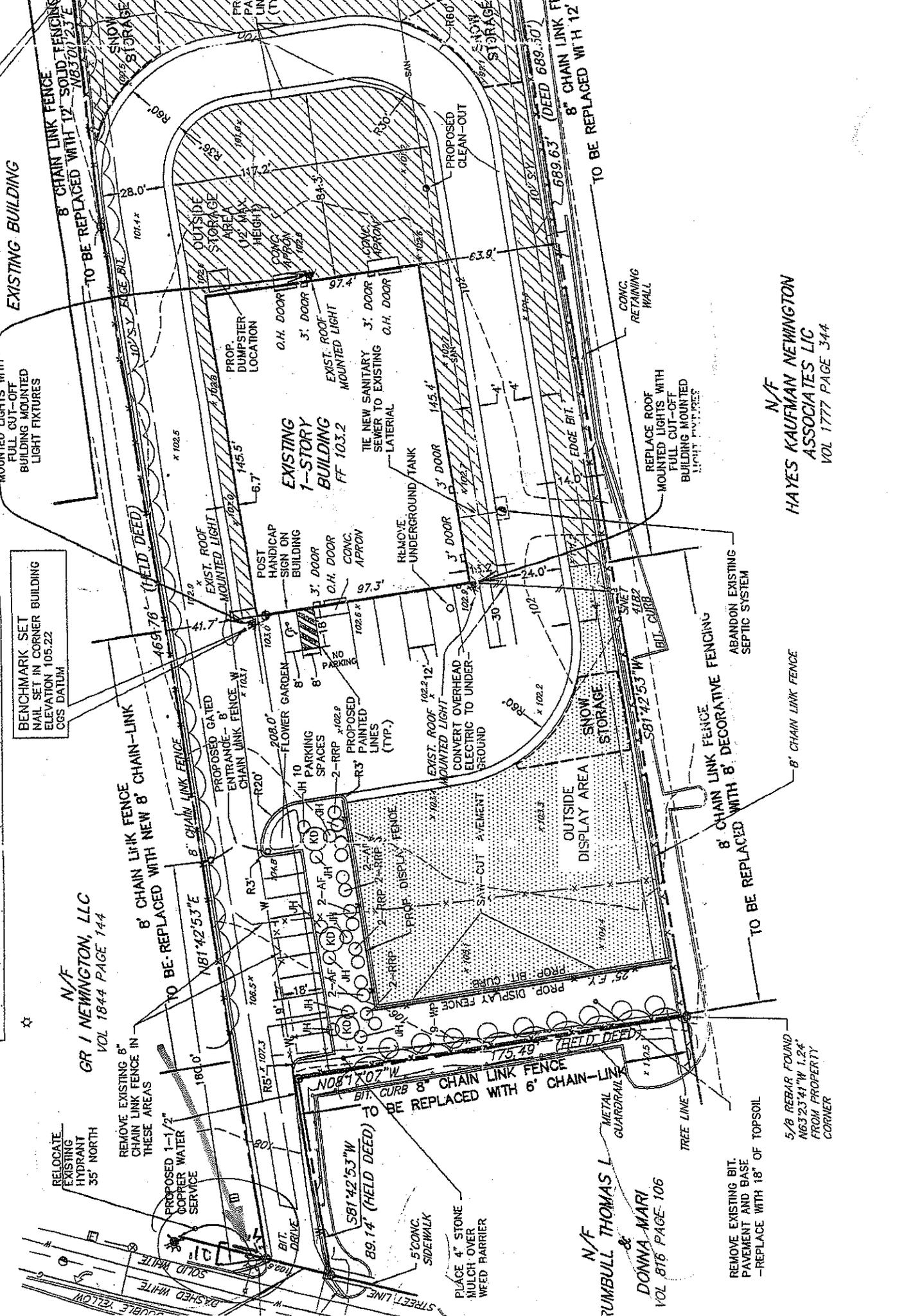
Cedar Stockade Panel  
Composite Wood Backers  
AZEK composite lettering  
S40 Steel Pipe Supports

8 ft.

BENCHMARK SH:1  
PK NAIL  
ELEVATION 98.36  
CGS DATUM

- This site plan approval is for a winchless fence storage and distribution use. The applicant has submitted preliminary on the backhoe's expected truck traffic siding that this will be a low intensity use. Any changes to the use and winchless operations at this property is permitted only after prior approval of the Commission, this includes a different subsequent winchless designs.
- The plans prepared by Bill Land Conveyors, entitled "Improvement Location Survey prepared for Wayside Fence Co." any scale 1"=40' sheet 1 of 1, revised dated 9-28-07, shall be modified to eliminate the outside storage of the business's produce in the event yard set back (25') and in front of the building Section 3.2.3.

ION MAP  
1"=1000'



BENCHMARK SET  
NAIL SET IN CORNER BUILDING  
ELEVATION 105.22  
CGS DATUM

N/F  
GR I NEWINGTON, LLC  
VOL 1844 PAGE 144

N/F  
RUMBULL THOMAS L  
&  
DONNA MARI  
VOL 816 PAGE 106

REMOVE EXISTING BIT.  
PAVEMENT AND BASE  
-REPLACE WITH 18" OF TOPSOIL

5/8 REBAR FOUND  
N63°23'41"W 1.24'  
FROM PROPERTY  
CORNER

N/F  
HAYES KAUFMAN NEWINGTON  
ASSOCIATES LLC  
VOL 1777 PAGE 344

**STAFF REPORT**  
***Free Standing Sign for Wayside Fence Company***

**May 13, 2013**

**Petition #29-13:**  
**Special Exception (Section 6.2.4: Free Standing Sign)**  
**56 Fenn Road**  
**Wayside Fence Company, applicant**

**Description of Petition #29-13:**

This business would like to install a monument sign on Fenn Road. The parcel is a rear lot so customer visibility is a problem. Section 6.2.4 allows such signs in any non-residential zone by special exception.

**Staff Comments:**

The sketch submitted by the applicant (attached) shows the sign on the neighbor's property. I have directed him to submit a corrected sketch. This may be a challenge since nearly all of the lot's frontage is paved.

I recommend the public hearing be scheduled for June 12.

cc:  
file



# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

John Salomone  
Town Manager

## Town Planner

Craig Minor, AICP  
Town Planner

### Memorandum

**To:** Town Plan and Zoning Commission  
**From:** Craig Minor, Town Planner *CM*  
**Date:** May 16, 2013  
**Re:** Town Planner Report of May 22, 2013

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

a. Facade Changes at the CVS on Main Street: As of this writing the ZEO has not had a chance to definitively confirm that the panels were supposed to be raised, but I have asked him to do so prior to the TPZ meeting.

b. Pickup truck cabs in front of 127 Fenn Road: The property manager has agreed to remove the material.

c. Number of former Newington Residents living at New Samaritan: The person responsible for taking tenant applications returned my call. She said that 11 of the original 32 applicants were Newington residents.

**2. Old Performance Bonds held by Town:** I will have an updated report at the meeting.

**3. Status of the "Modern Tire" Appeal:** Nothing new to report.

**4. Newington Junction Planning Study:** The consultants submitted some preliminary sketches of the area, and existing uses. I have not had a chance to review these yet.

**5. "Low Impact Development" Regulations Project:** The consultant has asked for a meeting with the LID Committee to present his findings. I am working on scheduling a meeting for either Monday or Tuesday of the week of May 20.

**6. Signage Brochure:** I will distribute the draft brochure at the meeting.

cc:  
file

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