



**TOWN PLAN AND ZONING COMMISSION**  
**PUBLIC HEARING AND REGULAR MEETING**  
**Wednesday, June 22, 2016**

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

**7:00 p.m.**

**A G E N D A**

- 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 #06-16: Zoning Text Amendment (Sections 5 - 9). TPZ, applicant/contact. Continued from June 8, 2016.
  - b. 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. Continued from June 8, 2016.
  - c. Petition #19-16: Zoning Text Amendment (Section 3.49 and 6.7: Interior Lots). Town Plan and Zoning Commission, applicant.
  - d. Petition #27-16: Special Permit (Section 6.2.4: Freestanding Sign) at 109 Stamm Road. Sign Pro Inc., applicant; Lot 5 Styles Avenue LLC, owner; Robert Kuszpa, Sign Pro Inc., 60 Westfield Drive, Plantsville CT, contact.
- VII. APPROVAL OF MINUTES**
  - a. Regular Meeting on May 25, 2016
  - b. Special Meeting on June 6, 2016

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BY *Tanya D. Lane*  
TOWN CLERK

**VIII. NEW BUSINESS**

- a. Petition #24-16: Site Plan Approval at 131 Summit Street. 131 Summit Street LLC, owner; Dan Pizzoferrato, 308 Alumni Road, Newington CT, applicant/contact.
- b. Petition #25-16: Site Plan Modification at 136 Rockwell Road. Perlini Enterprises LLC, owner; Ernest Perlini, applicant; Alan Bongiovanni, 170 Pane Road, Newington CT contact.
- c. Petition #31-16: Site Plan Modification at 300 Alumni Road. Top Gun CT Realty LLC, owner/applicant; Scott Graczyk, 300 Alumni Road, Newington CT, contact.

**IX. OLD BUSINESS**

- a. Petition #10-16: Zoning Text Amendment (Section 6.15: Low Impact Development). Town Plan and Zoning Commission, applicant.
- b. Petition #26-16: Site Plan Modification at 75 Rockwell Road. Solid Rock Realty LLC, owner; Lynn Welding, applicant; Alan Bongiovanni, 170 Pane Road, Newington CT, contact.
- c. Alumni Road Traffic Signal.

**X. PETITIONS FOR PUBLIC HEARING SCHEDULING**

- a. Petition #28-16: Zoning Text Amendment (Section 3.0: Higher Density Residential Development Moratorium). Town Plan and Zoning Commission, applicant.

**XI. TOWN PLANNER REPORT**

- a. Town Planner Report for June 22, 2016

**XII. COMMUNICATIONS**

- a. CRCOG Zoning Reports to Berlin, Farmington, Hartford, and West Hartford TPZ.

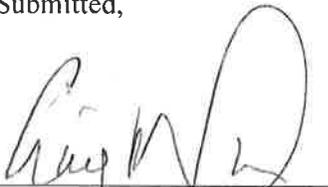
**XIII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**

**XI. 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: June 14, 2016  
Subject: **Petition #06-16: Comprehensive Review of the Zoning Regulations**  
**(Sections 5 – 9)**

### Description:

During the June 8, 2016 public hearing on the comprehensive zoning regulations review, Commission Pane asked for an analysis of how residential neighborhoods are currently protected (“buffered”) from commercial development. He also asked for a review of the restrictions on steep slope development in the subdivision regulations and the zoning regulations.

### Staff Comments:

1. Residential-commercial buffer requirements are contained in Sections 6.10.1 and 6.10.5 of the zoning regulations. These regulation have been tweaked by the comprehensive zoning review:

#### **6.10 Green Space, Landscaping and Buffer Requirements**

##### 6.10.5 Buffers

Where buffer areas are required elsewhere in this regulation, the following standards shall be met:

- A. If, in the judgment of the Commission, a buffer area is necessary to protect residential areas within or adjacent to the proposed area, the Commission may require landscaping, fencing or other appropriate screening within any required front, side or rear yard, in an amount and location appropriate to the need for such screening.
- B. A buffer area shall be not less than 25 feet in width and planted with evergreens no fewer than 2 rows nor further than 15 feet apart, with trees planted no more than 15 feet apart along each row, staggered to provide maximum screening, and using trees not less than 5 feet in height at time of planting. Suitable existing tree cover may be substituted. When the proposed new

b. The zoning regulations prohibit development on steep slopes, except when allowed by special permit:

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

D. 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 approved by the Commission pursuant to a special permit in accordance with Section 5.2.

Steep slopes are a factor in calculating the density for, oddly, only one of the several types of multifamily development allowed in Newington – the “Alternate Residential Building”:

C. Density

. . . When, in the opinion of the Commission, geologic or topographic conditions, slopes in excess of fifteen (15%) percent gradient, inland wetlands and flood hazard areas render any portion of the site unsuitable for development, such portions of the site will not be used in computing the total number of dwelling units permitted but may be used to provide the required open space. (Effective 3-4-2011)

As Commissioner Pane noted at the TPZ meeting on June 8, 2016 the 2020 Plan states that Cedar Mountain “should be preserved from development” via conservation easements, steep slope development restrictions, and the possible purchase through grants. The terms “Cedar Mountain Traprock Ridgeline” and “Cedar Mountain Ridgeline Setback Area” are defined in the zoning regulations – but those terms do not show up anywhere else in the zoning regulations. This should probably be revisited by the Commission.

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)

cc:  
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development abuts existing Town-owned open space or a designated greenway, the minimum buffer area shall not be less than 50 feet in width. Suitable existing tree cover may be substituted when approved by the Commission (effective 3-4-2011). Where authorized by the Commission, the buffer area may be used for stormwater management and implementation of vegetative low impact development techniques.

Paragraph A uses the phrase, “or other appropriate screening” which gives the Commission the authority to require berms. Paragraph B talks about evergreens in “no fewer than 2 rows nor further than 15 feet apart, with trees planted no more than 15 feet apart along each row, staggered to provide maximum screening” which gives the Commission the authority to require them to be planted closer and in as many rows as necessary. In my opinion the Commission also has the authority to reject “white pines” or other unsuitable evergreens.

If the Commission would like I can research what other towns require in their residential - commercial buffer areas.

2. Limitations on the development of steep slopes (15% gradient and steeper) are contained in the subdivision regulations at Paragraph 3.2 and Paragraph 3.9, and in the zoning regulations at Section 7.4.11, 3.7.1, and in the Definitions section.

a. The subdivision regulations say that the Commission may find a given area of steep slope to be “unsuitable” for development and prohibit development in that area, but this is not automatic. The subdivision regulations go on to say that the Commission may require a given area of steep slope be set aside “for conservation purposes”.

