



TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
Wednesday, May 25, 2016

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

7:00 p.m.

A G E N D A

**RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS**

2016 MAY 19 AM 11:08

BY Tanya D. Leno
TOWN CLERK

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL AND SEATING OF ALTERNATES**
- III. APPROVAL OF AGENDA**
- IV. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**
- V. REMARKS BY COMMISSIONERS**
- VI. PUBLIC HEARING**
 - a. Petition #07-16: Zoning Text Amendment (Section 3.15; 3.17; 6.11: Auto-Related Uses). Modern Tire Recapping Company Inc., applicant; Attorney Timothy J. Hollister, One Constitution Plaza, Harford CT, contact. Continued from April 27, 2016.
 - b. Petition #06-16: Zoning Text Amendment (Sections 5 - 8). TPZ, applicant/contact.
 - c. Petition #18-16: Special Permit (Section 6.2.4: Freestanding Sign) at 177 Day Street (Newington Veterinary Clinic). Sign Pro Inc., applicant; 177 Day Street LLC, owner; Robert Kuszpa, Sign Pro Inc., 60 Westfield Drive, Plantsville CT, contact.
- VII. APPROVAL OF MINUTES**
 - a. Regular Meeting on April 27, 2016
 - b. Regular Meeting on May 11, 2016
- VIII. NEW BUSINESS**
 - a. Petition #17-16: Site Plan Modification at 2355 Berlin Turnpike (McDonald's Restaurant). McDonald's USA, owner/applicant; Eric Dubrule, Bohler Engineering, 352 Turnpike Road, Southborough, MA, contact.

- b. Petition #20-16: Site Plan Modification at 80 Fenn Road. Fenn Road 80 LLC, owner/applicant; Joseph Sullo, Wethersfield CT, contact.
- c. Alumni Road Traffic Signal.

IX. OLD BUSINESS

X. PETITIONS FOR PUBLIC HEARING SCHEDULING

- a. Petition #22-16: Special Permit (Section 3.15.3: Restaurant) at 2551 Berlin Turnpike (The Sloppy Waffle). The Sloppy Waffle, applicant; 2551 Berlin Turnpike LLC, owner; Luz Ramos, 164 Eddy Lane, Newington CT, contact.

XI. TOWN PLANNER REPORT

- a. Town Planner Report for May 25, 2016

XII. COMMUNICATIONS

- a. CRCOG Zoning Amendment Reports.

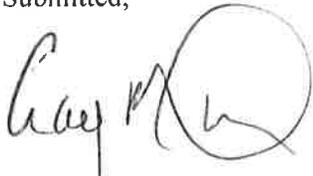
XIII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

XIV. REMARKS BY COMMISSIONERS

XV. CLOSING REMARKS BY THE CHAIRMAN

XVI. ADJOURN

Submitted,



Craig Minor, AICP
Town Planner



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: May 17, 2016
Subject: **Petition #07-16: Zoning Text Amendment (Section 3.15; 3.17; and 6.11: Auto-Related Uses). Modern Tire Recapping Company Inc., applicant; Attorney Timothy J. Hollister, One Constitution Plaza, Harford CT, contact.**

Description:

This is a petition to amend the various auto-related uses sections of the zoning regulations (Sections 3.15, 3.17, and 6.11). The applicant is Modern Tire Recapping Company of 3455 Berlin Turnpike. This application is "in connection with efforts to settle a pending lawsuit, *Colleen Bielitz, et al. vs. Wex-Tuck Realty, LLC et al.*, to which the Town Plan and Zoning Commission and the Town of Newington are parties". That lawsuit pertains to the Firestone Complete Auto Care store which recently opened at 2897 Berlin Turnpike.

Staff Comments:

The public hearing was opened on April 27, 2016 and continued to May 25, 2016 (Attorney Hollister had a scheduling conflict with May 11, 2016).

I have no new comments on this application.

cc:
file

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



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: May 17, 2016
Subject: **Petition #06-16: Comprehensive Review of the Zoning Regulations
(Sections 5 – 9)**

Description:

From November 2014 to approximately October 2015, the TPZ conducted a series of special “workshop” meetings to do a comprehensive review of the zoning regulations. The goal was to find and fix text items that needed minor adjustments – any major deficiencies were set aside to be handled separately. The comprehensive review has been finished, and is now undergoing the public hearing required by State law.

Staff Comments:

This is the public hearing for Part 2 of the zoning regulations update, which consists of Sections 5 through 9.

Attached is a version that is much more “user friendly” than what I gave you for Part 1 (Section 1 – 4). I removed all of the text that is unchanged, all of the changes that are just editing, all the “Special Exception” to “Special Permit” changes, and all of the “waiver” language deletions. That brought it down to only ten pages.

cc:
file

Phone: (860) 665-8575 Fax: (860) 665-8577
townplanner@newingtonct.gov
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Proposed new text is shown in **bold underline**.
Text proposed to be deleted is shown in **bold strikethrough**.

SECTION 5 GENERAL REGULATIONS

Section 5.1 Non-Conforming Lots, Land Use and Buildings or Structures

5.1 Procedures and Standards for All Special Exceptions or Special Permits

- 5.1.5 To permit proper review, the commission or board **shall may**, in accordance with Section 5.3, require that a site plan be submitted, and may require any other information deemed necessary to determine if the use is in harmony with the intent of the regulation, and the character of the area in which it is located.
- 5.1.7 Following an approval of a special ~~exception or~~ permit, such approval shall become null and void if the use proposed under the Special ~~Exception or~~ permit changes. Amendments to the conditions of a Special ~~Exception~~ **Permit or substantial changes** shall require a new petition and public hearing as required by the Connecticut General Statutes. (Effective 12-01-01)
- 5.1.8 No special ~~exception or~~ special permit granted according to these regulations shall be effective until a copy of the special ~~exception or~~ special permit, ~~certified by~~ **signed by the Chairman of** the Commission or Board, whichever is applicable, is filed by the applicant in the Town Clerk's office in accordance with State Statutes which require recording in the Land Records.

5.2 Procedures and Requirements for Site Plans

5.2.10 Content of a Site Plan

~~A. Context Map: An overall map drawn to a scale of 1" = 200', which can be used as an overlay on Metropolitan District Maps. This map will show the overall design of the development and surrounding property within 500 feet.~~

1. General

1. Data block which gives required zoning information such as height, area and yard requirements, parking, spaces, green space, etc.
2. Layout of buildings.
3. Layout of streets and parking.
4. ~~Lines indicating proposed drainage system with direction arrows.~~
5. ~~Lines indicating sanitary sewer system with direction arrows.~~
6. ~~Names of abutting property owners.~~
7. Proposed open spaces and recreation area, if required.
8. ~~Inland Wetland and Watercourses showing 50 foot setback area and 100 foot upland review area. (Effective 8-15-07)~~
9. ~~Hydrologic soil groups based on information available from the United States Department of Agriculture Natural Resource Conservation Service and/or highly pervious soils as found from onsite soil testing.~~

12. **Context Map:** An overall map drawn to a scale of 1" = 200', which can be used as an overlay on Metropolitan District Maps. This map will show the overall design of the development and surrounding property within 500 feet.

