



## TOWN PLAN AND ZONING COMMISSION

### PUBLIC HEARING AND REGULAR MEETING

Wednesday, June 25, 2014

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 HEARINGS

- a. Petition #30-14: Special Exception (Section 3.15.4: Drive-through Restaurant) at 3120 Berlin Turnpike ("Panera"). Norr Architects, applicant; Newington VF LLC, owner; Bryan Slonski, 325 N. LaSalle Street Suite 500, Chicago IL, contact. Continued from June 11, 2014.
- b. Petition #25-14: Zone Change (Industrial to PD) at 16 Fenn Road. Fenn Road Associates LLC, owner/applicant; Richard P. Hayes Jr, 1471 Pleasant Valley Road, Manchester CT, contact.
- c. Petition #26-14: Special Exception (Section 3.19.4: Fueling Station) at 16 Fenn Road. Fenn Road Associates LLC, owner/applicant; Richard P. Hayes Jr, 1471 Pleasant Valley Road, Manchester CT, contact.
- d. Petition #37-14: Special Exception (Section 3.15.3: Outdoor Restaurant Seating) at 3260 Berlin Turnpike (Plaza Azteca). Hector Angel, applicant; Kleban Newington LLC, owner; Manuel Rubio, 3260 Berlin Turnpike, Newington CT, contact.

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

#### V. REMARKS BY COMMISSIONERS

#### VI. MINUTES:

- a. June 11, 2014

RECEIVED & RECORDED IN  
NEWINGTON LAND RECORDS

2014 JUN 18 A 11: 23

BY *Tanya D. Lenn*  
TOWN CLERK

**VII. NEW BUSINESS**

- a. Petition #31-14: Site Plan Approval (Drive-through Restaurant) at 3120 Berlin Turnpike ("Panera"). Norr Architects, applicant; Newington VF LLC, owner; Bryan Slonski, 325 N. LaSalle Street Suite 500, Chicago IL, contact.

**VIII. OLD BUSINESS**

- a. Petition #23-14: Special Exception (Section 6.2.4: Free-Standing Sign) at 2551 Berlin Turnpike ("Cody Plaza"). Bianca Signs Inc, applicant; 2551 Berlin Turnpike LLC, owner; Paul Bianca, Bianca American Signs Inc., 99 Newington Avenue, New Britain CT, contact.

**IX. PETITIONS FOR PUBLIC HEARING SCHEDULING**

- a. Petition #38-14: Special Exception (Section 6.2.4: Free-Standing Sign) at 184 Fenn Road. Arnco Sign Company, applicant; Extra Space Properties Two LLC, owner; Marc Cohen, 1130 So. Broad Street, Wallingford CT, contact.
- b. Petition #39-14: Special Exception (Section 6.13: Accessory Apartment) at 38 Johnson Street. Bohdan and Debra Szaraburak, owner/applicant; Debra Szaraburak, 38 Johnson Street, Newington CT, contact.

**X. TOWN PLANNER REPORTS**

- a. Town Planner Report for June 25, 2014
- b. Zoning Amendment (Flea Markets)
- c. Zoning Amendment (Temporary Signs)
- d. Partial Subdivision Map Filing

**XI. COMMUNICATIONS**

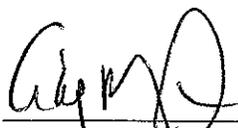
**XII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)**

**XIII. REMARKS BY COMMISSIONERS**

**XIV. CLOSING REMARKS BY THE CHAIRMAN**

**XV. ADJOURN**

Submitted,



Craig Minor, AICP  
Town Planner

**STAFF REPORT**  
***Drive-Through Lane for "Panera" at 3120 Berlin Turnpike***

**June 18, 2014**

**Petition #30-14:**

**Special Exception (Section 3.15.4: Drive-through Restaurant)**  
**3120 Berlin Turnpike ("Panera").**

**Norr Architects, applicant; Bryan Slonski, 325 N. LaSalle Street Suite 500, Chicago IL, contact.**

**Description of Petition #30-14:**

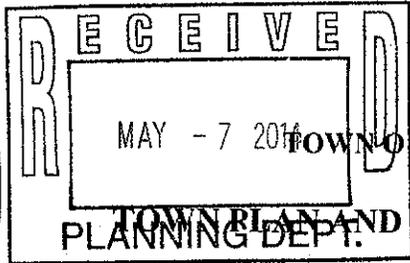
The applicant would like to create a drive-through lane on the site of the existing "Panera" restaurant. Restaurants with drive-through lanes are allowed by special exception per Section 3.15.4 of the zoning regulations.

**Staff Comments:**

At the last meeting several TPZ commissioners expressed concern over the queue spilling out into the aisle that divides the Panera site from the rest of the shopping center. It was strongly suggested that the entrance to the drive-through lane be redirected to the north in line with the right-hand lane of the aisle, rather than perpendicular to it.

The applicant's engineer said that Panera does not have permission to go outside their "lease limits", but he will tell Panera that this is a serious concern for the Commission and that they need to go to the shopping center owner for permission to do so. As of this writing I do not have any additional information on this.

cc:  
Bryan Slonski



Petition # 25-14

TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
PLANNING DEPT.