## SECTION 3.0 DESIGN REQUIREMENTS

### 3.2 Suitability of Land

... Land which the Commission finds to be unsuitable for subdivision or development shall not be approved by the Commission unless adequate and safe methods are proposed by the developer to solve the problems of the unsuitable land conditions. When appropriate the Commission may require that unsuitable land be set aside and not disturbed by development. In addition to flood hazard areas, examples of unsuitable land that the Commission may determine unsuitable for development are mapped inland wetlands and slopes in excess of fifteen (15) percent gradient.

### 3.9 Open Space Improvements

The Commission may require that land be reserved for parks and recreation or conservation purposes. Examples are, but not limited to, situations where open space reservation may be appropriate to protect mapped wetlands, flood hazard areas, steep terrain (slopes in excess of 15 fifteen percent) and when the new open space would be contiguous to existing protected open space or further open space goals of the Town Plan of Development.

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

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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.

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- 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 35' minimum front yard.

#### 6.10.5 Buffers

Where buffer **areas** are required **elsewhere** in this Regulation, the following standards shall be met:

- A. If, in the judgment of the Commission, a buffer **area** is necessary to protect residential areas within or adjacent to the proposed area, the Commission may require landscaping, fencing or other appropriate screening within any required front, side or rear yard, in an amount and location appropriate to the need for such screening.
- B. **A minimum A** buffer area shall be not less than 25 feet in width and planted with evergreens no fewer than 2 rows nor further than 15 feet apart, with trees planted no more than 15 feet apart along each row, staggered to provide maximum screening, and using trees not less than 5 feet in height at time of planting. Suitable existing tree cover may be substituted. When the proposed new development abuts existing Town-owned open space or a designated greenway, the minimum buffer area shall not be less than 50 feet in width. Suitable existing tree cover may be substituted when approved by the Commission. (Effective 3-4-2011) Where authorized by the Commission, the buffer area may be used for stormwater management and implementation of vegetative low impact development techniques.
- C. ~~The Commission reserves the right to alter the buffer requirement when, in its opinion, the individual natural, topographical, or manmade utilities of the site clearly indicate that the buffer requirement is inappropriate. The buffer may not be increased to more than double nor decreased to less than half the requirement herein, and any such action shall require a two-thirds vote of the Commission members present.~~

### 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**

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

**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.~~

### 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

## 7.5 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.

## 7.6 Amendment

~~7.6.5~~ Withdrawal

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

~~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 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   
Date: June 15, 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.

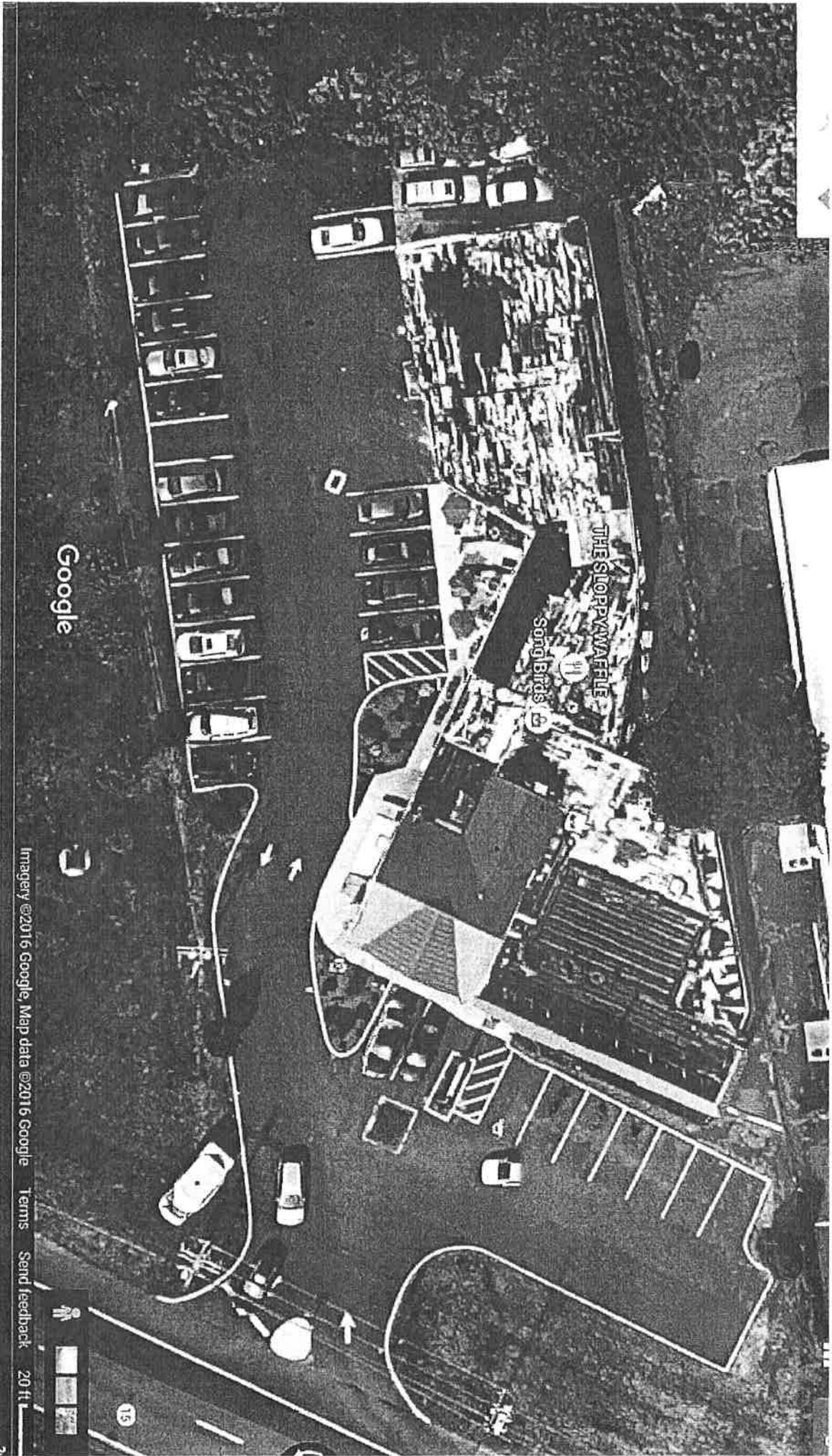
### Staff Comments:

The hearing was kept open to confirm that the amount of parking shown on the approved site plan is in fact available for parking on the site. As can be seen from the attached aerial photo from Google, the six spaces perpendicular to the rear (warehouse) portion of the building are not striped. During the hearing the applicant submitted a letter from the owner saying that "there is a chance" that he will re-stripe the parking lot this year. I have advised her to get another letter from him stating that he will re-stripe the parking lot, by some specific date.