5.2.15 Change in Use and Site Design

~~A. A change in use of land or in the use of a structure or building will require Commission approval of a site plan if any one of the following occurs: such change in use increases the required amount of parking, loading or access or increases the building's gross floor area by more than 10 percent; alters the site's parking lot landscape areas, or green space, landscaping and buffer requirements of Section 6.10. Changes only to the architecture of the building will not require the submission of a new site plan to the Commission. (Effective 12-01-01)~~

A. A change in use of land or in the use of a structure or building will require Commission approval of a site plan if any one of the following occurs:

1. ~~such change in use~~ increases the **required** amount of parking;
2. changes the loading or access;
3. increases the building's gross floor area by more than 10 percent;
4. alters the site's parking lot ~~landscape areas, or~~ green space, or landscaping, and buffer requirements of or increases the amount of buffering required in Section 6.10.

SECTION 6 SPECIAL REGULATIONS

6.4 Removal of Earth Products

6.4.1 General

Except as otherwise provided in this section, there shall be no removal, in any zone, of soil, sand, gravel, stone or other earth products, ~~except excavation for basements of structures to be erected on the land forthwith, and except for grading or landscaping incidental to the development of the land, or to grading for public improvements.~~

6.4.2 As of Right

Excavation ~~excavation~~ for basements of structures to be erected on the land forthwith, and ~~except for~~ grading or landscaping incidental to the development of the land, ~~or to~~ and grading for public improvements.

A. The applicant shall submit a site plan of the area where removal is proposed, prepared by a registered professional engineer, showing the existing and proposed finished grades.

6.4.4 Conditions

A. The applicant shall submit a site plan of the area where removal is proposed, prepared by a registered professional engineer, meeting the provisions of Section 5.2 and also showing the existing and proposed finished grades at the conclusion of operations, provisions for drainage, proposed landscaping and type of cover crop, the location of rock faces and exposed bedrock outcropping, and any other

Proposed new text is shown in **bold underline**.
Text proposed to be deleted is shown in **bold strikethrough**.

features considered necessary by the Commission for adequate study of the proposal. (Effective 3-4-2011)

- B. The plan shall provide for proper drainage of the area after completion. No bank shall exceed a slope of one foot of vertical rise in 2 feet of horizontal distance. No removal shall take place within 50 feet of a property line except when modified by a two-third vote of the Commission. (Effective 3-4-2011)
- C. At the conclusion of operations, the whole area where removal has taken place shall be covered with not less than 4 inches of topsoil and seeded with a suitable cover crop. This requirement may be modified by the Commission where no practical purpose is accomplished by adherence to it.
- D. No equipment not required for actual removal of the material shall be allowed. The processing of earth product is prohibited except when permitted by the Commission and approved by a two thirds vote. (Effective 8-15-07)
- E. The property shall be maintained in safe condition, no ponding of water, steep slopes or any potentially hazardous condition.

6.5 **Filling of Land**

6.5.1 General

The ~~purpose of this section is~~ **purposes of this section are to (a)** conserve and preserve water storage areas by helping to maintain the ground water level and stream flow, **(b)** secure the safety of traffic movement, and **(c)** control any fill operations that may create a safety or health hazard to the public or adjacent property owners, or be detrimental to the immediate neighborhood or the Town.

6.5.2 ~~Special Permit~~

~~The Commission shall grant a permit for the filling of land subject to the following conditions and the provisions of Sections 5.2 and 5.3. A permit is required except in the following circumstances:~~

- ~~A. Construction of a building for which a building permit has been duly issued.~~
- ~~B. Agricultural or landscaping operations, including pond operations, providing a report approving the operation is provided to the Town Engineer by the Soil Conservation Service.~~
- ~~C. Where such filling operations have been approved by the Commission as a part of a subdivision or a site plan. No filling of land shall commence until a building permit for the project has been issued. This condition may be waived by a two thirds vote of the Commission.~~
- ~~D. Within the rights-of-way of the State of Connecticut.~~
- ~~E. Regrading of one residential lot to improve the property, providing the Town Engineer inspects and approves this operation before and after regrading takes place.~~

6.5.2 **As of Right**

- A. Construction of a building for which a building permit application has been submitted.**

- B. Agricultural operations. The applicant shall submit a site plan of the area where the fill is proposed prepared by a registered professional engineer.
- C. Where such filling operations have been approved by the Commission as a part of a subdivision or a site plan. No filling of land shall commence until a building permit for the project has been issued.
- D. Regrading of a residential lot to improve the property. The applicant shall submit a site plan of the area where the fill is proposed, prepared by a registered professional engineer, showing the existing and proposed finished grades.

6.5.3 Special Permit

The Commission may grant a permit for the filling of land not incidental to the above purposes, subject to the following conditions and the provisions of Sections 5.2 and 5.3.

- A. The applicant shall submit a site plan of the area to be filled, prepared by a registered professional engineer, meeting the provisions of Section 5.2 and also showing finished grades at the completion of filling, type of fill material, and proposed access for vehicles and hours of operation, as well as any other information considered necessary by the Commission for adequate study of the proposal.
- B. The plan shall provide for proper drainage of the operation, during and after completion. No bank shall exceed a slope of one foot of vertical rise in two feet of horizontal distance. Necessary precaution against erosion shall be shown.
- C. At the conclusion of filling operation, the disturbed area shall be covered with not less than 4 inches of top soil and seeded with a suitable cover crop.

6.10 Green Space, Landscaping and Buffer Requirements

6.10.1 Minimum Landscaped Area

Notwithstanding other portions of this regulation, no ~~use development~~ shall be permitted in any zone which does not leave a minimum landscaped area of at least 10 percent of the total lot area free of any building, impervious surface material or other structures, ~~not including required yards.~~ Land in the front, side and rear setback areas shall not count toward the minimum landscaped area. Such minimum landscaped areas shall be planted with grass, moss, ground cover or trees in such a way as to allow natural percolation of rainwater and not to interfere with adequate drainage of rainwater from surfaced or built-up portions, and to promote proper environmental design, including the implementation of low impact development techniques.

6.10.4 Berlin Turnpike

On the Berlin Turnpike, the front yard green space and landscape area is most important to the public interest for the preservation and enhancement of property values, the implementation of vegetative low impact development techniques, and the control of traffic function and reduction of hazards.

Proposed new text is shown in **bold underline**.
Text proposed to be deleted is shown in **~~bold strikethrough~~**.

- A. Alteration and additions affecting 25 percent of the gross floor area or more for business and industrial uses shall make substantial effort to add green space and landscaping, particularly in the front yard.
- B. ~~New construction of business and industrial uses shall provide front yard green space and landscaping of at least 35 feet. The Commission may waive this requirement in whole or in part in accordance with the procedures of Section 6.10.5 C. When requested to waive this standard the Commission will take into account access management measures and parking lot green space enhancements proposed by the applicant and the implementation of vegetative low impact development techniques. No~~ accessory structures, above-ground utilities, or pavement shall be placed in the front yard.

Section 6.13 Accessory Apartments (Effective 2-20-09)

The Commission may grant a special exception for one accessory apartment in an existing or proposed single-family dwelling located only in an R-20 or R-12 zone, subject to the following standards and conditions and the provisions of Section 5.2.

