



NEWINGTON TOWN PLAN AND ZONING COMMISSION

REGULAR MEETING and PUBLIC HEARING

Wednesday, June 12, 2013

Town Hall Conference Room L-101, Lower Level

131 Cedar Street, Newington, CT 06111

7:00 p.m.

A G E N D A

I. ROLL CALL AND SEATING OF ALTERNATES

II. APPROVAL OF AGENDA

III. PUBLIC HEARING:

- a. Petition #19-13: Zoning Text Amendment to Section 6.1.1.C (Parking Standards). Hayes-Kaufman Newington Associates LLC, applicant; Mark S. Shipman 20 Batterson Park Road, Farmington CT, contact.
- b. Petition #28-13: Special Exception (Section 3.15.3: Restaurant) at 32 Fenn Road. Baires LLC, applicant; Hayes Kaufmann Newington Associates LLC, owner; Albert Garrido, contact.
- c. Petition #29-13: Special Exception (Section 6.2.4: Free Standing Sign) at 56 Fenn Road. Wayside Fence Company, applicant; 56 Fenn Road LLC, owner; Chris Gueret, contact.
- d. Petition #31-13: Special Exception (Section 3.15.3: Restaurant) at 10 East Cedar Street.; Newington Development Associates LLC, owner; Anzor Tatashadze, 100 West Street Apt. A3, Rocky Hill CT, applicant/contact.

IV. PUBLIC PARTICIPATION (for items not listed on the Agenda; each speaker limited to two minutes)

V. REMARKS BY COMMISSIONERS

VI. MINUTES:

- a. May 22, 2013

VII. NEW BUSINESS:

- a. Petition #14-13: One-Lot Subdivision Approval 32 Brooks Edge Drive (Lot #6). Frank Kowal, owner/applicant/contact.

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2013 JUN -7 A 10:06

BY *Tanya D. Lora*
TOWN CLERK

- b. Petition #32-13: TPZ Approval (Section 3.23.1: Accessory Outside Use) for Fireworks Tent Sale at 56 Costello Road (T-Bowl Lanes). Keystone Novelties, LLC applicant; CMB Inc, owner; Brian Frederick, 201 Seymour Street, Lancaster PA, contact.
- c. Letter from Community Renewal Team regarding possible Assisted Living Facility.

VIII. OLD BUSINESS:

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING:

- a. Petition #33-13: Zone Change (Section 7.6.1) to apply Willard Avenue Development District to the existing R-12 property at 240 Cedar Street. Premier Partners & Associates LLC, applicant; Robert Nagy, owner; Patrick Snow, 110 Court Street, Cromwell CT, contact.
- b. Petition #34-13: Special Exception (Section 3.7: Special Exceptions in the R-12 and R-7 Zone) for Multi-Family Use at 240 Cedar Street ("Kellogg Farm Apartment"). Premier Partners & Associates LLC, applicant; Robert Nagy, owner; Patrick Snow, 110 Court Street, Cromwell CT, contact.

X. TOWN PLANNER REPORT

- a. Town Planner Report for June 12, 2013
- b. Performance Bond Reduction at "Gateway Plaza"

XI. COMMUNICATIONS

- a. Email from Town Attorney regarding optional public hearings

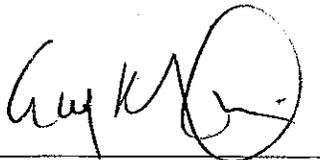
XII. PUBLIC PARTICIPATION (for items not listed on the on the Agenda; each speaker limited to two minutes)

XIII. REMARKS BY COMMISSIONERS

XIV. CLOSING REMARKS BY THE CHAIRMAN

XV. ADJOURNMENT

Submitted,

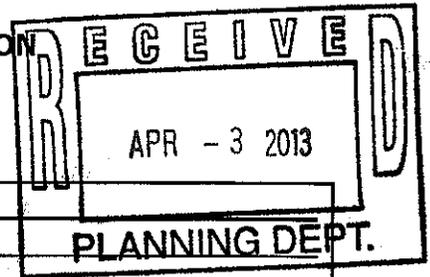


Craig Minor, AICP
Town Planner

**TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION**

APPLICATION FORM

CR# 12410



APPLICATION #:	9-13
SUBMITTED DATE:	4/3/13
RECEIVED DATE:	4/10/2013
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: Town-wide ZONE: N/A