The applicant and I also discussed the Commission's concern over her truck. She is willing to park the truck in back during peak restaurant hours to free up one more space for a customer. But her feeling is that the truck is not a violation of the zoning regulation, so she should not be prohibited from parking it in any proper parking space. As the Commission members know, it is the policy of the Commission to consider any vehicle "with massive signage with the pure intent of circumventing the regulations" to be a billboard, and therefore prohibited. She says that she uses her truck constantly. If that is true, the truck does not exist purely to "circumvent the regulations". Until TPZ changes the parking regulations to prohibit non-customer parking in the front row of all parking lots on the Berlin Turnpike as I have recommended, parking this type of vehicle in front is legal.

cc:  
file

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townplanner@newingtonct.gov  
www.newingtonct.gov



Google

Imagery ©2016 Google, Map data ©2016 Google Terms Send feedback

20 ft





# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Town Plan and Zoning Commission

Tanya D. Lane  
Acting Town Manager

Craig Minor, AICP  
Town Planner

To: Town Plan and Zoning Commission  
From: Craig Minor, AICP  
Date: June 15, 2016  
Subject: **Petition #19-16: Zoning Text Amendment (Section 3.49 and 6.7: Interior Lots). Town Plan and Zoning Commission, applicant.**

---

### **Description:**

Prior to 2007, interior lots (lots that do not have the minimum amount of frontage on a town road) were allowed in Newington, by Special Permit. Section 6.7 was deleted from the zoning regulations in 2007 as part of a major revision to the zoning regulations. The TPZ is considering re-instating them.

### **Staff Comments:**

The proposed regulation would limit interior lots to two per subdivision. An interior lot would have to be one-and-a-half times the size of a frontage lot. The driveway would have to be wide enough and "improved" enough to support emergency vehicles, and no longer than 500 feet unless reviewed by the Fire Marshal.

At a previous TPZ meeting the question came up as to how many interior lots could there be if the amendment were approved. I asked GIS Technician Kevin Daley to identify all the residential lots that are big enough to be subdivided into a front lot and an interior lot, but not so big that they could be subdivided into two front lots. In other words, how many more lots could there be that couldn't already be created. The answer is a maximum of approximately 76. It's probably not even that many, because depending on where the house is situated, there might not be anywhere to put a boundary that leaves enough side yard or rear yard around the existing house.

CRCOG had no concerns with the proposed amendment.

cc:  
file

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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: Craig Minor, AICP  
Date: June 15, 2016 *CM*  
Subject: **Petition #19-16: Zoning Text Amendment (Section 3.49 and 6.7: Interior Lots).** Town Plan and Zoning Commission, applicant.

---

### **Description:**

Prior to 2007, interior lots (lots that do not have the minimum amount of frontage on a town road) were allowed in Newington, by Special Permit. Section 6.7 was deleted from the zoning regulations in 2007 as part of a major revision to the zoning regulations. The TPZ is considering re-instating them.

### **Staff Comments:**

The proposed regulation would limit interior lots to two per subdivision. An interior lot would have to be one-and-a-half times the size of a frontage lot. The driveway would have to be wide enough and "improved" enough to support emergency vehicles, and no longer than 500 feet unless reviewed by the Fire Marshal.

At a previous TPZ meeting the question came up as to how many interior lots could there be if the amendment were approved. I asked GIS Technician Kevin Daley to identify all the residential lots that are big enough to be subdivided into a front lot and an interior lot, but not so big that they could be subdivided into two front lots. In other words, how many more lots could there be that couldn't already be created. The answer is a maximum of approximately 76. It's probably not even that many, because depending on where the house is situated, there might not be anywhere to put a boundary that leaves enough side yard or rear yard around the existing house.

CRCOG had no concerns with the proposed amendment.

cc:  
file

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

May 20, 2016

**TO: NEWINGTON PLANNING AND ZONING COMMISSION**

**REPORT ON ZONING REFERRAL Z-2016-54: Proposed zoning regulation amendments to Sections 3.4 and 6.7 pertaining to interior lots. The proposed amendments will allow interior lots in all residential zones by special permit.**

**COMMISSIONERS:** Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Policy and 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.

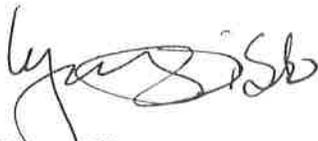
Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 6/11/2016.

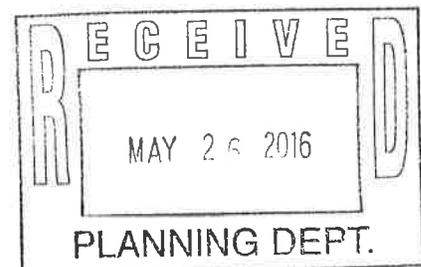
**DISTRIBUTION:** Planner: Rocky Hill, Wethersfield, Hartford, West Hartford, Farmington, New Britain, Berlin

Respectfully submitted,  
Sandra Bobowski, Chairman  
Regional Planning Commission

Karl Robert Profe, Vice Chairman  
Regional Planning Commission



Lynne Pike DiSanto, AICP  
Principal Planner and Policy Analyst



- - - PROPOSED - - -  
Amendment to Section 3.4 and 6.7 (Interior Lots)

Proposed additions are shown in **bold underline**.  
Proposed deletions are shown in **~~bold strikethrough~~**.

---

**Section 3.4**      **Special Permit Activities in All Residential Zones**

(new) **3.4.9**      **Interior Lots, in accordance with the following requirements:**

- A.    **No lot shall be subdivided into more than two (2) interior lots.**
- B.    **Each interior lot shall have at least 1.5 times the minimum lot size required for that zone.**
- C.    **No portion of the lot between the street and the lot line that intersects the accessway shall count toward the minimum lot size.**
- D.    **Each interior lot shall have double the minimum front yard setback required for that zone, measured from the lot line that intersects the accessway and is perpendicular to the accessway.**
- E.    **Each interior lot shall comply with all other setback and building requirements for the zone in which it is located;**
- F.    **Each interior lot shall have an accessway that has a continuous width of at least 20 feet, is owned in fee simple by the owner of the interior lot, and has frontage on a Town street.**
- G.    **The driveway pavement width shall not be less than 10 feet, and the driveway shall not be closer than 5 feet from an adjoining property line.**
- H.    **The base for any driveway longer than 500 feet shall be at least 20 feet wide, and shall be capable of supporting the weight of Newington fire apparatus.**
- I.    **Any driveway longer than 500 feet shall be reviewed by the Newington Fire Marshal. The Fire Marshal's comments shall be submitted with the application. Access to any new structure shall meet all the requirements of the Connecticut Fire Prevention Code: NFPA-1 Chapter 18 Fire Department Access; Sections 18.1 and 18.2**
- J.    **No two interior lots shall have frontage on the same street any closer to each other than the minimum lot width for that zone, except that two contiguous interior lots may be approved sharing a common driveway, and the application for such interior lots shall include an Agreement specifying that the owners of said driveway will share responsibility for its maintenance;**
- K.    **The Town Plan and Zoning Commission may require that slope rights on an adjacent frontage lot which is under the control of the applicant be provided to accommodate driveway construction, and that a proposed interior lot share a common driveway with an adjacent frontage lot under the control of the applicant where appropriate.**

- - - PROPOSED - - -  
**Amendment to Section 3.4 and 6.7 (Interior Lots)**

Proposed additions are shown in **bold underline**.  
Proposed deletions are shown in **~~bold strikethrough~~**.