- 6.13.9** **A request to renew the accessory apartment use or transfer it to another property owner shall require the approval of a new special exception.**

SECTION 7 **ADMINISTRATION**

Section 7.2 Zoning Permits

7.2.1 Application for Zoning Permit

Prior to the construction, reconstruction, change of use, enlargement, extension, moving or structural alteration of any **sign**, building or other structure (other than a permitted fence), and prior to any occupancy, use or change in use of any land, building, or other structure or part thereof, an application for a Zoning Permit shall be submitted to the Zoning Enforcement Officer. If the Zoning Enforcement Officer shall find the proposed building or other structure or use in compliance with these regulations, he shall issue a Zoning Permit, provided no such permit shall be issued for a use requiring a site plan, special exception or special permit, until such site plan, special exception or special permit has been granted by the Commission.

The Zoning Enforcement Officer may require ~~the~~ **a** plot plan to indicate the **location of the structure and** measures to control soil erosion that shall be in place prior to the start of construction. (Effective 3-4-2011)

- 7.2.2 No building permit shall be issued unless a zoning permit has been issued by the Zoning Enforcement Officer. Zoning and building permits may be issued simultaneously or separately.

7.2.3 Certificate of Zoning Compliance

A certificate of Zoning Compliance may be issued for individual buildings within a multi building complex that are in compliance with the provisions of the approved site plan, special exception or special permit even though other structures in the complex

are not yet in compliance and provided bond surety has been posted pursuant to Section 7.3.

The Zoning Enforcement Officer shall provide a Statement of Zoning Compliance upon request, and upon payment of the fee established by the Town Manager.

Section 7.3 Surety

The Commission may require ~~as a condition of approval of any site plan~~, adequate surety to insure that the improvements shown on such plan are made. Surety will not be required if all the improvements are completed prior to the application for a Certificate of Zoning Compliance.

7.3.1 Procedure

If a Certificate of Zoning Compliance is desired prior to the completion of all the site improvements shown on a site plan, the following procedure shall be followed.

- C. ~~The Town Engineer shall estimate the cost of completion within the time period for such improvements and submit a recommended amount of surety to the Town Planner.~~ **The Developer shall provide the Town Engineer with an estimate of the cost of completion. The Town Engineer shall review the estimate and submit a recommended amount of surety to the Town Planner.**
- D. The Developer shall post cash or other negotiable security with a forfeiture clause, as approved by the Town Manager, with the Manager. The **negotiable security Surety** that can be accepted by the Town Manager shall be limited to certified check, ~~passbook certificate of deposit~~, or a letter of credit. No insurance bond will be acceptable.

Section 7.4 Design Standards, Site Plan Check List

The Commission shall use the following standards of the review of plans submitted to the Commission for review and action pursuant to Section 5.3 of these Regulations. The construction of any improvements shown on any such plan shall be in accordance with these standards.

7.4.6 Driveway and Parking

- C. ~~Unless otherwise approved by the Commission (such as for implementing low impact development techniques or other reasons), driveways shall be at least 28' in width from the face of curb, but unusual, adverse field conditions may be recognized by the Commission and the minimum width may be reduced to 24'.~~ **Driveways shall be at least 28' in width from the face of curb.**

7.4.11 Water

The water supply system of any building used for human occupancy shall be connected to Metropolitan District Commission system or, where appropriate the New Britain Water Department system ~~unless waived by the Commission after consultation with the Newington Public Health Coordinator.~~

Proposed new text is shown in **bold underline**.
Text proposed to be deleted is shown in **~~bold strikethrough~~**.

7.4.12 Sewer

The sanitary system of any building used for human occupancy shall be connected to the public utility system, if available. A public sanitary sewer system shall be considered available to a building when the property line is located within 200 feet of an existing public sewer or when a new sewer line within 200 feet of the property line will be operational prior to the issuance of a Certificate of Occupancy. ~~The Commission may waive this requirement after consultation with the Newington Public Health Coordinator.~~

7.4.14 Utilities

F. Lighting

5. ~~Hi-pressure sodium type fixtures are preferred.~~

7.4.15 Cultural Features including Flood Plains, Inland Wetlands and Slopes.

- F. Show location and type of trees 6" diameter and larger, either existing or proposed, and all evergreens including shrubs. For area of solid woods, show outline of forest land parts.
- G. Include location of all existing fences and structures, existing or proposed, in the site plan.
- H. Show in detail any low areas that will not self-drain (swales) and location of all swamp areas.
- I. Existing contours in excess of fifteen (15%) percent gradient and rock outcroppings shall be identified by shading the area that meets this criterion. These areas shall be kept in their natural condition and not modified ~~unless waived by a two-thirds vote of the Commission. (Effective 3-4-2014)~~ **unless approved by the Commission pursuant to a special permit in accordance with Section 5.2.**

7.4.18 Building or Structure Elevations

On all site plans, the finished first floor or top of foundations elevation together with basement floor elevation, must be shown. ~~For subdivisions, these elevations may be required where questions arise as to surface or sanitary drainage for low-lying areas.~~

7.4.23 Map Title

There shall be a Title Block which shall contain the following information:

1. **Location Street Address** of property
2. Owner of property, **and the name of the** developer **if different**
3. Date
4. Scale
5. Name(s) or Person(s) making map

7.4 Forms

7.5.1 Application Form

The Application Form is available at the Building and Town Planning Departments.

7.5.2 Procedures to be followed when submitting the application:

- A. ~~Application forms must be filed in triplicate.~~ The application shall be typed or neatly printed.
- B. Maps and plans, as defined in the applicable regulations, shall be submitted in 5 copies with the application forms as follows: five full-size (24" x 36") sets, and ten half-size (11" x 17") sets.
- H. In accordance with Connecticut State Statutes, ~~this all~~ applications will be acted upon by the Planning & Zoning Commission Town Plan and Zoning Commission, or a public hearing date will be set, within 65 days of receipt of the application unless an extension is granted by the applicant.

7.5 Amendment

7.6.5 ~~Withdrawal~~

~~On an application requiring a public hearing, where an applicant withdraws the application after a date for the public hearing has been advertised, the application may not be resubmitted for a period of one year. The Commission may waive the time requirement in the case of special circumstances. Such circumstances must be detailed in the Commission minutes.~~

SECTION 8 BOARD OF APPEALS

Section 8.1 Powers and Duties

The Board of Appeals, hereinafter called the Board, as authorized by Section 8-6 of the Connecticut General Statutes, shall have the following powers and duties:

- 8.1.3 Granting a variance from the specific terms of these regulations. Such variance may be granted by the Board only if all of the following circumstances apply and the Board shall make a written finding in its minutes as a part of the record in the case.

Section 8.2 Membership and Procedure

8.2.5 Appeals

Appeals from the decision of the Zoning Enforcement Officer may be made to the Board of Appeals by a person aggrieved or by any officer, department, board or bureau of the town affected by any decision of the Zoning Enforcement Officer. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing ~~with the officer from whom the appeal is taken and~~ with the Board

Proposed new text is shown in **bold underline**.
Text proposed to be deleted is shown in ~~**bold strikethrough**~~.

of Appeals a notice of appeals specifying the grounds thereof. The **Zoning Enforcement Officer** shall forthwith transmit to the Board all papers constituting the record from which the action appealed was taken.