APPLICANT: HAYES-KAUFMAN NEWINGTON ASSOCIATES, LLC TELEPHONE: (860)-606-1700

ADDRESS: c/o MARK S. SHIPMAN EMAIL: mark@shipso.com

CONTACT: MARK S. SHIPMAN TELEPHONE: 860)606-1700

ADDRESS: 20 BATTERSON PARK ROAD FARMINGTON, CT 06032 EMAIL: mark@shipso.com

OWNER OF RECORD: HAYES-KAUFMAN NEWINGTON ASSOCIATES, LLC

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

- Zone Change to the _____ Zone (Public Hearing required)
- Zoning Amendment to Sections 5.3.9A and 6.1.1.C (Public Hearing required) Draft Text changes attached.
- Subdivision
- Resubdivision (Public Hearing required)
- Special Exception per Section _____ 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.

	4/12/13		
APPLICANT	DATE	OWNER	DATE

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.

SECTION 5.3.9A Change in Use and Site Design, is hereby amended to add the following provision:

Withdrawn by applicant

~~"1. A change in use in a shopping center, containing more than 75,000 square feet shall not require site plan approval if the change affects less than five (5%) five per cent of the gross floor area of the Shopping Center";~~

The chart contained in SECTION 6.1.1.C PARKING STANDARDS BUSINESS USES MINIMUM REQUIRED PARKING SPACES, hereby amended to add the following provision:

"Shopping Centers with a principal building containing a principal tenant occupying not less than sixty thousand (60,000) square feet, 5 spaces for each 1000 square feet of gross floor area, irrespective of the particular uses contained in the Shopping Center."

**PROPOSED ZONING AMENDMENTS:
Site Plan Approval
Parking Standards**

[text to be deleted is shown in ~~bold strikethrough~~;
new text is shown in bold underline]

SECTION 6.1.1.C PARKING STANDARDS

BUSINESS USES	MINIMUM REQUIRED PARKING SPACES
Retail stores, personal service shops	7 spaces for each 1,000 square feet of gross floor area up to 10,000 square feet
	6 spaces for each 1,000 square feet of gross floor area up to 50,000 square feet
	4 ½ spaces for each 1,000 square feet of gross floor area over 50,000 square feet
<u>Shopping centers with a principal tenant occupying not less than 60,000 square feet gross floor area</u>	<u>5 spaces for each 1,000 square feet of gross floor area, irrespective of the particular uses</u>

Staff-proposed Additional Amendments:

[text to be deleted is shown in ~~bold strikethrough~~;
new text is shown in bold underline]

Section 9.2 Definitions

SHOPPING CENTER: A group of three or more stores, ~~and often~~ restaurants and other businesses in one or more buildings managed as a single entity and having a common parking lot.
~~Supermarket Grocery Store shall mean a store primarily engaged in the retail sale of grocery items as defined by Section 30-20 of the Connecticut General Statutes. Primarily Engaged shall mean having sales of grocery items equaling at least fifty (50%) percent by volume sales. Volume of sales shall be determined by a fraction where the numerator is the number of grocery items sold and the denominator is the total number of products sold.~~

SUPERMARKET

GROCERY STORE: A store primarily engaged in the retail sale of grocery items as defined by Section 30-20 of the Connecticut General Statutes. "Primarily Engaged" shall mean having sales of grocery items equaling at least fifty (50%) percent by volume sales. Volume of sales shall be determined by a fraction where the numerator is the number of grocery items sold and the denominator is the total number of products sold.