---

- L. **The required Special Permit must be obtained before the property owner may submit an application for subdivision approval of an interior lot.**

**Section 6.7**     **Interior Lots and Single Family Homes (deleted 8/15/2007)**

- A. **The purpose of this regulation is to enable the subdivision of existing lots of relatively large size which, due to their limited frontage and unusual character or topography and the historic pattern of land division, practical difficulty exists in meeting the setback and area requirements of Section 4.5 of the Zoning Regulations.**
- B. **Interior lots may be authorized in accordance with Section 3.4.9.**



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: June 15, 2016  
Subject: **Petition #27-16: Special Permit (Section 6.2.4: Free-Standing Sign) at 109 Stamm Road. Sign Pro Inc., applicant; Lot 5 Styles Ave LLC, owner; Robert Kuszpa, Sign Pro Inc., 60 Westfield Drive, Plantsville CT, contact.**

---

### **Description of Petition #27-16:**

The owner of this commercial building would like to provide his two tenants with a free-standing sign on the premises.

### **Staff Comments:**

I have no comments at this time.

cc:  
file

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

ck # 554

Petition # 27-16



TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM

LOCATION OF PROPERTY: 109 Stamm Rd. ZONE: Industrial  
APPLICANT: Sign Pro Inc. TELEPHONE: 860-426-3012  
ADDRESS: 60 Westfield Dr., Plantsville, Ct. 06479 EMAIL: bob@signpro-usa.com  
CONTACT PERSON: Robert Krusega TELEPHONE: 860-426-3012  
ADDRESS: 60 Westfield Dr., Plantsville, Ct. EMAIL: bob@signpro-usa.com  
OWNER OF RECORD: Lot 5 Styles Ave. 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:**

 _____ APPLICANT	<u>5/26/16</u> DATE	 _____ OWNER	<u>5-27-16</u> 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.  
50 Westfield Drive  
Plantville, CT 06479 USA

P. 860.229.1812  
F. 860.223.1812

CTLIC# ELC.0196771-CT  
CTLIC# MCQ.0905117  
signpro-usa.com

May 26, 2016

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

Re: Campbell Cooling / Barney Barker Oil Company  
109 Stamm Road  
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 a freestanding sign for this property in order to provide identification of the occupants of the building.

The proposed freestanding sign is non-illuminated and single sided. Each tenant panel measures 24" x 60" with another 12" at the top for the street address. The overall size is 25.0 sq. ft., with an overall height of 88" which complies with the current sign regulations.

The sign would be placed relatively parallel to the road, approximately 6 feet inside of the right-of-way, 27 feet from the curb line. The sign would be outside of the fifteen foot sight line triangle required for the driveway.

Sincerely,



Robert Kuszpa  
Permit Expeditor  
Sign Pro, Inc.

# Campbell Cooling

Project Address:  
Newington, CT

SPI WO #: 13206  
Issue Date: 05/23/2016

Salesperson: Daren Madigan  
Designer: KRC

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

SPI Revisions:  
v2 KRC 05/23/2016  
-Address change  
v3 KRC 05/25/2016  
-Remove stripe  
v4 KRC 05/25/2016  
-Added specs  
-Added to pic