### APPLICATION FORM

LOCATION OF PROPERTY: 16 FENN ROAD ZONE: 1

APPLICANT: FENN ROAD ASSOCIATES, LLC TELEPHONE: (860) 646-0131

ADDRESS: 1471 PLEASANT VALLEY ROAD, MANCHESTER, CT 06042 EMAIL: \_\_\_\_\_

CONTACT PERSON: RICHARD P. HAYES, JR. TELEPHONE: (860) 646-0131

ADDRESS: 1471 PLEASANT VELLY ROAD, MANCHESTER, CT 06042 EMAIL: \_\_\_\_\_

OWNER OF RECORD: FENN ROAD ASSOCIATES, LLC

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

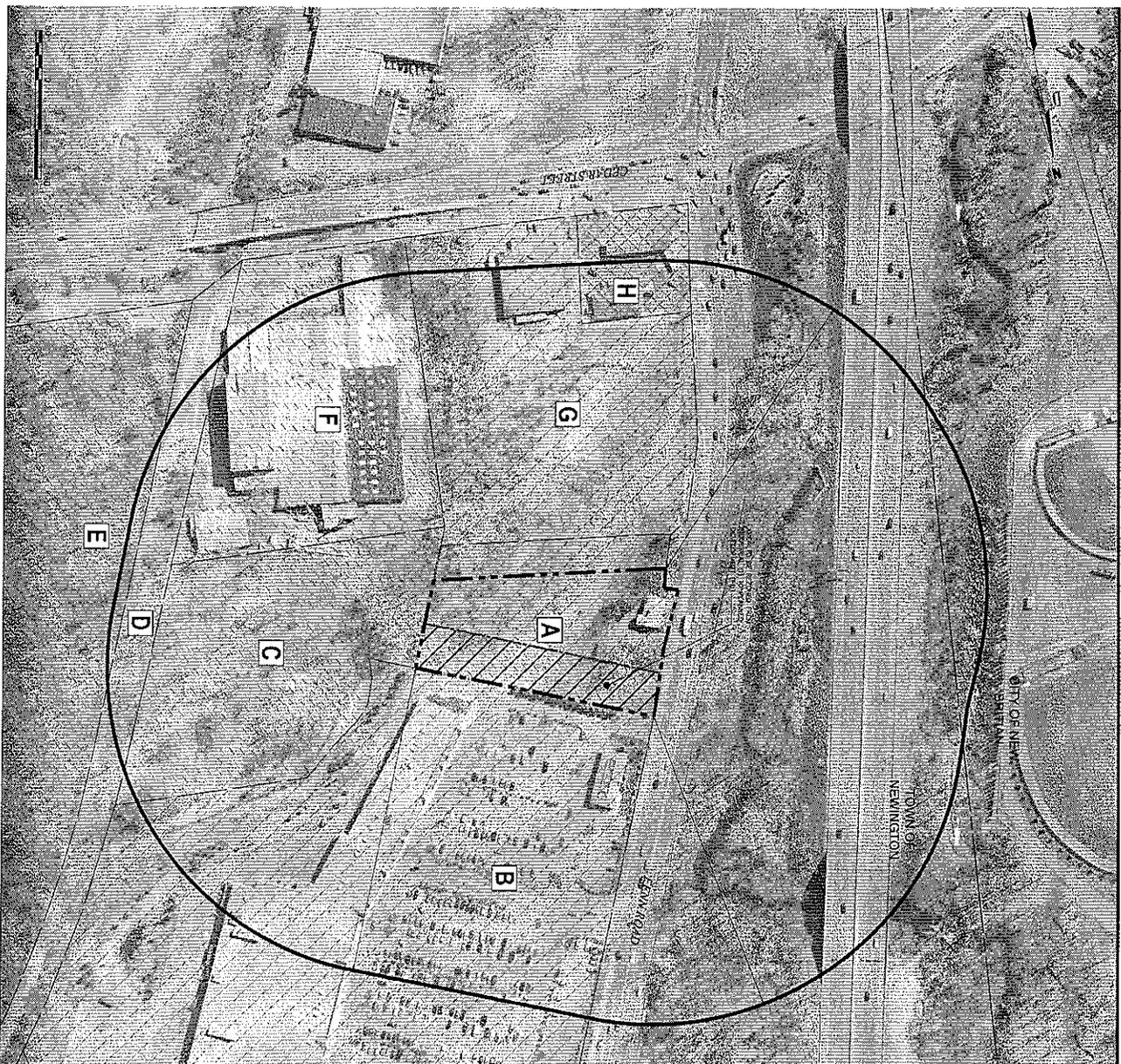
- Zoning Map Change from the I to the PD Zone (Public Hearing required).
- Zoning Text Amendment to Section \_\_\_\_\_ A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per 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: Richard P. Hayes, Jr. for the Applicant and Owner

 APPLICANT	5/05/2014 DATE	 OWNER	5/05/2014 DATE
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**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.



**Legend**

- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-1
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-2
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-3
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-4
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-5
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-6
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-7
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-8
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-9
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-10
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-11
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-12
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-13
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-14
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-15
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-16
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-17
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-18
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-19
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-20
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-21
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-22
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-23
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-24
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-25
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-26
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-27
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-28
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-29
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-30
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-31
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-32
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- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-36
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-37
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-38
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-39
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-40
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-41
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-42
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-43
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-44
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-45
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-46
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-47
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-48
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-49
- PLANNED DEVELOPMENT ZONE (PDZ) - PDZ-50

**Property Summary**

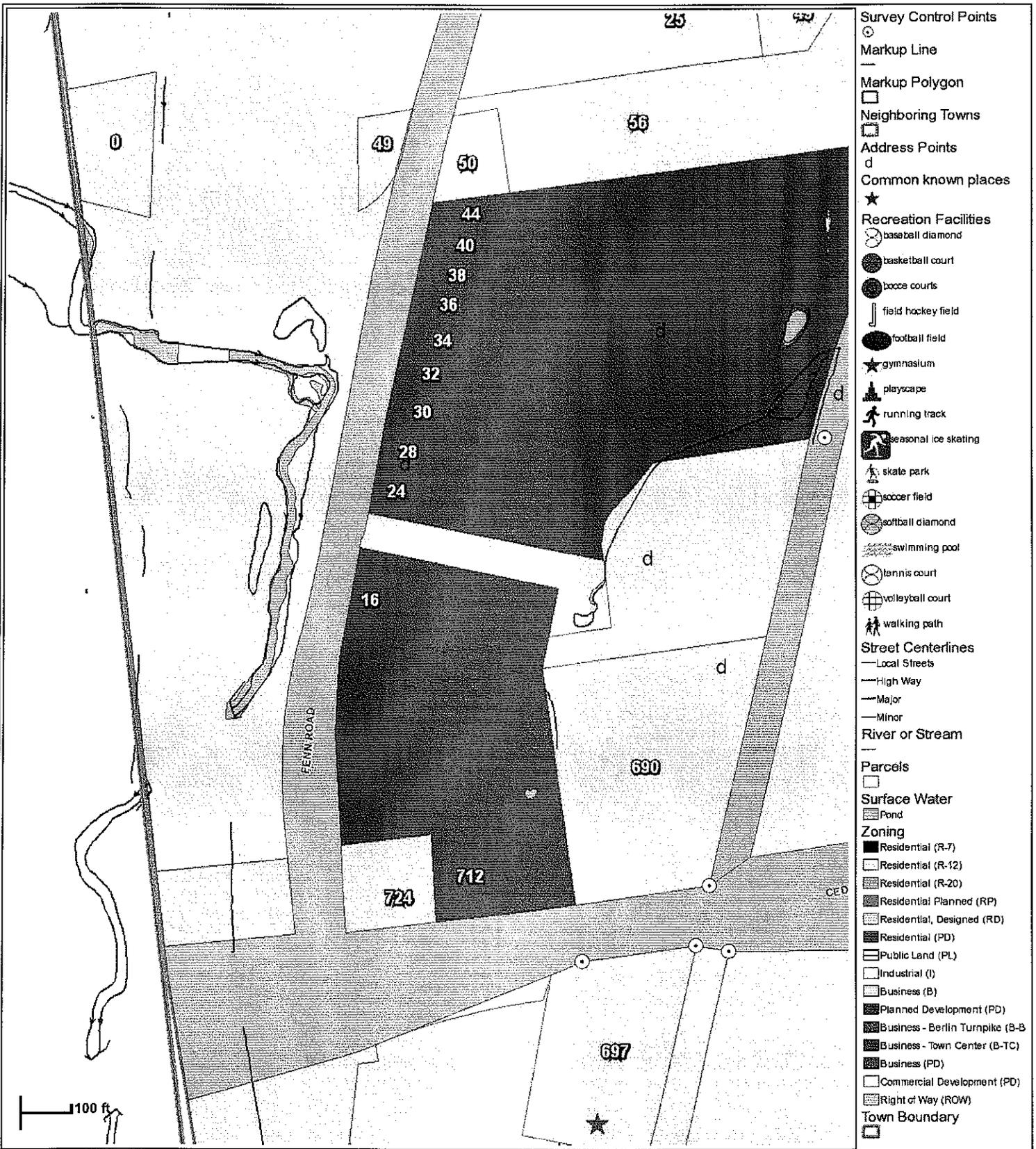
Key	Map Sheet	Parcel ID	Address	Owner Information	Existing Zone	Proposed Zone
1	1750	1000-100	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
2	1750	1000-101	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
3	1750	1000-102	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
4	1750	1000-103	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
5	1750	1000-104	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
6	1750	1000-105	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
7	1750	1000-106	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
8	1750	1000-107	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
9	1750	1000-108	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
10	1750	1000-109	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
11	1750	1000-110	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
12	1750	1000-111	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
13	1750	1000-112	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
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15	1750	1000-114	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
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31	1750	1000-130	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
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41	1750	1000-140	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
42	1750	1000-141	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
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44	1750	1000-143	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
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47	1750	1000-146	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
48	1750	1000-147	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
49	1750	1000-148	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1
50	1750	1000-149	1111 E.W. ROAD	1111 E.W. ROAD LLC	PDZ-1	PDZ-1