STAFF REPORT
"Parking Standards Text Amendment"

June 6, 2013

Petition #19-13

Text Amendment to Section 6.1.1.C (Parking Standards Table)
Hayes-Kaufman Newington Associates LLC, applicant

Description of Petition #19-13:

The owners of the Stop & Shop plaza on Fenn Road would like to amend the zoning regulations regarding the amount of parking required at large shopping centers.

They are proposing to create a new parking category, to be called "Shopping center with a principal tenant occupying not less than 60,000 s.f. gross leasable area". Such a shopping center would require 5 parking spaces per 1,000 s.f. of gross floor area regardless of the type of tenant. This is actually slightly more than the 4.5 spaces per 1,000 s.f. required for any "retail" development larger than 50,000 s.f.

Town Planner Comments:

In my opinion this request actually addresses a deficiency in the parking regulations.

Most zoning regulations have a separate category for "shopping centers", not only because their scale makes them different from other single-purpose retail uses, but because the blend of different uses within a shopping center tends to average out the amount of parking required. My review of "shopping center" parking requirements for other towns revealed that the norm is between 4 and 5 spaces per 1,000 s.f. of floor area.

The benefit of this amendment is that it eliminates the owner's need to know how much parking a prospective tenant needs (because all tenants in a shopping center need the same amount: 5 spaces per 1,000 sf) and the ZEO's need to verify it.

I assume the applicant inserted the phrase, "with a principal tenant" to limit the applicability of the amendment, but I don't think this is necessary. The beneficial averaging of parking needs will occur with or without an anchor tenant.

My only concern with the proposal is that it relies on the current definition of "shopping center" which in my opinion is inadequate. I therefore recommend adding the phrase "managed by a single entity" to the definition.

This amendment is consistent with the POCD, and has been referred to the two local regional planning agencies.

cc:
file



Capitol Region Council of Governments

241 Main Street • Hartford • Connecticut • 06106

Telephone (860) 522-2217 • Fax (860) 724-1274

www.crocog.org

Mary Glassman, Chairman

Lyle D. Wray, Executive Director

MEMBERS

May 20, 2013

Andover

Avon

Bloomfield

Bolton

Canton

East Granby

East Hartford

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Ellington

Enfield

Farmington

Glastonbury

Granby

Hartford

Hebron

Manchester

Marlborough

Newington

Rocky Hill

Simsbury

Somers

South Windsor

Stafford

Suffield

Tolland

Vernon

West Hartford

Wethersfield

Windsor

Windsor Locks

TO: TOWN OF NEWINGTON PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2013-50: Proposed zoning regulation amendments pertaining to shopping center parking standards.

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

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

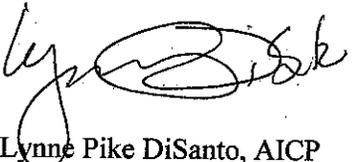
Questions concerning this referral should be directed to Lynne Pike DiSanto.

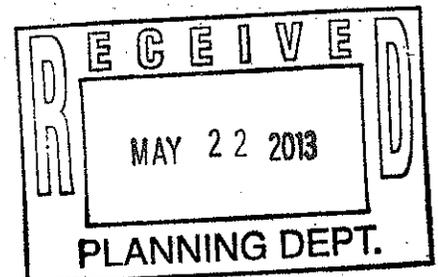
In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for June 12, 2013.

DISTRIBUTION: Planner: Rocky Hill, Wethersfield, Hartford, West Hartford, Farmington, New Britain, Berlin, Central CT RPA

Respectfully submitted,
Sandra Bobowski, Chairman
Regional Planning Commission

Karl Robert Profe, Vice Chairman
Regional Planning Commission


Lynne Pike DiSanto, AICP
Senior Planner and Policy Analyst



cash
TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM

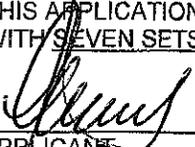
APPLICATION #:	28-13	R E C E I V E D MAY - 7 2013 PLANNING DEPT.
SUBMITTED DATE:	5/7/13	
RECEIVED DATE:		
PUBLIC HEARING OPENED:		
PUBLIC HEARING CLOSED:		
DECISION DATE:		
DECISION PUBLISHED:		
COA SENT:		
MYLAR FILED:		

LOCATION OF PROPERTY: 32A Fenn Rd ZONE: PD
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: Hayes Kaufman Newington Assoc 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 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>		<u>5/12/13</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.