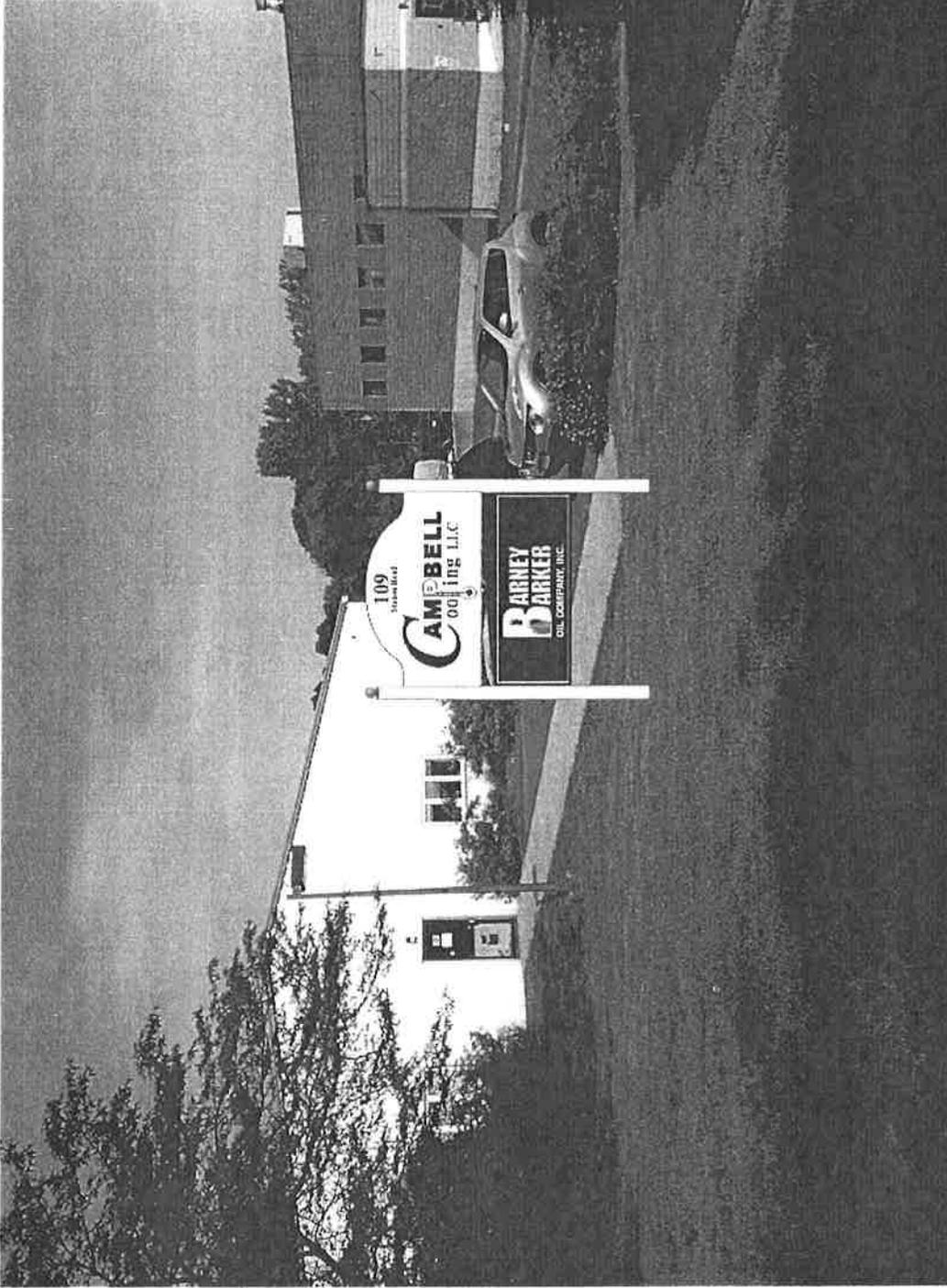


Photo rendering is only conceptual. Actual size ratio may differ from finished sign.

Customer Approval:  APPROVED  APPROVED AS NOTED  REVISE & RESUBMIT

PRINT SIGN DATE

© COPYRIGHT 2016 BY SIGN PRO INC. ALL DESIGNS PRESENTED ARE THE SOLE PROPERTY OF SIGN PRO INC. AND MAY NOT BE REPRODUCED IN PART OR WHOLE WITHOUT WRITTEN PERMISSION FROM SIGN PRO INC.

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



FIBELLERS

CT.gov

3M CERTIFIED

ISO 9001

ISO 14001

UL LISTED

SIGN TYPE  
**Tenant Sign**

PAGE  
**2 of 2**

# Campbell Cooling

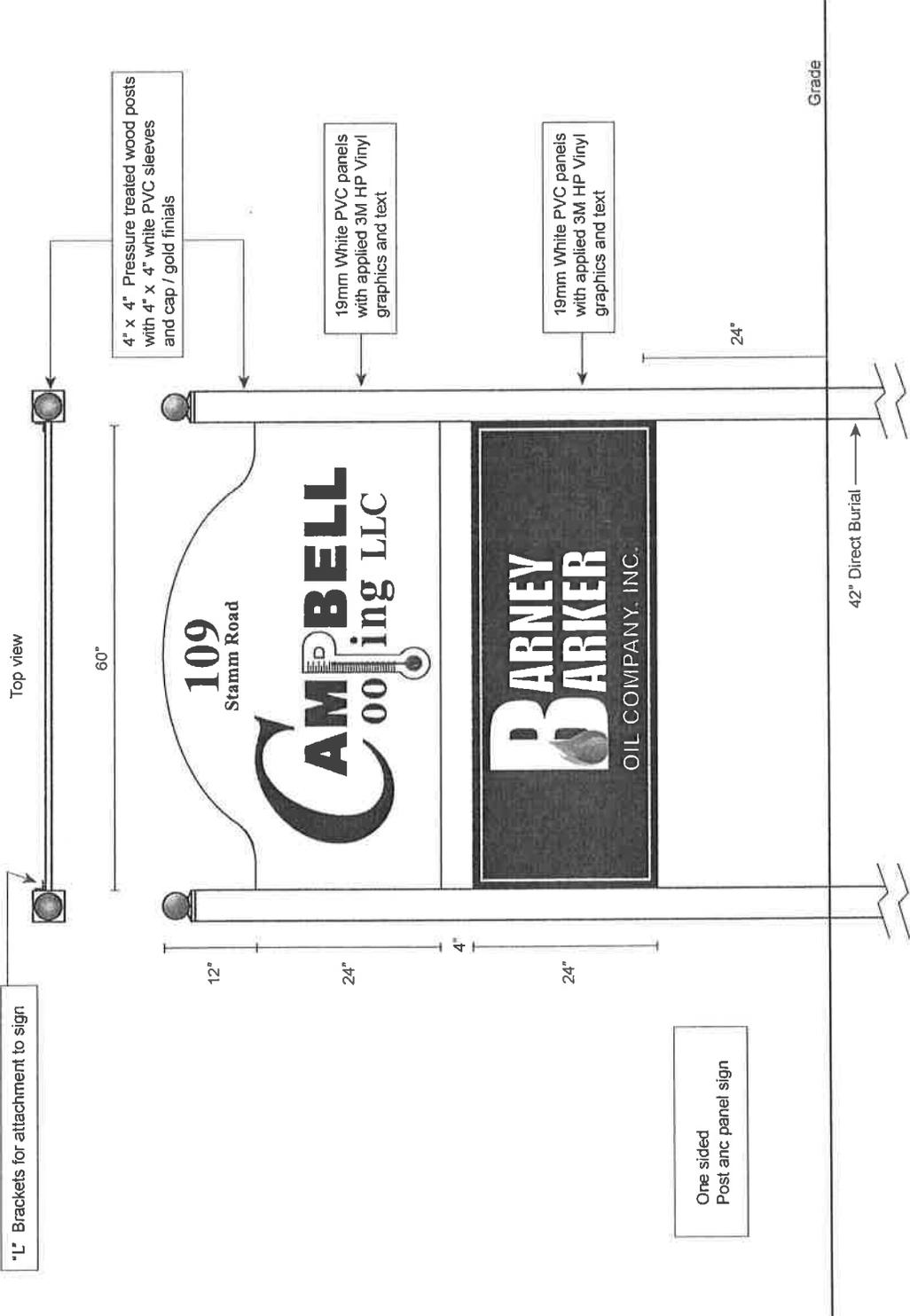
Project Address:  
Newington, CT

SPI WO #: 13206  
Issue Date: 05/23/2016

Salesperson: Daren Madigan  
Designer: KRC

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

SPI Revisions:  
v2 KRC 05/23/2016  
-Address change  
v3 KRC 05/25/2016  
-Remv red stripe  
v4 KRC 05/25/2016  
-Added specs  
-Added to pic