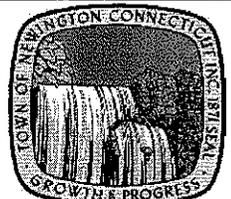
**Vannest Hargen Brashers, Inc.**  
 Town Planning  
 Land Development  
 Environmental Services  
 1011 Walker Street, P.O. Box 9110  
 Raleigh, NC 27609  
 919.876.5200

Map Approved for Construction  
 500 Foot Radius Map  
 R-1

Map Scale: 1" = 100'  
 Date: 12/15/2016  
 Project: 16-000000-000-000



**DISCLAIMER:** Every reasonable effort has been made to assure the information provided on the GIS map and data is current, accurate and complete. However, the GIS database and the maps themselves are subject to constant change and the accuracy and completeness cannot be and is not guaranteed. Independent verification of all data contained herein should be obtained. The data presented on this page is not legally binding on the Town of Newington or any of its departments. This map and the associated data are REPRESENTATIONS ONLY and may contain errors in the databases. Therefore, the information presented on this page is for informational purposes only and should not be construed to be legally binding. The Town of Newington shall not be liable for any loss, damages or claims that arise out of the user's access to, or use of the map, documents and data provided.



Tue Mar 4 15:09:08  
EST 2014

**STAFF REPORT**  
**Zone Change at 16 Fenn Road**

June 18, 2014

**Petition #25-14**

**Zone Change from Industrial to Planned Development**

**16 Fenn Road**

**Fenn Road Associates LLC, owner/applicant; Richard P. Hayes, contact**

**Description of Petition #25-14**

This area of Fenn Road is partly zoned PD, and partly zoned Industrial. When the owners of this property did the "land swap" with DOT several years ago that enabled the creation of the access road to the CTfastrak station, they neglected to apply for a zone change for the property that they acquired, which is Industrial. "Retail stores and trade" are not a permitted use in the Industrial zone, so they need this zone change to be able to use this property for the proposed fueling station.

**Staff Comments**

The applicants have submitted the required map of the requested zone change, and the list of property owners within 500' as required in Section 7.5.28.4.

Notice of the requested zone change was sent to New Britain. As of this writing I have not received any comments. Notice was sent to CCRPA, and the response was that this zone change presents "no conflict with regional plans and policies or the concerns of neighboring towns."

I have no comments at this time.

cc:  
Richard Hayes  
file



TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM

LOCATION OF PROPERTY: 16 FENN ROAD ZONE: I  
APPLICANT: FENN ROAD ASSOCIATES, LLC TELEPHONE: (860) 646-0131  
ADDRESS: 1471 PLEASANT VALLEY ROAD, MANCHESTER, CT 06042 EMAIL: \_\_\_\_\_  
CONTACT PERSON: RICHARD P. HAYES, JR. TELEPHONE: (860) 646-0131  
ADDRESS: 1471 PLEASANT VALLEY ROAD, MANCHESTER, CT 06042 EMAIL: \_\_\_\_\_  
OWNER OF RECORD: FENN ROAD ASSOCIATES, 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 3.19.4 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: Richard P. Hayes, Jr. for the Applicant and Owner

 APPLICANT	<u>4/30/2014</u> DATE	 OWNER	<u>4/30/2014</u> DATE
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**COMPLETE APPLICATIONS SUBMITTED TEN DAYS BEFORE THE NEXT TPZ MEETING WILL BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES THE APPLICATION FEE, TWELVE SETS OF PLANS (IF APPROPRIATE) AND A SEPARATE NARRATIVE EXPLANATION OF THE PETITION (IF APPROPRIATE).**

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**STAFF REPORT**  
***Special Exception for Fueling Station at 16 Fenn Road***

June 18, 2014

**Petition #26-14**

**Special Exception (Section 3.19.4: Fueling Station)**

**16 Fenn Road**

**Fenn Road Associates LLC, owner/applicant; Richard Hayes, contact**

**Description of Petition #26-14**

Fueling stations are allowed per Section 3.19.4 by special exception in the PD zone "within, or on property adjacent to a Shopping Center." The proposed fueling station will be at 16 Fenn Road which is immediately adjacent to the Stop & Shop plaza at 22-44 Fenn Road. 16 Fenn Road is owned by Fenn Road Associates, LLC which is closely associated with, but not the same as, the entity that owns 22-44 Fenn Road (Hayes Kaufman Newington).