STAFF REPORT
"Tango Pizza" at 32 Fenn Road

June 6, 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 searing 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:

I have reviewed the floor plan submitted by the applicant's architect, and I can confirm that this use will require no more parking than the previous retail use.

Assuming nothing derogatory comes up at the public hearing, I have no objection to approving this request.

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: _____

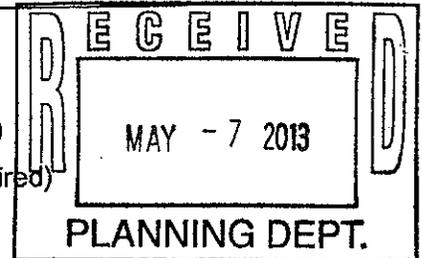
CONTACT PERSON: Christopher Gueret TELEPHONE: 860-594-1098

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.

	<u>5.6.13</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.

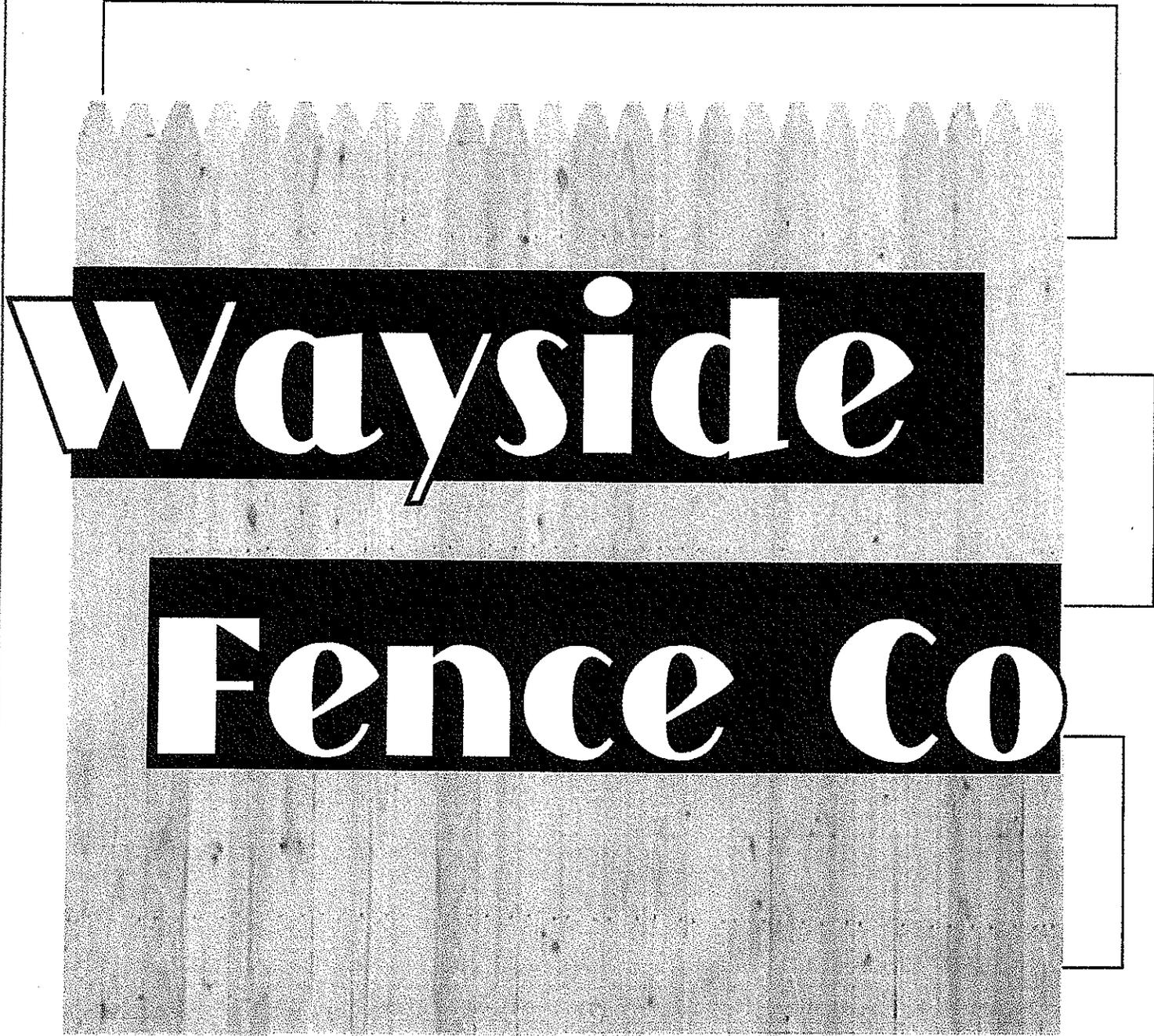
Wayside Fence Co.