~~8.2.7 If, after a permit has been authorized by the Board, such permit is not lifted from the Office of the Enforcement Officer within a period of 6 months from the date of authorization, then such authorization shall be null and void and no permit shall be issued thereunder.~~

8.2.8 The Board shall hold a public hearing on all appeals, **requests for special exceptions**, and applications for variances. **The Board** shall fix a reasonable time for such hearings and publish a notice thereof in a newspaper of general circulation within the Town in accordance with the State Statues. At such hearings any party may appear in person or by attorney. Such exception, variance or reversal of a decision of the Enforcement Office, shall become effective at such time as may be fixed by the Board, provided a copy thereof shall be filed in the Office of the Town Clerk, and notice of such filing shall have been published in a newspaper having substantial circulation in the municipality before such effective date.

SECTION 9 **APPENDIX**

Section 9.2 Definitions

BILLBOARD: A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location that may be other than the premises on which the sign is located.

CEDAR MOUNTAIN TRAPROCK RIDGELINE: the line on the Cedar Mountain traprock ridge created by all points at the top of a fifty per cent slope, which is maintained for a distance of fifty horizontal feet perpendicular to the slope and which consists of surficial basalt geology, identified on the map prepared by Stone et al., United States Geological Survey, entitled "Surficial Materials Map Of Connecticut" The base map for traprock ridgeline topographic delineation shall be the current publicly available Metropolitan District Commission maps for the Town of Newington. (Effective 5-20-05)

CEDAR MOUNTAIN RIDGELINE SETBACK AREA: the area bounded by (A) a line that parallels the ridgeline **(as defined above)** at a distance of one hundred fifty feet on the more wooded area of the ridge, and (B) the contour line where a ridge of less than fifty percent is maintained for fifty feet or more on the rockier side of the slope. Manmade slopes of 50% or greater shall not be considered as a part of any traprock ridgeline. The burden of proof that such a slope area is manmade shall be on an applicant who owns or desires to use the property containing such slopes. (Effective 5-20-05)

LOT FRONTAGE: That portion of a lot nearest the street as measured at the street right-of-way. Where the side lines diverge from the street toward the rear of the lot, the lot frontage may be considered the distance between the side lines **measured** at the front ~~yard lot~~ line. Where the side lines converge from the street toward the rear of the lot, **the lot frontage shall be** the average width measured at right angles to the lot depth ~~shall not be less than the required frontage~~. For rear lots, the rear lot line of the front lot is the frontage of the rear lot.

LOT LINE: A line of record bounding a lot that divides one lot from another lot or from a public or private street or other public space.

LOT, THROUGH: An ~~interior~~ lot having frontage on two **parallel** streets.

SIGN. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

STRUCTURE: A walled and roofed building that is principally above ground. A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water. This ~~definition also~~ includes a gas or liquid storage tank, as well as a manufactured home.

VARIANCE: A variance is granted by the Zoning Board of Appeals upon the finding of hardship specifically related to a single property. Approval of the variance gives the property owner the right to use his property in a manner which does not conform to the Regulations. Permission to depart from the literal requirements of the zoning regulations.



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP *CM*
Date: May 17, 2016
Subject: **Petition #18-16: Special Permit (Section 6.2.4: Free-Standing Sign) at 177 Day Street (Newington Veterinary Clinic). Sign Pro Inc., applicant; 177 Day Street LLC, owner; Robert Kuszpa, Sign Pro Inc., 60 Westfield Drive, Plantsville CT, contact.**

Description of Petition #02-16:

This business would like to remove their existing free-standing sign and replace it with a new one in a slightly different location on the premises.

Staff Comments:

I have asked ZEO Mike D'Amato to do the review analysis of this application. It will be available to you at the meeting.

cc:
file

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

ck# 541

Petition # 18-16



TOWN OF NEWINGTON

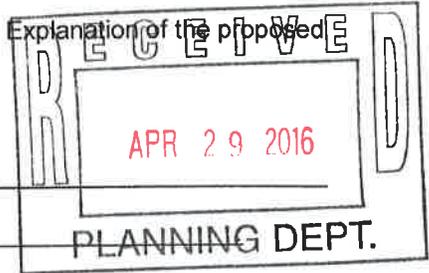
TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 177 Day Street ZONE: Industrial
 APPLICANT: Sign Pro Inc. TELEPHONE: 860-426-3012
 ADDRESS: 60 Westfield Dr., Plantsville, Ct. EMAIL: bob@signpro-usa.com
 CONTACT PERSON: Robert Kuspa ⁰⁶⁴⁷⁹ TELEPHONE: 860-426-3012
 ADDRESS: 60 Westfield Dr., Plantsville, Ct. EMAIL: bob@signpro-usa.com
 OWNER OF RECORD: 177 Day Street LLC

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

- Zoning Map Change from the _____ to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section _____. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per Section 6.2.4 Signs of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
- Site Plan Approval or Modification
- Other (describe in detail, or attach): _____



SIGNATURE:

	<u>4/27/16</u>		<u>4-27-16</u>
APPLICANT	DATE	OWNER	DATE

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

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



Sign Pro Inc.
60 Westfield Drive
Plantsville, CT 06479 USA

P. 860.229.1812
F. 860.223.1812

CTLIC# ELC.0796771-C7
CTLIC# MCO.07903117
signpro-usa.com

April 29, 2016

Town of Newington
Town Plan and Zoning Commission
131 Cedar Street
Newington, CT 06111

Re: Newington Veterinary Clinic
177 Day Street
Newington, CT

To The TPZ,

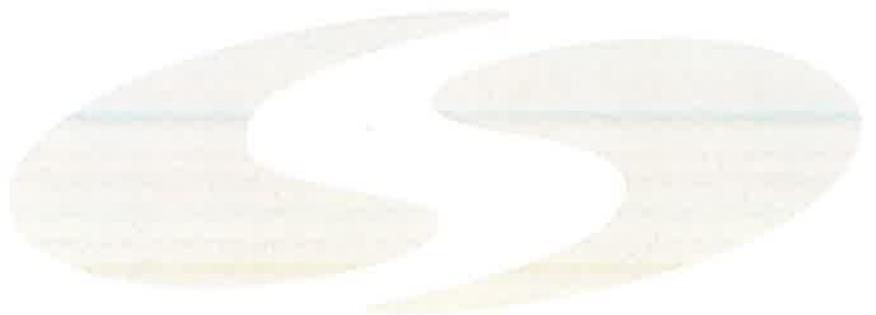
We are requesting a special exception per Section 6.2.4 of the Zoning Regulations concerning signs. We are requesting approval of the replacement of the current freestanding sign for this property which was installed in 1977 at about the same time as the building was constructed. The proposed freestanding sign measures 26.9 sq. ft. per side, which complies with the current sign regulations. The current freestanding sign, at 32.1 sq. ft. is pre-existing non-compliant.

The visibility of the current sign is often obstructed by cars parking at the clinic, and also by cars parking in the adjacent property. The proposed sign would be relocated closer to the street in order to improve visibility. The sign would be placed approximately three feet inside of the right-of-way, sixteen feet from the curb line. The sign would be outside of the fifteen foot sight line triangle required for the driveway.

The current sign utilizes external up-lighting. The proposed sign would also utilize external up-lighting.

Sincerely,


Robert Kuszpa
Permit Expeditor
Sign Pro, Inc.