**Staff Comments**

1. The Fueling Station regulations (Section 3.19.4) contain a number of *objective* requirements, all of which this application substantially complies with. But there are several *subjective* requirements that the applicant needs to comply with:

- A. There shall be no direct ingress or egress from or to any street or highway from the Fueling Station location. All ingress and egress shall be from within the shopping center over internal drives established for that purpose.

The site plan submitted with this application shows ingress and egress from the CTfastrak driveway to the south, which is not associated with the shopping center. This conflicts with the requirement that all access shall be from within the shopping center.

- B. In addition to the standards required pursuant to Section 5.2.6, the Commission shall also consider: whether the Fueling Station will increase competition and improve the pricing of fuel to consumers; whether it will have a favorable impact on local street traffic flow by virtue of its internal location; whether the fact that most of the customers will already be entering and exiting the roadway for other purchases at other retail units within the Shopping Center and not generating additional traffic; and whether there is a traffic signal at the intersection of the internal drive and the adjoining street to regulate traffic from the use.

The applicant has not addressed any of the above items.

2. The Special Exception regulations (Section 5.2) also contain several subjective requirements that the applicant needs to address to the Commission's satisfaction. As of this writing the applicant has submitted nothing in narrative format:

- A. The need for the proposed use in the proposed location.
- B. The existing and probable future character of the neighborhood in which the use is located.
- C. The size, type and location of main and accessory buildings in relation to one another, and in relation to other structures in the vicinity.
- D. Traffic circulation within the site; amount, location and access to parking, and traffic load or possible circulation problems on existing streets or proposed streets and driveways considering impact on existing streets are effected. For large scale retail developments in excess of 40,000 square feet of gross floor area a traffic impact analysis report with proposed mitigation measures shall be submitted with the application.

3. Section 3.19.4.C states that the "Principal Tenant must be the beneficiary of the Special Permit." Presumably the applicant intends for Stop & Shop to be the "beneficiary" of this special permit, but that was not stated in the application. The previous application (Petition #12-14) which was withdrawn by the owner listed Stop & Shop as the applicant, but this petition lists the owner as the applicant. Until we have confirmation from Stop & Shop that they do in fact intend to operate this fueling station, this application is incomplete.

4. I previously advised the applicant that the Commission would like a traffic analysis prepared for this project, and an overall site plan of the fueling station and the shopping center. Neither has been provided.

5. This project is located in the inland wetlands "upland review area" (see attached excerpt from the official inland wetlands map). It is my understanding that TPZ technically does not have to wait for a Conservation Commission decision before acting on a special exception application, as opposed to a site plan approval where TPZ definitely needs to wait. However, it is my recommendation that this hearing be kept open until TPZ receives the Conservation Commission's "final report".

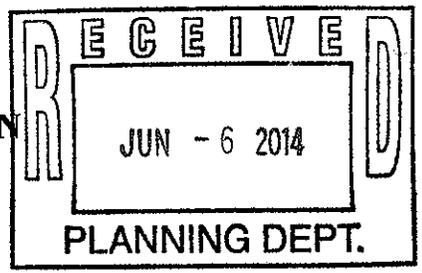
cc:  
Richard Hayes  
file

# 4636

Petition # 37-14



TOWN OF NEWINGTON  
TOWN PLAN AND ZONING COMMISSION  
APPLICATION FORM



LOCATION OF PROPERTY: 3260 Berlin Tpke. ZONE: \_\_\_\_\_  
APPLICANT: Hector Angel TELEPHONE: 404-719-0757  
ADDRESS: 3260 Berlin Tpke. Newington CT 06111 EMAIL: \_\_\_\_\_  
CONTACT PERSON: Manuel Rubio TELEPHONE: 404-719-0757  
ADDRESS: 3260 Berlin Tpke. Newington CT 06111 EMAIL: rubio@artecagroup.com  
OWNER OF RECORD: \_\_\_\_\_

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

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Site Plan Approval or Modification

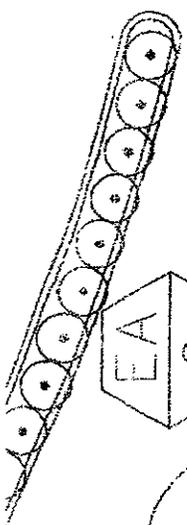
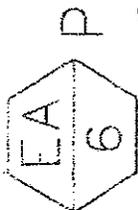
Other (describe in detail, or attach): we would like to celebrate our 4th anniversary with an outdoors event on Sunday July 20th or Sunday July 27th

**SIGNATURE:**

	<u>6/2/14</u>		<u>6/2/14</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).**

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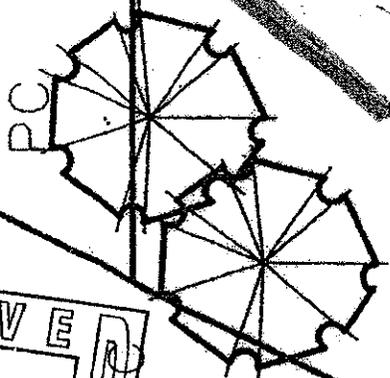