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.

STAFF REPORT
Free-Standing Sign for "Wayside Fence Company"

June 6, 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:

The owners of this local business erected a free-standing sign parallel to the street next to their driveway without obtaining a Special Exception from TPZ. The Zoning Enforcement Officer saw it, and directed them to either take it down or apply for the Special Exception.

Section 6.2.4 allows such signs in any non-residential zone by special exception.

Staff Comments:

The parcel is a rear lot so customer visibility is a problem. The frontage is entirely given over to a paved driveway. The sketch submitted by the applicant (attached) shows the sign to actually be on the neighbor's property, which is not allowed, so I sent him an email directing him to submit a corrected sketch.

The problem for the applicant is that there is very little unpaved area on his property to put the sign. The owner called me and we discussed several options on how this can be addressed, such as turning the sign perpendicular to the street instead of parallel to it. The manager of the store feels it would be more visible if parallel to the street, but I pointed out to the owner that free-standing signs may be two sided, and being perpendicular might therefore be better.

They have not submitted a revised sketch showing the sign on their property. The original sketch (attached) was made by hand based on an earlier site plan, so it is not possible to verify where the sign is/will be. If approved, I recommend the condition that the applicants have the location verified by a land surveyor prior to installation.

cc:
file

CASH

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION
APPLICATION FORM

APPLICATION #:	31-13
SUBMITTED DATE:	5/21/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

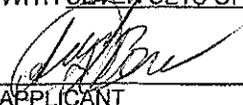
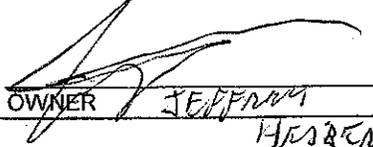
LOCATION OF PROPERTY: 10 E Coader ST ZONE: B-TC
 APPLICANT: Anzor Tatoshadze TELEPHONE: (860) 656-5404
 ADDRESS: ~~10 E Coader ST (Next to ...)~~ EMAIL: _____
 CONTACT PERSON: Anzor Tatoshadze TELEPHONE: (860) 656-5404
 ADDRESS: 100 West St Apt A3 Rocky Hill, CT EMAIL: ANZORITECH@gmail.com
 OWNER OF RECORD: Jeff Hedberg Newington Development Assoc. 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 3.11.6 of the Zoning Regulations (Public Hearing required)
- Site Development Plan Approval
- Other (describe in detail) Frozen Yogurt Store