Top view



**Newington
Veterinary
Clinic**

Project Address:
Newington, CT

SPI WO # 27923
Issue Date: 03/29/2016

Salesperson: Craig Rubinozait
Designer: HRC

**DRAWINGS ARE NOT TO SCALE
UNLESS OTHERWISE NOTED**

SPI Revisions:
v2 HRC 04/01/2016
- Options D 1-4

v3 HRC 04/14/2016
- Options D 3 - Added specs

v4 HRC 04/20/2016
- Added specs
- New pic

v5 HRC 04/27/2016
- Reduced size per allow 4911
- Color specs
- Added specs
- New pic

Customer Approval: APPROVED APPROVED AS NOTED REVISE & RESUBMIT

PRINT

SIGN

DATE

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SIGN PRO 60 Westfield Drive
Plantville, CT 06479
860.229.1812
signpro-usa.com



SIGN TYPE
Main ID

PAGE
1 of 2

Newington Veterinary Clinic

Project Address:
Newington CT

SPI WO #: 27923
Issue Date: 03/28/2016

Salesperson: Craig Rubinstein
Designer: KRC

**DRAWINGS ARE NOT TO SCALE
UNLESS OTHERWISE NOTED**

SPI Revisions:
v2 KRC 04/04/2016
- Options D 1-4

v3 KRC 04/14/2016
- Options D 3 - Added specs

v4 KRC 04/20/2016
- Added specs
- New pic

v5 KRC 04/27/2016
- Reduced size per allow sqft
- Color specs
- Added specs
- New pic

Proposed signage



Existing signage

Photo rendering is only conceptual. Actual size ratio may differ slightly from finished sign.

43" H x 90.25" W
Two sided
Square feet: 26.9

30" H x 154" W
Two sided
Square feet: 32.1

Customer Approval: APPROVED APPROVED AS NOTED REVISE & RESUBMIT

PRINT

SIGN

DATE

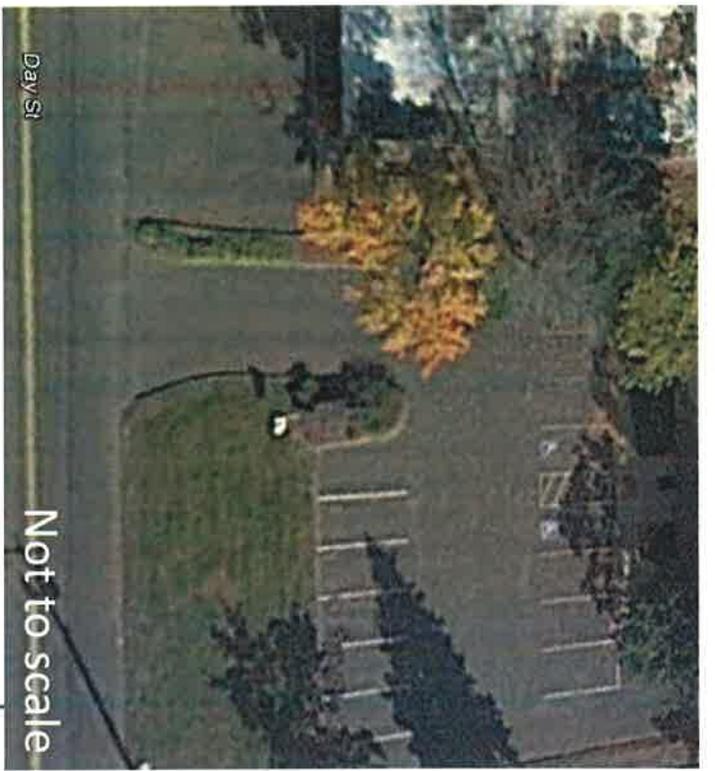
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Plantville, CT 06479
860.229.1812

SIGN TYPE
Main ID

PAGE
2 of 2



Not to scale

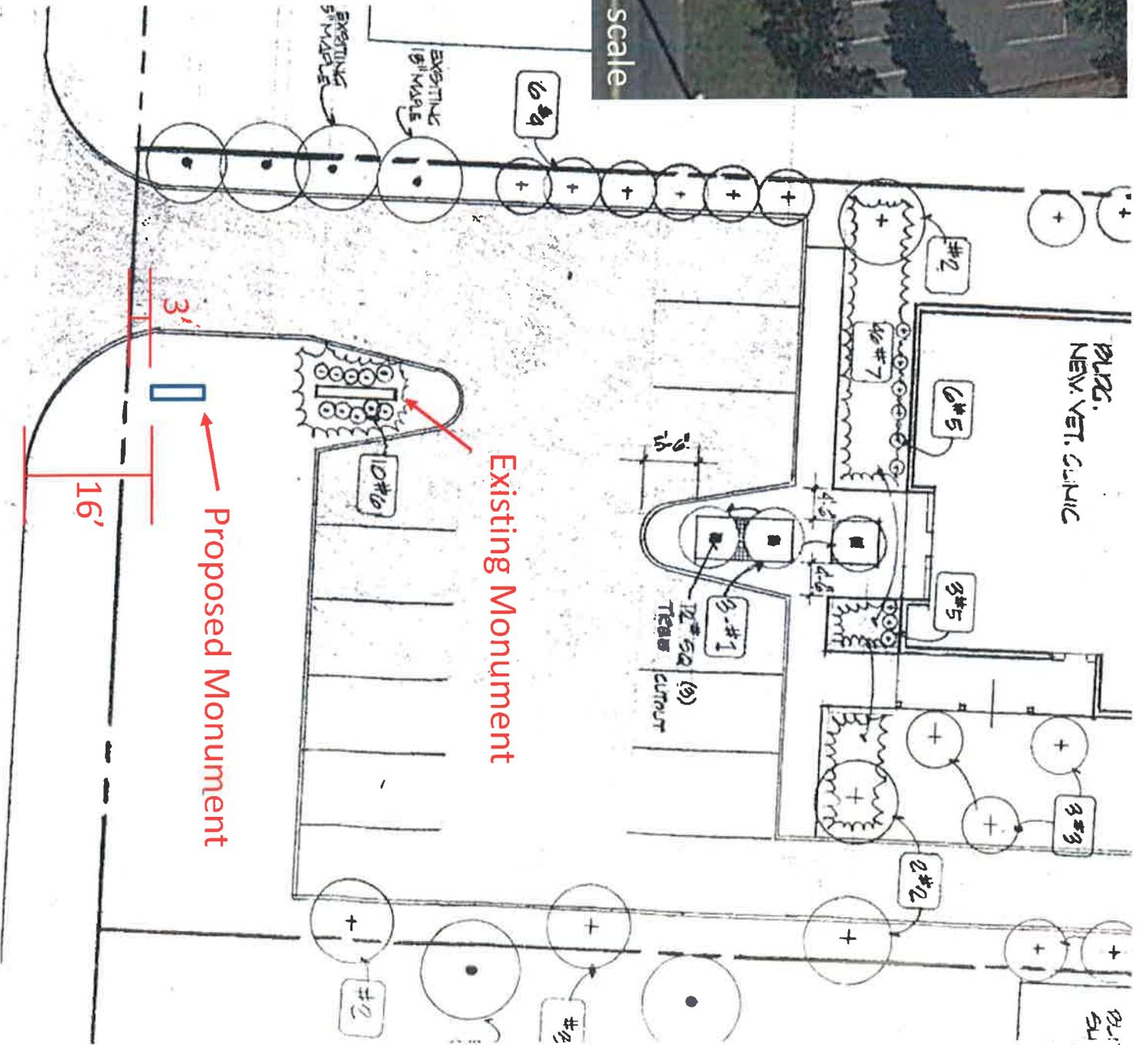
Newington Veterinary Clinic
 177 Day Street, Newington, CT