PC

PC

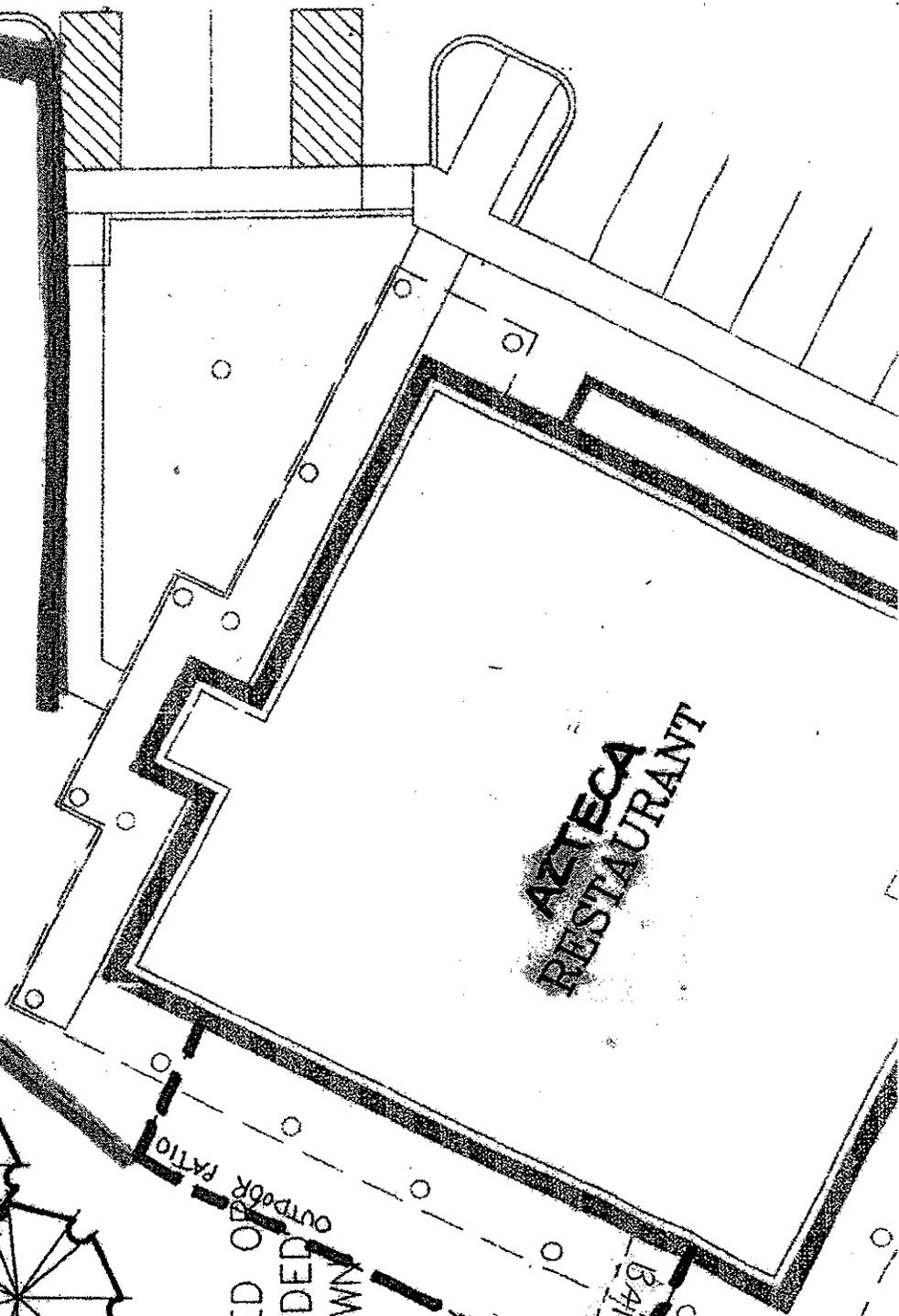
PC

P



PC

RECEIVED  
 APR. 22 2014  
 PLANNING DEPT.

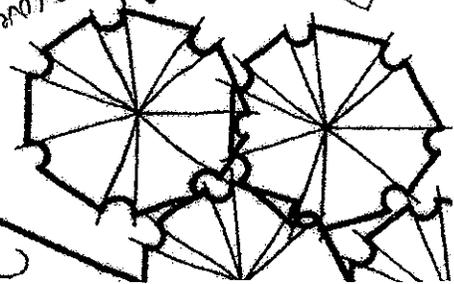


**AZTECA RESTAURANT**

SEEDED OR  
 SODDED  
 LAWN

4th floor  
 Paramo

8412



TC

TC

C

**STAFF REPORT**  
**"Fourth Anniversary Celebration at Plaza Azteca"**

June 18, 2014

**Petition #37-14**

**3260 Berlin Turnpike**

**Special Exception (Section 3.15.3: Outside Restaurant Seating)**

**Manuel Rubio, applicant/contact.**

**Description of Petition #37-14:**

The owner of the Plaza Azteca restaurant would like to conduct a Fourth Anniversary celebration, with an outside event on either Sunday July 20 or Sunday July 27.

**Staff Comments:**

I have no additional information on this application.

cc:  
file

**STAFF REPORT**  
***Drive-Through Lane for "Panera" at 3120 Berlin Turnpike***

June 18, 2014

**Petition #31-14:**

**Site Plan Approval (Drive-through Lane)**

**3120 Berlin Turnpike ("Panera").**

**Norr Architects, applicant; Bryan Slonski, 325 N. LaSalle Street Suite 500, Chicago IL, contact.**

**Description of Petition #31-14:**

The applicant would like to create a drive-through lane for the existing "Panera" restaurant. Restaurants with drive-through lanes are allowed by special exception per Section 3.15.4 of the zoning regulations.

**Staff Comments:**

I share the Commission's concerns with the queue backing up across the parking lot aisle, as described in my comments on the special exception application. I do not recommend approval of the current plan.

cc:  
Bryan Slonski  
file

**STAFF REPORT**  
***Free-Standing Sign for "Cody Plaza" at 2551 Berlin Turnpike***

**June 19, 2014**

**Petition #23-14**

**Special Exception (Section 6.2.4: Free-Standing Sign)**

**2551 Berlin Turnpike ("Cody Plaza").**

**Bianca Signs Inc, applicant; Paul Bianca, contact.**

**Description of Petition #23-14:**

The applicant would like to add an additional 3' x 8' section to the top of the existing free-standing sign. Section 6.2.4 allows such signs in any non-residential zone by special exception.

**Staff Comments:**

I have no objection to approving this application.

cc:  
Bianca Signs Inc.  
file



OK# 2381

TOWN OF NEWINGTON



TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 184 Fern Rd ZONE: I

APPLICANT: ARNCO SIGN & INC TELEPHONE: 203 236-1224

ADDRESS: 1133 So Broad St Wallingford CT 06492 EMAIL: ArncoManc@gmail.com

CONTACT PERSON: Manc Cohen TELEPHONE: 203 494-7429

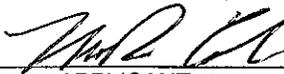
ADDRESS: 1133 So Broad St Wallingford Ct 06492 EMAIL: ArncoManc@gmail.com

OWNER OF RECORD: Extra Space Properties Two 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 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): Erect replacement ground sign

**SIGNATURE:**

 APPLICANT	<u>6/11/14</u> DATE	<u>see above</u> OWNER	_____ DATE
--	------------------------	---------------------------	---------------

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**NOTE:**  
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**ELEVATION 1**