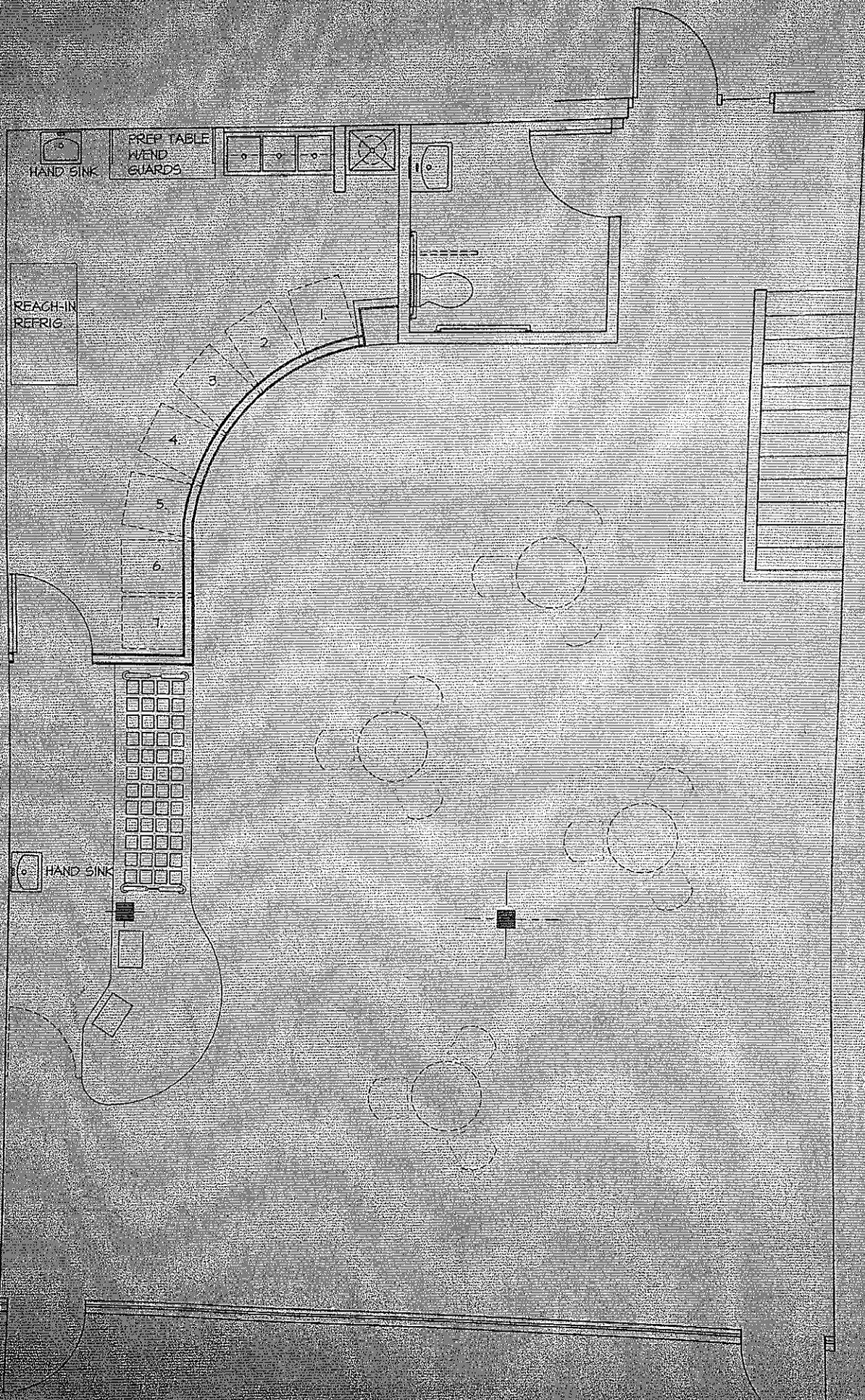
SIGNATURE:

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>04/28/13</u>		<u>5-1-13</u>
APPLICANT	DATE	OWNER	DATE

HEBERG

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.



HAND SINK

PREP TABLE
W/END
GUARDS

REACH-IN
REFRIG.

HAND SINK

PROPOSED FLOOR PLAN

STAFF REPORT
Frozen Yogurt Store

June 6, 2013

Petition #31-13:
Special Exception (Section 3.11.6: Restaurant)
10 East Cedar Street
Anzor Tatashadze, applicant

Description of Petition #28-13:

The applicant would like to open a frozen yogurt store in the building at 2-12 East Cedar Street. Section 3.11.6 allows "Restaurants (excluding drive-in or curbside services restaurants)" by Special Exception in the B zone, and Section 3.12.1.A says that any use allowed in the B zone is allowed in the B-TC zone with some exceptions.