SIGN TYPE  
**Tenant Sign**  
PAGE  
**1 of 2**

60 Westfield Drive  
Plantsville, CT 06479  
860.229.1812

**SIGN PRO**  
signpro-usa.com

3M CERTIFIED  
UL LISTED  
EPA  
FIBLERS  
ES&G  
EPA.gov

Customer Approval:  APPROVED  APPROVED AS NOTED  REVISE & RESUBMIT

PRINT SIGN DATE

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# STAMM

# ROAD

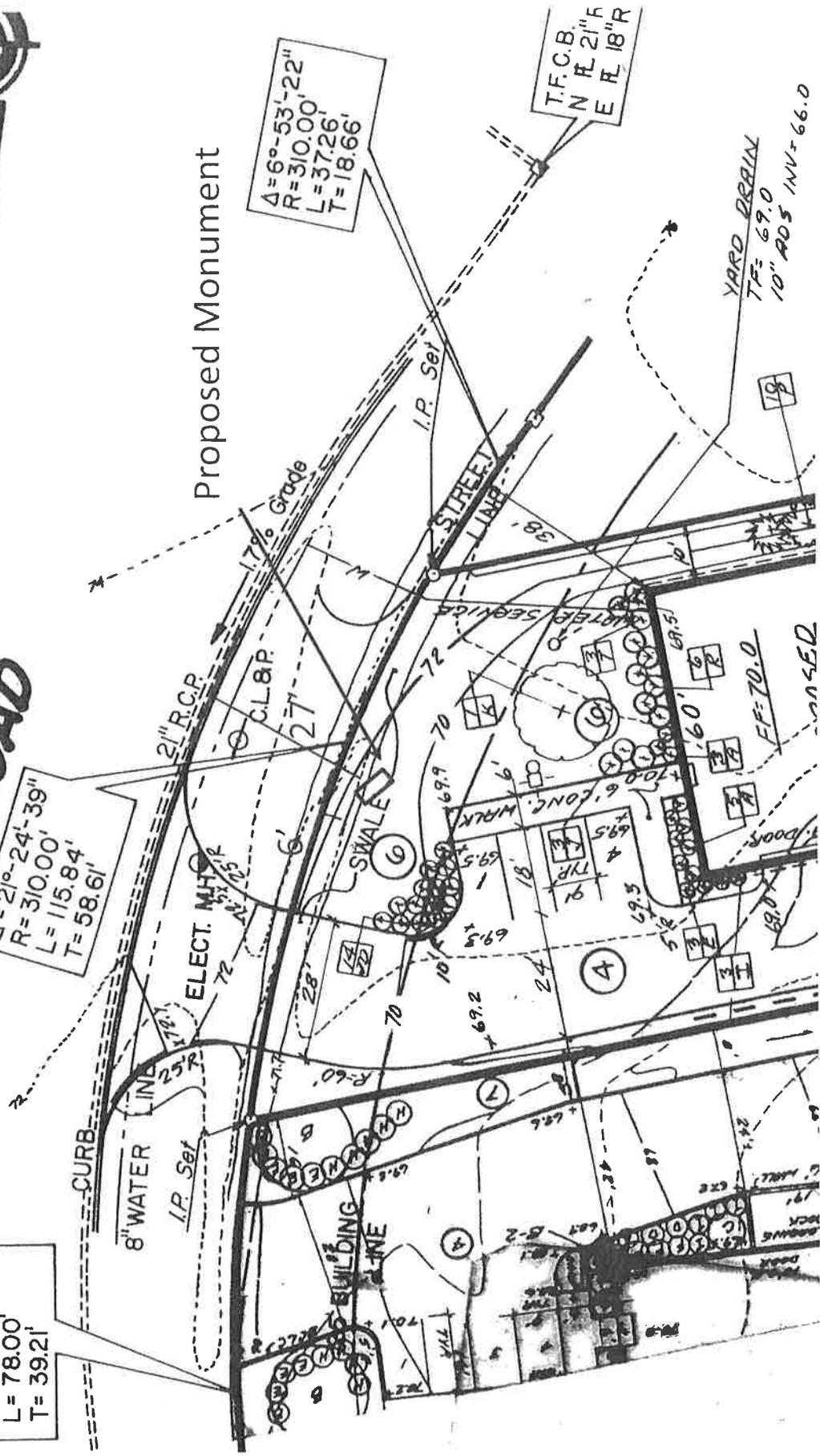


$\Delta = 14^\circ - 24' - 59''$   
 $R = 310.00'$   
 $L = 78.00'$   
 $T = 39.21'$

$\Delta = 21^\circ - 24' - 39''$   
 $R = 310.00'$   
 $L = 115.84'$   
 $T = 58.61'$

$\Delta = 6^\circ - 53' - 22''$   
 $R = 310.00'$   
 $L = 37.26'$   
 $T = 18.66'$

T.F.C.B.  
 N R 21" R  
 E R 18" R



Proposed Monument

YARD DRAIN  
 TF = 69.0  
 10" ADS INV = 66.0

60 Westfield Drive  
 Plantsville, CT 06479  
 860.22971812



Site Plan 1" = 30'

Campbell Cooling / Barney Barker  
 109 Stamm Road, Newington, CT



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 *CW*  
Date: June 16, 2016  
Subject: **Petition #24-16: Site Plan Approval at 131 Summit Street. 131 Summit Street LLC, owner; Dan Pizzoferrato, 308 Alumni Road, Newington CT, applicant/contact.**

---

### Description of Petition #24-16:

This is an application for site plan approval of a small utility building on a vacant Industrial-zoned lot in a residential neighborhood on Summit Street. The building will be divided into three units that the applicant plans to rent to small contractors to store their equipment. He intends to use one of the units for his own landscaping equipment.

### Staff Comments:

At the last meeting the TPZ told the applicant that the site plan needs some visual screening (either a berm or a fence) for the benefit of the residents of the house directly across the street.

The applicant has submitted a revised plan showing a berm across the front except where the driveway will be. The driveway represents a pretty significant gap. I told him the berm was a good start, but that the TPZ would probably want a gate to fill this gap.

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: June 16, 2016  
Subject: **Petition #25-16: Site Plan Modification at 136 Rockwell Road. Perlini Enterprises LLC, owner; Ernest Perlini, applicant; Alan Bongiovanni, 170 Pane Road, Newington CT contact.**

---

### **Description of Petition #25-16:**

This is an application for site plan approval to double the size of the existing industrial building. The addition will be a “mirror image” of the existing building.

### **Staff Comments:**

At the last TPZ meeting the Commission wanted to keep this on the agenda as a “New Business” item to receive the Town Engineer’s final report (comments) on the LID aspect of the plan. I contacted Mr. Bongiovanni earlier today, and he said that he will submit revised plans with the hydrodynamic separator by Tuesday morning.

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: June 16, 2016  
Subject: **Petition #31-16: Site Plan Modification at 300 Alumni Road. Top Gun CT Realty LLC, owner/applicant; Scott Graczyk, 300 Alumni Road, Newington CT, contact.**

---

### **Description of Petition #31-16:**

The owner/operator of this existing skating rink wants to put a small (7,200 sf) addition onto the back to contain a youth hockey training rink.

### **Staff Comments:**

These plans came today so the staff has not had a chance to review them.