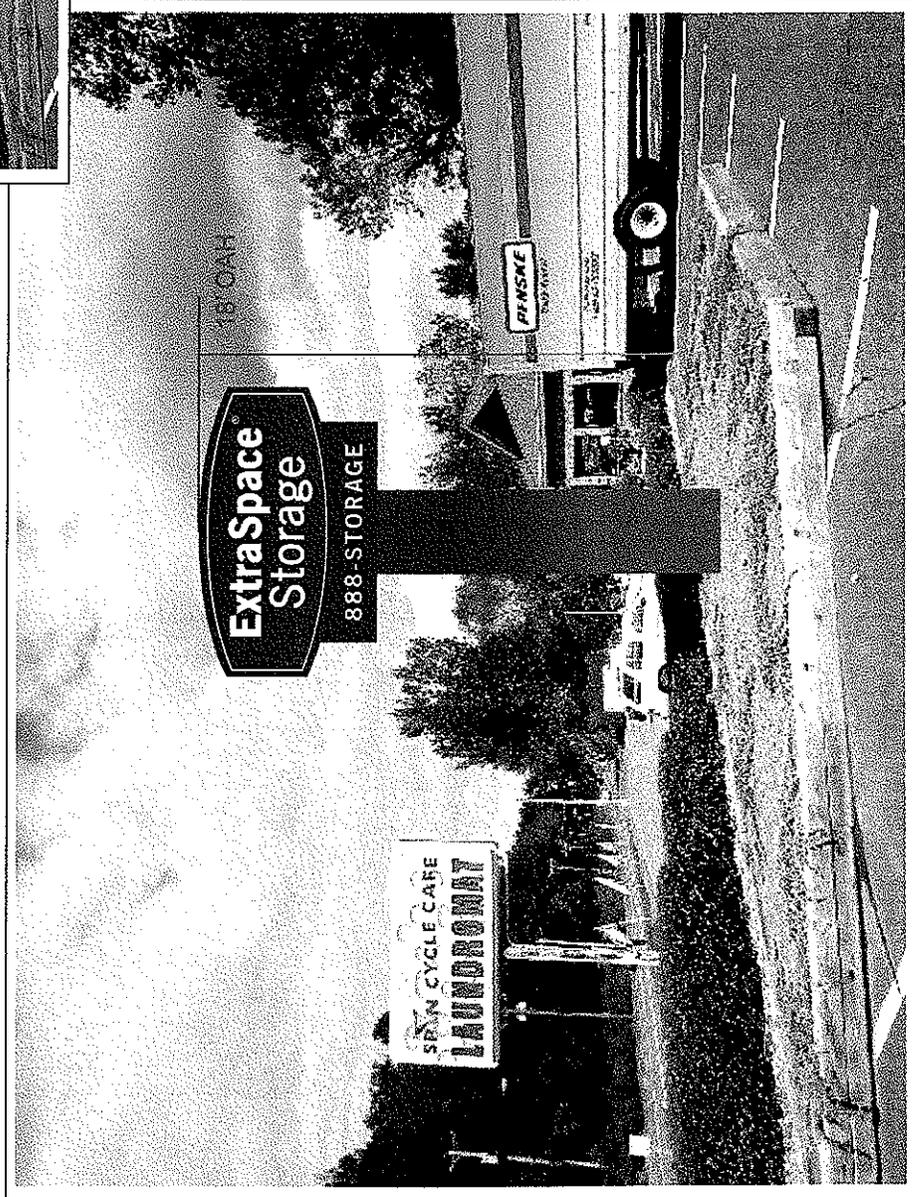
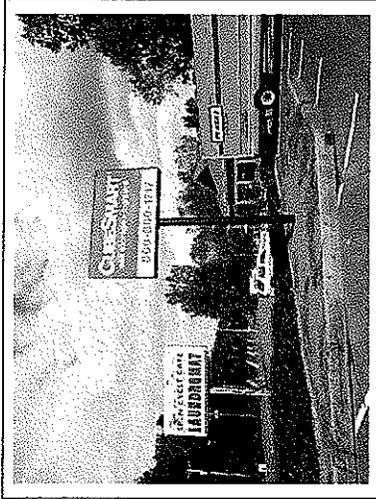
**SCOPE OF WORK:**  
 CUT EXISTING SIGN AT GRADE,  
 MANUFACTURE & INSTALL NEW POLE SIGN



**PROPOSED**

SQUARE FEET CALCULATIONS			
Allowable	Existing	Proposed	
375AG	60	65	

**EXISTING**



**Houston  
 Dallas**

**Houston Corporate Office**  
 5225 Katy Freeway, Suite 350  
 Houston, Texas 77007  
 713-977-7900  
 Fax: 713-977-7903

**Dallas Regional Office**  
 2220 San Jacinto Blvd.  
 Suite 365  
 Denton, Texas 76205  
 940-380-9153  
 FAX: 940-380-9395



Address: **#1553**  
**184 Fern Road**  
 City: **Newington**  
 State: **CT 06111**  
 Account Rep: **L.AUSTIN**  
 Sales Rep: **M.J.DENARDO**

APPROVALS  
 CLIENT \_\_\_\_\_  
 DESIGN \_\_\_\_\_  
 PROD. \_\_\_\_\_

Designer: **Shana Beard PGR6**  
 Design No. **Us1200125-R6**

DATE **10-1-13**  
 Rev. Date: **4-16-14**

ELECTRICAL TO FULL APPROVED  
 AND SHALL MEET ALL REQUIREMENTS  
 OF THE NATIONAL ELECTRICAL  
 CODE

**2:10**

The purchaser agrees to hold the seller harmless against any claims for damages which may be asserted against the purchaser, including but not limited to, any gas lines or any underground obstacles which the purchaser or others may deem valuable.

THIS DESIGN AND ENGINEERING IS SUBMITTED AS OUR PROPOSAL, AND THE RIGHT TO USE OR EXHIBIT IN ANY FORM, IS NOT AUTHORIZED WITHOUT WRITTEN PERMISSION BY US SIGNS.

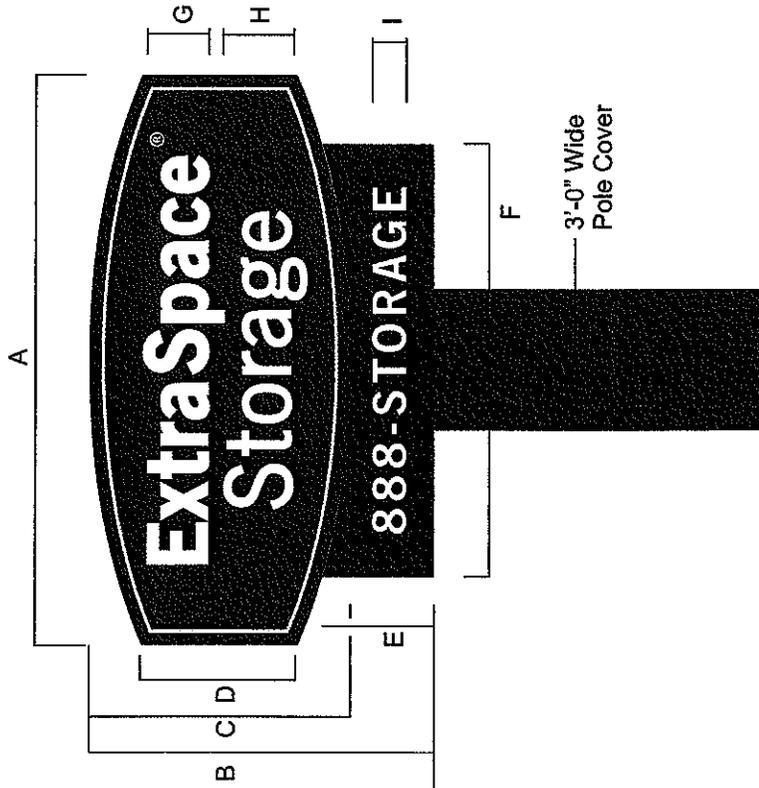
ALL RIGID FACE PYLON SIGN LAYOUT & DETAIL