Town Planner Comments:

According to the floor plan that was just submitted by the applicant, there will be approximately 900 s.f. of floor space "open to the public". That results in a requirement of 18 parking spaces, which is ten spaces more than the prior use (professional office). I will have to analyze the total amount of parking required by the other uses in this building to confirm that there is enough parking on site for this "restaurant" use.

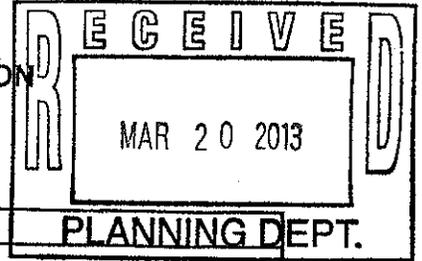
cc:
file

CK#1998

DOR = April 10

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM



APPLICATION #:	17-13
SUBMITTED DATE:	3/20/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

LOCATION OF PROPERTY: LOT #6 BROOKSEGE DR ZONE: R-D
 APPLICANT: FRANK KOWAL TELEPHONE: 860-798-0590
 ADDRESS: 25 WEBSTER COURT NEWINGTON EMAIL: CCSFKOW@YAHOO.COM
 CONTACT PERSON: FRANK KOWAL TELEPHONE: 860-798-0590
 ADDRESS: 25 WEBSTER COURT NEWINGTON EMAIL: CCSFKOW@YAHOO.COM
 OWNER OF RECORD: FRANK KOWAL

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) _____

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>3/20/13</u>		<u>3/20/13</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.

STAFF REPORT
One Lot Subdivision at 23 Brooks Edge Drive

June 6, 2013

Petition #14-13:
One Lot Subdivision
23 Brooks Edge Drive
Frank Kowal, owner/applicant/contact.

Description of Petition #14-13:

This is a request for subdivision approval of an existing parcel in the "Brooks Edge" subdivision. Although the parcel legally exists as a separate parcel, it is not a "buildable lot" because TPZ has never approved it as such.

Town Planner Comments:

My previous memo listed the many "bulk requirement" deficiencies of this parcel, and the problems that a buyer would have constructing a house and lawn on it. Most of those problems could probably be solved by a clever site planner and a hefty construction budget, except for one: the fact that the lot is only 5,139 s.f. in size. The current zoning regulations require a minimum of 6,000 s.f. for a "patio house" in the RD zone.

When this subdivision was approved the minimum lot size for a "patio house" in the RP zone (and therefore in an RD zone as well) was 4,500 s.f. The TPZ-approved plan for this subdivision does show this parcel, but with a note indicating that it was not approved. The owner is now claiming that since the parcel is displayed on that plan, it is somehow "grandfathered".

There is no logical basis for that claim. If the parcel were much larger and adjacent to the approved subdivision and labeled, "Remainder Land of Owner", he would not be able to divide it into several 4,500 building lots. Legally I don't think this is any different.