Site Plan 1"=20'



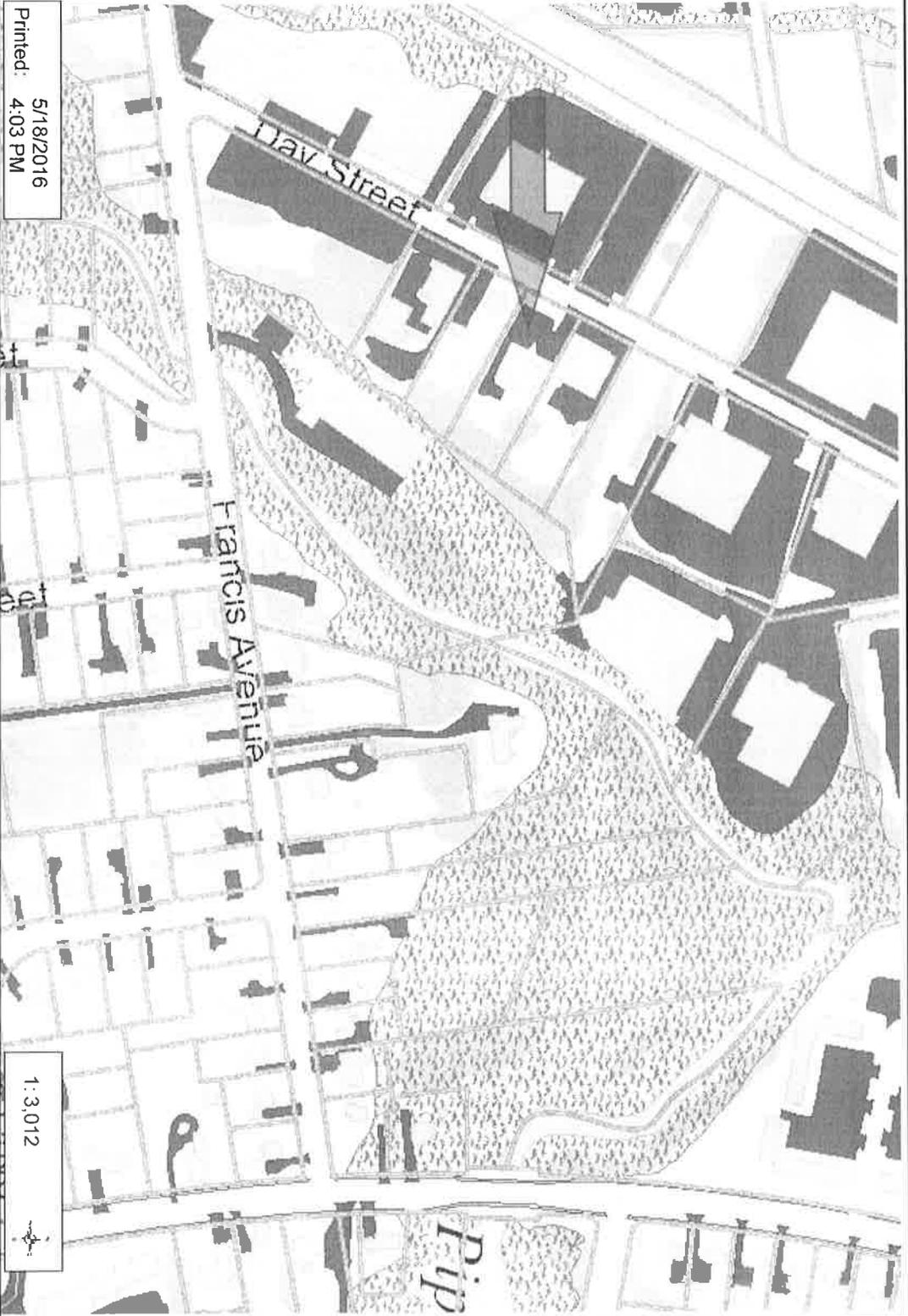
signpro-usa.com

60 Westfield Drive
 Plantsville, CT 06479
 860.229.1812





Newington Veterinary Clinic



Printed: 5/18/2016 4:03 PM

1:3,012

502.0 0 251.02 502.0 Feet

This map is user-generated static output. This map is for reference only and should be used for REPRESENTATION ONLY. The Town of Newington refuses any liability for any actions taken or not taken based on this map. THIS MAP IS NOT TO BE USED FOR NAVIGATION AND IS NOT CONSIDERED SURVEY QUALITY.



Legend

- Parcel
- Structures**
 - BUILDING
 - CEMENT
 - DECK
 - FOOTBRIDGE
 - FOUNDATION
 - GREENHOUSE
 - POOL
 - STEPS
 - TANK
- Paved Areas**
 - Driveway and Parking Lot
 - Sidewalk
- Rail Road Line**
- Hydrography**
 - Water
 - Swamp area
- Stream**
- Vegetation Area**

Notes

Notes



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP *CM*
Date: May 16, 2016
Subject: **Petition #17-16: Site Plan Modification at 2355 Berlin Turnpike (McDonald's Restaurant). McDonald's USA, owner/applicant; Eric Dubrule, Boehler Engineering, 352 Turnpike Road, Southborough, MA, contact.**

Description of Petition #17-16:

McDonald's wants to reconfigure the drive-through at their existing restaurant on the corner of the Berlin Turnpike and East Robbins Avenue. They have obtained the necessary variance from the ZBA to place the service menu board less than 300' from an "adjacent residential structure".

Staff Comments:

The applicants have submitted a revised plan that addresses the comments that came up at the TPZ meeting on May 11, 2016. See attached blow-up of the East Robbins Street entrance.

The applicants have pointed out that the reconfigured traffic island and "No Left Turn" signs are in the right-of-way, and therefore require CT DOT approval. They have asked that TPZ approval be granted with the condition that McDonald's applies for this approval and makes a good faith effort to obtain it. I think this is reasonable.

cc:
file

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

Minor, Craig

From: Eric Dubrule <edubrule@bohlereng.com>
Sent: Tuesday, May 17, 2016 1:54 PM
To: Minor, Craig
Cc: John Kucich
Subject: FW: Berlin_TnPk_2355-McDonalds-Site Plan Review Comments
Attachments: W152020ss3 04-Site (1).pdf; W152020ss3_Driveway Blowup.pdf

Craig, thank you for providing the sketches and clarifying email. Attached is a revised site plan which we believe addresses your comments below. The second attachment is a 'blowup' of the driveway showing the existing curbing being removed in a dashed grey line. Regarding comment 'b' we believe a 'Do Not Enter' sign would be more appropriate rather than a 'No Left Turn' sign. Either sign will be an improvement over existing conditions and we're happy to put whichever you prefer.

Relative to permitting these changes, I'm sure you're aware the proposed sign and driveway improvements will require approval via an 'encroachment permit' from CTDOT. We'll submit the application and do our best to advocate for these changes, but ultimately the final decision is out of our control. That said, we respectfully request the TPZ consider making any potential Approval conditional on the applicant submitting an application for the requested changes to DOT, rather than making the TPZ approval conditional on receiving DOT approval. McDonald's is looking forward to construction this summer and our goal is to avoid a potential situation where the entire project gets hung-up if DOT doesn't agree with some of the proposed changes.