LAYOUT



OPPOSITE SIDE

extraspace.com



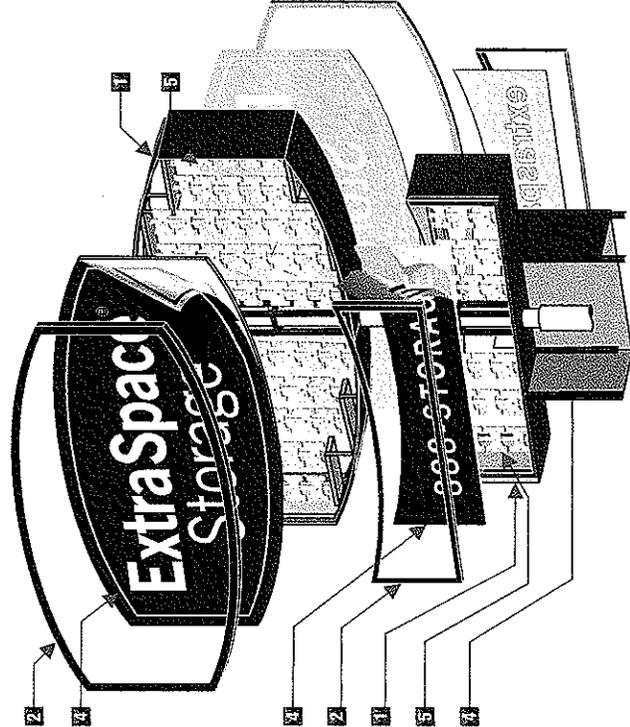
PYLON DIMENSIONS

A	B	C	D	E	F	G	H	I	120v. circuits are required for all signs.
FEET	INCHES	FEET	INCHES	FEET	INCHES	FEET	INCHES	FEET	AMPS
10'-5"	6'-2 3/4"	4'-8 5/8"	2'-9 3/4"	1'-10"	7'-1"	1'-1 1/2"	1'-3 3/8"	7 1/2"	65.00
									3.92
									4

COLOR SCHEDULE

TAN	PMS #467C	#2500-05 CALON	BLACK	PMS BLACK	#2500-022 CALON	WHITE
BLUE	PMS #7463C	#2500-036 CALON	GREEN	PMS #349C	#2500-3425 CALON	

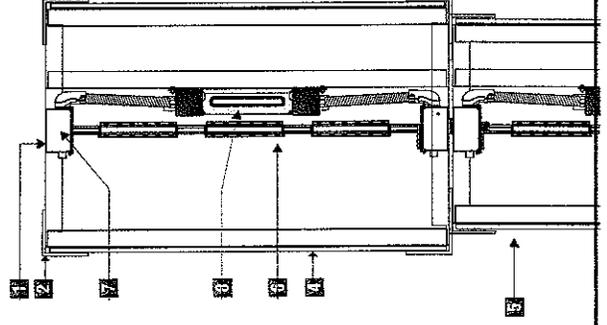
EXPLODED SECTION



SPECIFICATIONS

- 1 EXTRUDED ALUMINUM CABINET PAINTED GREEN FOR UPPER BLUE FOR LOWER
- 2 EXTRUDED ALUMINUM RETAINER SYSTEM PAINTED TO MATCH CABINET
- 3 POLE COVER PAINTED GREEN
- 4 WHITE LEXAN FACE WITH APPLIED VINYL GRAPHICS (SEE SCHEDULE)
- 5 CLIENT APPROVED USLED T2 TANDEM LIGHTING SYSTEM\*
- 6 STRUCTURE SUPPORT BRACKET WIREWAY
- 7 ELECTRONIC POWER SUPPLY

SIDE SECTION VIEW



Houston  
Dallas

**Houston Corporate Office**  
5225 Katy Freeway, Suite 850  
Houston, Texas 77007  
713-977-7900  
Fax: 713-977-7903

**Dallas Regional Office**  
2220 San Jacinto Blvd.  
Suite 365  
Denton, Texas 76205  
940-380-9153  
FAX: 940-380-9395



Address: #1553  
184 Fann Road  
City: Newington  
State: CT 06111  
Account Rep: LAUSTIN  
Sales Rep: M.J.DENARDO

APPROVALS  
CLIENT \_\_\_\_\_  
DESIGN \_\_\_\_\_  
PROD. \_\_\_\_\_

Designer: Shana Beard PCR6

Design No. Us1200125-R6

DATE 10-1-13

Rev. Date: 4-16-14



3:10

The purchaser agrees to hold the seller harmless in the event of any claims or damages that may occur as a result of gluing for poles and foundations, including but not limited to, sewer, gas lines or any underground obstacles which the purchaser or others may deem valuable.

THIS DESIGN AND ENGINEERING IS SUBMITTED AS OUR PROPOSAL, AND THE RIGHT TO USE OR EXHIBIT IN ANY FORM, IS NOT AUTHORIZED WITHOUT WRITTEN PERMISSION BY US SIGNS.

**STAFF REPORT**  
***Free-Standing Sign for Extra Space***

June 18, 2014

**Petition #38-14:**

**Special Exception (Section 6.2.4: Free-standing Business Sign)**

**184 Fenn Road ("Extra Space")**

**Arnco Sign Company, applicant; Extra Space Properties Two LLC, owner; Marc Cohen, 1133 So. Broad Street, Wallingford, CT contact**

**Description of Petition #38-14:**

The applicant would like to replace the existing free-standing sign with a new one, at the same location. I have been advised by the ZEO that the new sign is different enough from the old one to warrant a new permit. Section 6.2.4 allows such signs in any non-residential zone by special exception.