Normally we would tell an applicant in this situation that he missed the deadline to get on this agenda, but he is under a severe time constraint related to the start of hockey season. Hopefully the Town Engineer will be able to complete his review of the plans in time for the meeting Wednesday night.

cc:  
file

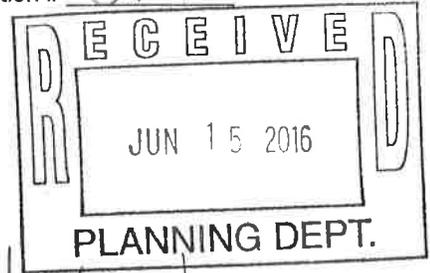
Phone: (860) 665-8575 Fax: (860) 665-8577  
townplanner@newingtonct.gov  
www.newingtonct.gov

CR# 1311106096

Petition # 31-16



TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM



LOCATION OF PROPERTY: 300 Alumni Rd ZONE: Industrial  
APPLICANT: Top Gun CT TELEPHONE: 978 531 5900  
ADDRESS: 7 Essex Green Dr Proctor EMAIL: Scott @ Newingtonarena  
CONTACT PERSON: Scott Graczyk TELEPHONE: 203 667 2422  
ADDRESS: 300 Alumni Rd Newington EMAIL: Scott @ Newingtonarena  
OWNER OF RECORD: TOP Gun CT

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

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

SIGNATURE:			
	<u>6/15/16</u>		<u>6/15/16</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.











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 *Cup*  
Date: June 16, 2016  
Subject: Petition #28-16: Zoning Text Amendment (Section 3.0: Higher Density Residential Development Moratorium). Town Plan and Zoning Commission, applicant.

---

### Description of Petition #28-16:

The current moratorium on higher density residential development expired on June 16, 2016. As drafted this amendment would extend it for another year, but since TPZ is now in the process of reviewing and adopting TOD regulations for the Newington Junction neighborhood, it probably doesn't need to be for that long.

### Staff Comments:

I tweaked the wording of the expiring moratorium to be specific to Newington Junction.

A copy of the amendment was sent to CRCOG last month. I recommend scheduling the public hearing for the next TPZ meeting on July 13, 2016.

cc:  
file

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Hearing Date: July 13, 2016  
Adopted Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

### SECTION 3: ZONE USE REGULATIONS

#### Section 3.0 Higher-Density Residential Development Moratorium (effective \_\_\_\_, 2016)

##### 3.0.1 Temporary Moratorium in the CTfastrak Station Areas

- A. Intent and Purpose: There is a CTfastrak station at 160 Willard Avenue in the Newington Junction neighborhood of Newington. Newington Junction is a mixed-use neighborhood consisting of 19<sup>th</sup>-century single family homes, retail stores and restaurants, automobile services, elderly housing, condominiums and various industrial activities. CTDOT has projected CTfastrak ridership will eventually be as high as 16,000 riders per day. The demand for housing in the area around the Newington Junction station is very likely to increase.

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

A similar moratorium on higher-density residential housing was in effect for Newington Junction and for the area around the CTfastrak Cedar Street Station on Myra Cohen Way from June 17, 2015 through June 16, 2016. TOD regulations were adopted for the Cedar Street Station area effective May 2, 2016.

B. Activities Subject to this Moratorium:

1. Applications for residential development other than single-family housing within ½ mile of the CTfastrak station at 160 Willard Avenue, including but not limited to:
  - a. Senior Independent Living (Section 3.2.5)
  - b. Housing for Seniors (Section 3.7.2)
  - c. Conversion of Older Homes (Section 3.4.7)

- d. Single-Family Entry Level Housing (Section 3.7.3)
  - e. Alternate Residential Building Types (Section 3.7.1)
2. Applications for amendments to any of the above listed higher-density residential zoning regulations.

C. Effective Date and Expiration:

1. This moratorium shall take effect upon adoption by the Town Plan and Zoning Commission.
2. This moratorium shall expire 365 days from adoption.
3. If the TPZ adopts TOD zoning regulations for the area around the Newington Junction CTfastrak station before this moratorium expires, this moratorium shall expire on the effective date of such zoning regulation or amendment.
4. The TPZ reserves the right to terminate this moratorium prior to the expiration date stated in Paragraph C.2.



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 *CM*  
**Date:** June 15, 2016  
**Subject:** Town Planner Report for June 22, 2016

- 
1. Newington Junction TOD Overlay District regulations: See attached draft regulation, for discussion.
  2. Open Space Zone regulations: See attached draft regulation, for discussion.
  3. Bike/Ped Update: I'm working on several bicycle/pedestrian items that I'd like to update the Commission on:
    - a. Road Safety Audit: The CT DOT, through its consultant AECOM, has offered to all towns what they call a "Road Safety Audit." A Road Safety Audit (RSA) identifies safety issues that impact road safety, leading to safer bicycle/pedestrian travel. The audit, conducted by AECOM with the help of a team of local volunteers and town staff, looks at factors such as shoulder width, pavement markings, traffic signalization, topography, and sightlines. The RSA report will identify needs and contain recommendations to improve bike/ped travel. The audit will be conducted in July on a date TBD.
    - b. Sidewalk Infill Report: As reported previously, I'm working with town staff to develop a sidewalk infill study as recommended on Page 46 of the POCD. We are working with the Town's new GIS technician to create an accurate base map of existing sidewalks to use as a basis for making recommendations as to which gaps in the existing sidewalk network should be filled, in what order.
    - c. CRCOG Bike/Ped Planning Committee: This committee, consisting of municipal staff and bicycle advocates, meets bi-monthly to advise CRCOG on bike/ped policy and receive information on bike/ped issues. I attend these meetings as the Newington Town Planner. For example: at the June 7 meeting the results of CRCOG's 2015 "Bike/Ped Count" were distributed. During a two-hour period on one weekday last year, 45 pedestrians and 22 cyclists were observed passing through the intersection of West Hill Road and Willard Avenue.

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**Newington Junction  
Transit-Oriented Development (TOD) Overlay District**

Text that differs substantially from the Cedar Street Station TOD Overlay District is shown in ~~bold strikethrough~~ or in bold underline.

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**Section 3.19B Newington Junction Transit-Oriented Development (TOD) Overlay District**

1. General:

a. The Newington Junction Transit-Oriented Development (TOD) Overlay District is an overlay of parcels within approximately ½ mile of the CTfastrak station at 160 Willard Avenue.

b. The use of land, buildings and other structures within the Newington Junction TOD Overlay District shall be established and conducted in conformity with either: (a) the underlying zoning classification, or (b) the requirements of Paragraph 5 of this Section. This is not intended to prohibit any use permitted in the underlying R-12, Residential Planned (RP), Business (B), or Industrial (I) zones. Rather, its purpose is to give property owners the ability to use the parcel's proximity to CTfastrak to leverage development of greater community and/or economic value.

c. The creation of this overlay district is in accordance with the 2020 Plan of Conservation and Development's General Goal of locating "smaller mixed land uses adjacent to future transit stations when they are established", and the Strategy of establishing TOD sites "at appropriate locations when transit stations have been established" (Page 24 of the 2020 Plan of Conservation and Development).