Please let us know if you'd like us to submit revised plan sets to your office and how many. Don't hesitate to give a call to discuss further.

Thanks,

Eric Dubrule



352 Turnpike Road | Southborough, MA 01772
P : 508-480-9900 | edubrule@bohlereng.com
Serving the East Coast

Visit our new website!

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From: Minor, Craig [<mailto:CMinor@NewingtonCT.Gov>]
Sent: Tuesday, May 17, 2016 12:04 PM
To: Eric Dubrule <edubrule@bohlereng.com>; jkuchich@bohlereng.com
Subject: RE: Berlin_TnPk_2355-McDonalds-Site Plan Review Comments

Eric and John:

To recap last week's TPZ meeting, TPZ is concerned about left-hand turns made by customers entering the site from East Robbins. Several partial remedies were discussed:

- a. Make the western lobe of the island at the entrance sharper and longer, to more effectively discourage drivers from making this turn;
- b. Put an additional "No Left Turn" sign on the back of the stop sign (see attached)
- c. Ask CT DOT to move the existing "No Left Turn" sign on the north side of East Robbins eastward, so that drivers' view of it is not blocked by that utility pole.

See attached sketches.

Craig Minor, AICP
Town Planner

*

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PROP. "NO LEFT TURN" SIGN TO REPLACE
RELOCATED "NO LEFT TURN" SIGN

EXIST. "NO LEFT TURN" SIGN
TO BE RELOCATED

EAST ROBBINS AVENUE

(CT STATE ROUTE 287)

PROP. MOUNTABLE
CONCRETE ISLAND. PAINT
CURBING YELLOW.

PROP. "STOP" & "DO NOT ENTER" BAR.
EXIST. "STOP" SIGN TO REMAIN
PROP. "NO LEFT TURN" SIGN FACING EAST ROBBINS

REPLACE EXIST. "NO LEFT
TURN" SIGN

EXIST. CONC CURB
TO REMAIN (TYP)

370.88'
N79°53'27"E

14

41.8'

53.6'

8'0"

8'0"

8'0"

8'0"

8'0"

8'0"

8'0"

8'0"

8'0"

8'0"

PROP. "STOP" SIGN
& BAR

PROP. CONC.
CURB

PROP. LANDSCAPE
AREA BY OPERATOR

PROP. CONC. WALK

PROP. TRANS
CURB

LIMIT OF PROP. CURB

100'

9.0'

6.4'

8'0"

8'0"

8'0"

EXIST. CONC CURB
TO REMAIN (TYP)

EXIST. PARKING
TO REMAIN (TYP)

EXIST. CONC CURB
TO REMAIN (TYP)



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP 
Date: May 16, 2016
Subject: **Petition #20-16: Site Plan Modification at 80 Fenn Road. Fenn Road 80 LLC, owner/applicant; Joseph Sullo, Wethersfield CT, contact.**

Description of Petition #20-16:

The owner of this industrial building has a tenant whose trucks require the driveway and parking lot to be reconfigured. This would not normally trigger TPZ approval, but in this case it does.

Staff Comments:

Veteran members of TPZ will remember this applicant from last year. After a lot of discussion, questions, and eventual approval by TPZ, the owner of the property has decided not to merge 80 Fenn Road with 36 Holly Drive. Instead, he wants to simply reconfigure the driveway and the parking lot.

We have not completed our plan review but I don't anticipate any problem with this. I will have a detailed memo at the meeting.

cc:
file

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



PK # 8942

Petition # 20-16

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 80 FENN Rd ZONE: Industrial

APPLICANT: FENN Road 80, LLC TELEPHONE: 860-597-4475

ADDRESS: P.O. Box 290589, Wethers., CT 06129 EMAIL: Joe@ClassicRem.com

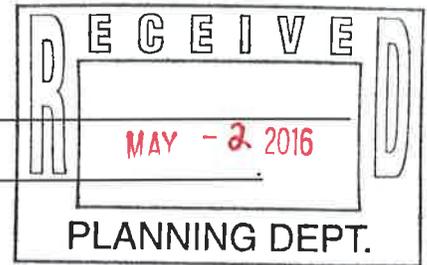
CONTACT PERSON: Joseph Sullo TELEPHONE: 860-597-4475

ADDRESS: P.O. Box 290589, Wethers., CT 06129 EMAIL: Joe@ClassicRem.com

OWNER OF RECORD: Fenn Road 80, LLC

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

- Zoning Map Change from the ... to the ... Zone (Public Hearing required).
Zoning Text Amendment to Section ... A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
Subdivision
Resubdivision (Public Hearing required).
Special Exception per Section ... of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
[X] Site Plan Approval or Modification
Other (describe in detail, or attach):



SIGNATURE:

Signature lines for APPLICANT (Joe Sullo) and OWNER (Joe Sullo) with dates 4-26-16.

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

NOTE: PROPERTIES LOCATED IN THE NEWINGTON INDUSTRIAL PARKS (BUDNEY ROAD, PROGRESS CIRCLE, ROCKWELL ROAD, HOLLAND DRIVE AND PANE ROAD) ARE SUBJECT TO THE REGULATIONS, COVENANTS AND RESTRICTIONS OF THE NEWINGTON ECONOMIC DEVELOPMENT COMMISSION.



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission

From: Town Planner Craig Minor, AICP

Date: May 18, 2016

Subject: **Alumni Road Traffic Signal**

Description:

At the TPZ meeting on March 9, 2016 a sub-committee was formed to revive the plan to move the traffic signal at the intersection of Cedar Street and Maple Hill Avenue over to Alumni Road, and to elicit neighborhood support for it.

Staff Comments:

A Public Information Meeting has been scheduled for Monday, June 6, 2016 at 6 p.m. in the Town Hall auditorium. This is technically a Special Meeting of the TPZ so an agenda needs to be posted with the Town Clerk. The agenda is as follows:

- I. PRESENTATION OF ALUMNI ROAD TRAFFIC SIGNAL PLAN
- II. PUBLIC PARTICIPATION (speakers limited to 3 minutes)
- III. CLOSING REMARKS
- IV. ADJOURN

The meeting will be recorded and minutes taken.

cc:
file



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP *CM*
Date: May 17, 2016
Subject: **Petition #22-16: Special Permit (Section 3.15.3: Restaurant) at 2551 Berlin Turnpike (The Sloppy Waffle). The Sloppy Waffle, applicant; 2551 Berlin Turnpike LLC, owner; Luz Ramos, 164 Eddy Lane, Newington CT, contact.**

Description of Petition #22-16:

This existing restaurant wants to expand from 830 square feet as originally approved by TPZ in 2012 to 2,300 square feet. "Restaurant" is a special permit activity and this is a substantial change, so a revised special permit and public hearing are required. The proposed floor plan showing the extent of the expansion is attached.

Staff Comments:

The building at 2551 Berlin Turnpike has limited parking. TPZ waived twelve of the required forty-nine parking spaces back in 2007 when it approved the current site plan in 2007.

Assistant Town Planner/ZEO Mike D'Amato has been inside the building and reviewed the floor plan, and he has determined that there is sufficient parking to comply with the zoning regulations as modified by the 2007 parking waiver.