cc:
file

TABLE A: SCHEDULE OF HEIGHT, AREA AND YARD REQUIREMENTS RESIDENTIAL

ZONE	MINIMUM						MAXIMUM HEIGHT *
	LOT AREA	LOT FRONTAGE	FRONT YARD	SIDE YARD	REAR YARD	FLOOR AREA	
R-20	20,000 s.f.	100'	35'	10'	35'	1,000 s.f.	2-1/2 stories/35'
R-12	12,000 s.f.	80'	35'	10'	30'	1,000 s.f.	2-1/2 stories/35'
R-7:	12,000 s.f.	80'	35'	10'	30'	1,000 s.f.	2-1/2 stories/35'
One-family ¹	12,000 s.f.	80'	35'	10'	30'	1,000 s.f.	2-1/2 stories/35'
Two-family	6,000 s.f.	40'/garage in front or under;	35'	7'	30'	1,000 s.f.	2-1/2 stories/35'
	per unit	45' no garage					
		garage on side					
R-P Zone Area: Minimum of 4 acres. Lot Frontage - Minimum of 70' and approved by Local Traffic Office & Traffic Authority							
APARTMENTS	4 acres ²	70'	50'	35'	35'	600 s.f.	2-1/2 stories/35'
CONDOMINIUMS	4 acres	70'	50'	35'	35'	600 s.f.	2-1/2 stories/35'
PATIO HOUSES	4,500 s.f.	50'	25'	2'/one side	20'	600 s.f.	2-1/2 stories/35'
	per unit			10' other side;			
				spacing no			
				closer than 12'			
DUPLEX HOUSES	4,000 s.f.	3	25'	6'	20'	600 s.f.	2-1/2 stories/35'
	per unit						
TOWN HOUSES	2,000 s.f.	3	25'/garage 0'/except 35'/no	20'	20'	600 s.f.	2-1/2 stories/35'
			garage of unit				
R-D Zone: Same requirements as for R-12 and R-P Zones							
ASSESSORY BUILDING IN RESIDENTIAL ZONE: A. 15' Maximum height; B. Rear Half of Lot Only: C. 5' minimum from lot line.							

* (/) = NOT IN EXCESS OF

¹ R-7 Zone: Two-family dwelling existing prior to 2/25/74 shall have at least 3,000 square feet per unit and at least 20 feet of frontage.

² See Section 3.7 for density requirement.

³ Minimum square feet of land area that is required to be designated for each dwelling type.

\$175 CR# 3880
*no sign needed

TOWN OF NEWINGTON
TOWN PLANNING AND ZONING COMMISSION

APPLICATION FORM

APPLICATION #:	32-13
SUBMITTED DATE:	5/21/13
RECEIVED DATE:	
PUBLIC HEARING OPENED:	
PUBLIC HEARING CLOSED:	
DECISION DATE:	
DECISION PUBLISHED:	
COA SENT:	
MYLAR FILED:	

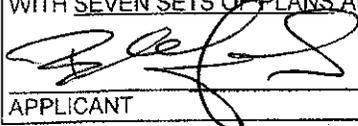
LOCATION OF PROPERTY: 56 Costello Road ZONE: PD
 APPLICANT: Keystone Novelties Distributors, LLC TELEPHONE: 717 394-1078
 ADDRESS: 201 Seymour St, Lancaster PA 17603 EMAIL: Keystonefw@gmail.com
 CONTACT PERSON: BRIAN FREDERICK TELEPHONE: 717 394-1078
 ADDRESS: 201 Seymour Street, Lanc, PA 17603 EMAIL: _____
 OWNER OF RECORD: CMB, Inc.

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) Erect a temporary tent for the sale of CT legal fireworks from 6/26/13 - 7/6/13 (Sec. 3-23.1)

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>5-16-13</u>	<u>Attached</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.



Keystone Novelties, LLC

Keystone Fireworks

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

May 16, 2013

Town of Newington
131 Cedar Street
Newington, CT 06111

We are in the process of planning for our Fourth of July tent sale for 2013. This year we will be at 56 Costello Road (T-Bowl Lanes). I have included in this package everything that I believe is necessary for the purposes of applying for our permits. In this envelope I have included the following:

- A completed Building Permit application
- A completed Sign Permit application
- A completed zoning application
- A copy of the letter of permission
- A site plan showing the location of the tent
- A copy of our insurance certificate
- A check for \$190 (\$15 for sign permit and \$175 for zoning)
- A check for \$20 public hearing notice sign deposit

The set-up will be for the period from June 26 through July 6. The tent will be put up a few days in advance and removed as soon as possible after July 6. Of course, we have "No Smoking" signs placed at the entrance and will have a fire extinguisher. If I have not included any fees, please contact me and I will send a check to cover the costs.

I hope that this information is helpful to you and I thank you again for your consideration. Should you have any questions or if anything has change, please call anytime at 800-390-0844. Thank you.

Cordially,

Brian Frederick
Field operations Manager