**d. The Newington Junction TOD Overlay District is approximately bounded on the north by the West Hartford municipal boundary, on the west by West Hartford Road and Fenn Road, on the east by Francis Avenue and Day Street, and on the south by Chapman Street and Fennwood Circle.**

2. Purpose:

a. The purpose of the Newington Junction TOD Overlay District is to promote **smaller, pedestrian-oriented, mixed-use** development within walking distance of the CTfastrak station at 160 Willard Avenue which will grow Newington's grand list, create employment opportunities, and provide Newington residents with additional retail, commercial, residential and entertainment opportunities without substantially impacting the existing character of the neighborhood.

**Newington Junction  
Transit-Oriented Development (TOD) Overlay District**

Text that differs substantially from the Cedar Street Station TOD Overlay District is shown in ~~bold strikethrough~~ or in bold underline.

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b. This purpose will be achieved through the following specific objectives and uses:

1. Mixed-use development, which will provide opportunities to live, work, shop, and/or be entertained within a single project, and when appropriate, in the same building.
2. Dining and entertainment clusters.
3. ~~Bio~~**science, advanced manufacturing, aerospace engineering, information technology, and other advanced technologies.**

3. Definitions:

a. “Mixed-use development” shall mean development on a single parcel (or adjacent parcels with shared parking) that contains at least one of each of two or more of the types of uses listed below:

1. Retail (including dining and entertainment)
2. Office (including medical and other personal service)
3. ~~Industrial (including research and light manufacturing)~~
4. Residential, not to exceed ten units per acre.

b. “Dining and entertainment cluster” shall mean development on a single parcel (or adjacent parcels with shared parking) that contains two or more restaurants, bars, theaters, or entertainment venues.

4. Incentives:

a. Development proposals that contain any of the “specific objectives and uses” described in Paragraph 2.b may be eligible for the following incentives:

1. Less mandatory landscaping (i.e. more useable floor area).
2. Less mandatory on-site parking.
3. Reduced front, side, and rear yard setbacks.

b. Eligibility for the above incentives will be based on the following:

1. The need for the proposed activity, as determined by the TPZ.

**Newington Junction  
Transit-Oriented Development (TOD) Overlay District**

Text that differs substantially from the Cedar Street Station TOD Overlay District is shown in ~~bold-strikethrough~~ or in **bold underline**.

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2. The public benefit of the proposed activity, as determined by the TPZ.
3. Public amenities included in the proposed activity.
4. The extent to which the proposed activity enhances vehicular and pedestrian circulation in the TOD Overlay District.
5. Architectural and/or functional compatibility of the proposed activity with nearby buildings and activities.

5. Procedure:

a. Any application for approval of an activity that complies with the underlying R-12, RP, B or I zoning shall be processed in accordance with the section or sections of the zoning regulations relevant to that zone.

b. Any application for approval of an activity that does not comply with the underlying R-12, RP, B or I zoning but includes one or more of the “specific objectives and uses” listed in Paragraph 2.b shall be processed in the manner outlined below.

**1. No single use may be permitted that is not allowed in the underlying zone. However, a mixed-use development may be permitted so long as at least one of the uses is allowed in the underlying zone.**

2. The applicant shall apply for a Special Permit in accordance with Section 5.2. The application shall include the following:

A. A detailed description of the activity, and how it promotes the purpose of the Newington Junction TOD Overlay District.

B. If the application proposes to utilize any of the incentives listed in Paragraph 4.a, the application shall include a report prepared by an appropriate professional with detailed descriptions of the following:

- 1) The need for or benefit of the proposed activity;
- 2) Architectural or functional compatibility with adjacent or nearby buildings and activities; and
- 3) Public amenities included in the proposed activity.

3. The applicant shall apply for Site Plan Approval in accordance with Section 5.3 of the zoning regulations. The site plan shall address the following:

**Newington Junction  
Transit-Oriented Development (TOD) Overlay District**

Text that differs substantially from the Cedar Street Station TOD Overlay District is shown in ~~bold strikethrough~~ or in bold underline.

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A. The layout of streets, alleys, lots, building sites, and other elements of development shall be designed to maximize safe and convenient vehicular and pedestrian access to the CTfastrak station and, where appropriate, provide the views and community amenities that help define the CTfastrak station as the focal point of the District.

B. Vehicular and pedestrian circulation systems shall be designed to allow vehicular and pedestrian cross-access to existing or allowable development on adjoining lots.

C. Driveway curb cuts are allowed only if vehicular access cannot be provided via a cross-access easement. Driveway curb cuts shall be no wider than 24 feet and shall be located at least 50 feet from a street intersection and at least 100 feet from another driveway curb cut on the same block face.

**D. All development in the Newington Junction TOD Overlay District pursuant to this Section shall provide sidewalks along any State, Town or private street.**

E. Buildings shall be configured in relation to the site's other buildings so that building walls frame and enclose one or more of the following, if applicable:

- 1) The corners of street intersections or entry points into the development;
- 2) A "main street" pedestrian and/or vehicle access corridor within the development site;
- 3) Parking areas, public spaces, or other site amenities on at least three sides; or
- 4) A plaza, pocket park, square, outdoor dining area, or other outdoor gathering space for pedestrians.

F. Architectural elevations submitted in accordance with Section 5.3.4.B shall be prepared as follows:

- 1) Where the street-level facade of a building faces the CTfastrak station or a public gathering space, no less than 25% of the facade area shall be comprised of transparent window or door openings to allow views of interior spaces and merchandise.

Open Space Zone Regulation

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

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[new] Section 3.22: Uses Permitted in OS (Open Space) Zones

Any undeveloped parcel of at least five acres either publicly or privately owned may be zoned as Open Space.

In Open Space Zones, land and buildings may be used and buildings may be altered or erected to be used for the following purposes and no other:

3.22.1 Planting and cultivation of any crop including flowers, fruit, vegetables, forestry, nurseries, and field crops whether for personal or commercial purposes.

3.22.2 Municipal or private playgrounds, recreation areas, and parks.

3.23.3 Passive recreation in residential developments.

3.22.4 As an accessory use, educational activities accessory and incidental to any of the above permitted uses.

[new] Section 3.23 Special Exceptions Permitted in OS (Open Space) Zones

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

3.23.1 Golf courses