I recommend the public hearing be scheduled for the next meeting on June 8, 2016.

cc:
file

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

Petition # 22-16

CK# 1189

TOWN OF NEWINGTON



TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 2551 Berlin Turnpike ZONE: B-BT

APPLICANT: The Slippy Wash TELEPHONE: 860 436 6893

ADDRESS: 2551 Berlin Turnpike EMAIL: 83 Luz Ramos @ Comcast

CONTACT PERSON: Luz Ramos TELEPHONE: 860 916 4489

ADDRESS: 144 edgely lane EMAIL: _____

OWNER OF RECORD: _____

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

- Zoning Map Change from the _____ to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section _____. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per Section 3.15.3 of the Zoning Regulations. Explanation of the proposed activity is attached (Public Hearing required).
- Site Plan Approval or Modification

Other (describe in detail, or attach): Expansion of Rest to 2300SF of which 104059 is open to the public the remainder is used for kitchen, storage, deli, counters, batrooms (3)

SIGNATURE: _____ 5-12-16 _____

APPLICANT DATE OWNER DATE

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

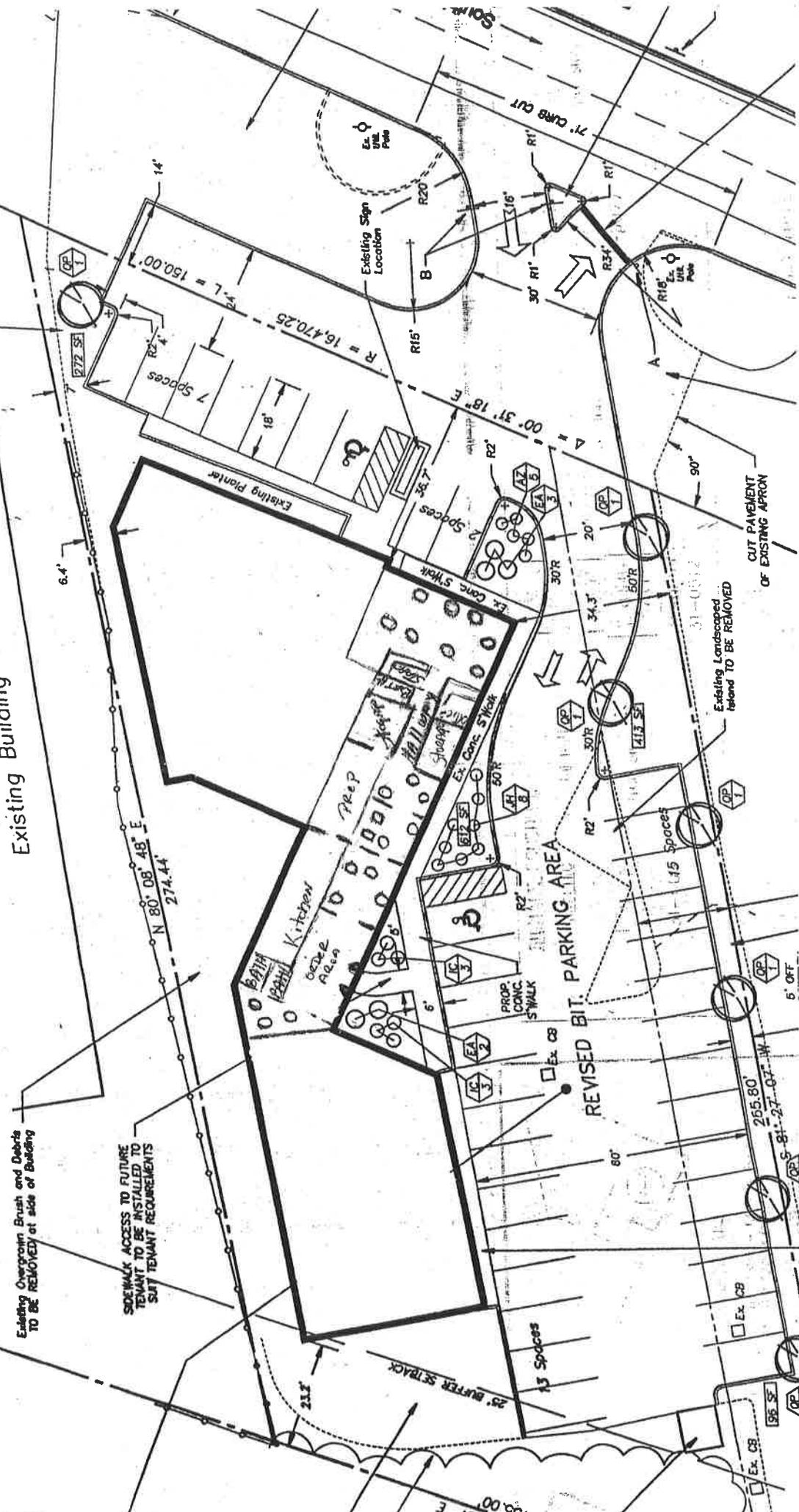
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AREA 2-A Existing Near Soken - 1,660 SF Total
6 Parking Spaces Provided

TOTAL PROPOSED PARKING AREA - 37 Spaces
Including 2 H-Cap Spaces
TOTAL REQUIRED PARKING AREA - 37 Spaces

2545 Berlin Turnpike
n/f
George Emerson

Existing Building



Existing Overgrown Brush and Debris TO BE REMOVED at side of Building

SIDEWALK ACCESS TO FUTURE TENANT TO BE INSTALLED TO SUIT TENANT REQUIREMENTS

Existing Bit. Pavement TO BE REMOVED

Existing Landscaped to be removed

CUT PAVEMENT OF EXISTING APRON

6' OFF



Tanya D. Lane
Acting Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

Craig Minor, AICP
Town Planner

Memorandum

To: Town Plan and Zoning Commission
From: Town Planner Craig Minor, AICP
Date: May 19, 2016
Subject: **Town Planner Report for May 25, 2016**

A handwritten signature in black ink, appearing to read "Craig Minor".

1. Open Space Zone:

A question came up at the last meeting about the status of the "Open Space Zone" that TPZ was working on last year. This has been on the "back burner" due to the zoning regs overhaul, LID, TOD, backyard chickens, and rear lots, but I will make a report on it at the next TPZ meeting.

2. POCD Recommendations:

I occasionally make suggestions to TPZ on implementing the recommendations in the 2020 Plan of Conservation and Development (POCD). I am currently working with Town staff on addressing the need for sidewalks, per the "Transportation" portion of the POCD on Page 46:

Pedestrians / Bicycles

10. Continue the construction of sidewalks along arterial and collector streets with highest priority on extension of walks in residential neighborhoods near schools and parks.
11. Sidewalk routes should be for use by pedestrians and bicyclists in a manner that promotes safety and complies with traffic regulations.
12. Develop a priority schedule for closing gaps in the sidewalk network.

I will keep TPZ informed of this as it progresses.

3. Higher-Density Residential Development Moratorium

Just a reminder: the moratorium on "higher density residential development" within ½ mile of the two CTfastrak stations expires on June 16, 2016. This is moot for the Fenn Street Station neighborhood since TPZ has now adopted regulations for all development in this area, but there is nothing similar in place yet for Newington Junction. The TPZ may want to discuss a timetable for adopting TOD regulations for Newington Junction.

cc:
file

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