**Staff Comments:**

I recommend the public hearing be scheduled for July 9, 2014.

cc:  
Arnco Sign Company, Inc.  
file

*Cash*  
TOWN OF NEWINGTON



TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 38 Johnson St ZONE: R-12  
 APPLICANT: Mrs Mrs B. Szaraburak TELEPHONE: 860-202-4156  
 ADDRESS: 38 Johnson St. EMAIL: dszaraburak@gmail.com  
 CONTACT PERSON: Debra Szaraburak TELEPHONE: 860-202-4156  
 ADDRESS: 38 Johnson St. EMAIL: same as above  
 OWNER OF RECORD: same as above

**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 6.13 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): We need to get approval in areas for an inlaw apartment we built 9 years ago. My mom has lived in it for that long. Selling home to a couple who  
 SIGNATURE: in-laws will be living in it.

<u>Debra Szaraburak</u>	<u>6-18-2014</u>	<u>Debra Szaraburak</u>	<u>6-18-2014</u>
APPLICANT	DATE	OWNER	DATE

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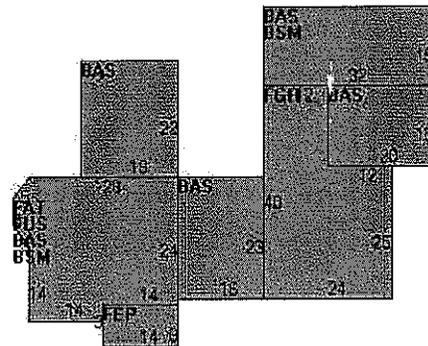
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Style	Conventional
Model	Residential
Grade:	C+
Stories	2
Occupancy	1
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure	Gable
Roof Cover	Asphalt
Interior Wall 1	Drywall/Plaste
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Hot Air
AC Type:	Central
Total Bedrooms:	4
Full Bthrms:	2
Half Baths:	0
Extra Fixtures	0
Total Rooms:	9
Bath Style:	Average
Kitchen Style:	Average
Num Kitchens	
Fireplaces	
Extra Openings	
Prefab Fpl(s)	0
Attic Type	
Bsmt Type	Full
Bsmt Garage(s)	0
FBLA Size	
Rec Rm Size	
Unfin Area	
Int vs. Ext	Same
Cath Ceiling	



(http://images.vgsi.com/photos/NewingtonCTPhotos//\00\02\36\35.jpg)

**Building Layout**



Building Sub-Areas		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	2285	2285
FUS	Finished Upper Story	741	741
FAT	Finished Attic	741	296
BSM	Basement	1221	0
FEP	Enclosed Porch	112	0
FGR	Garage	780	0
		5880	3322

**Extra Features**

Extra Features	Legend
No Data for Extra Features	

**STAFF REPORT**  
***Accessory Apartment at 38 Johnson Street***

**June 18, 2014**

**Petition #39-14**

**Special Exception (Section 6.13: Accessory Apartment)**

**38 Johnson Street**

**Bohdan and Debra Szaraburak, owner/applicant; Debra Szaraburak, 38 Johnson Avenue, Newington CT, contact**

**Description of Petition #39-14**

This petition is to get TPZ approval of recent (2005) addition off the back of the garage as an accessory apartment. The applicants are selling the house and they want to be able to market it as having an approved accessory apartment.

My understanding is that the addition is currently being used by the owners as an "in law apartment", but I will confirm that when I meet with the applicants.

**Staff Comments**

This application was filed at the last minute so I have not completed my review of it. I have advised the applicants that the application needs to be substantially complete prior to publication of the legal notice for the public hearing.

I tentatively recommend the public hearing be scheduled for July 9, 2014 pending my further review of the application.

cc:  
file



John Salomone  
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:** Craig Minor, Town Planner   
**Date:** June 19, 2014  
**Re:** **Town Planner Report of June 25, 2014**

- 
1. **Zoning Enforcement Issues Raised at Previous TPZ Meetings:** None.
  2. **Old Performance Bonds held by Town:** I will have a report at the meeting.
  3. **Newington Junction TOD Planning:** The consultants' final report (which contains most of the information that was presented at the May 1 meeting) has been distributed to the members of the Newington Junction Planning Committee. The next meeting of the committee has not been scheduled yet, but it will be by June 25.
  4. **Revision to Sign Regulations:** This item is on the agenda under "Town Planner Report".
  5. **Status of "Modern Tire" Appeal:** I asked Town Attorney Jack Bradley for a summary of the legal status of the various appeals involving the auto-related zoning regulation. This is his reply (with some edits by me):

Craig:

To recap the status of these rather complicated procedural circumstances, Modern Tire's petition for certification to appeal in the special permit case was denied by the Appellate Court on June 4, 2014.

Modern Tire's petition for certification to appeal in the regulation amendment case has not yet been ruled upon. We anticipated that Modern Tire might attempt a motion for reconsideration . . . but that has not yet occurred.

There is still no ruling on whether further appeal will be allowed in the regulation appeal case.

We will contact you as soon as we receive a decision from the Appellate Court.

Jack

cc:  
file

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



John Salomone  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

**Town Planner**

Craig Minor, AICP  
Town Planner

## Memorandum

June 18, 2014

**To:** Town Plan and Zoning Commission  
**From:** Craig Minor, Town Planner *CM*  
**Re:** Zoning Regulations for "Flea Market"

---

The Newington zoning regulations do not allow "flea market" as a commercial activity. Generally speaking, if the zoning regulations do not expressly permit something, it is prohibited. "Flea market" is not on the list of permitted uses in any zone in Newington. While researching this issue I noticed that the zoning regulations also do not expressly permit "tag sales" which should also probably be addressed.

The difference between a tag sale (also known as "garage sale" or "yard sale") and a flea market (also known as "swap meet") is a tag sale is typically a one-time event conducted by a homeowner at home to get rid of unwanted used items. A flea market, on the other hand, is typically conducted on a regular basis by a business entity in a bazaar-type setting, usually in a large commercial parking lot. New items and food are often sold at a flea market.

Non-profit organizations such as the Kiwanis Club have been granted special exceptions to conduct flea markets in the past under Section 3.2.8 (Charitable and Civic Events), because that regulation does not specify (and thereby implicitly exclude) the types of events that are allowed or not allowed; it is at the discretion of TPZ.

I am reviewing other town's flea market, open air market, and farmers' market regulations. If the TPZ wants me to I can have a proposed regulation for its review at the next TPZ meeting.

cc:  
file

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



John Salomone  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

**Town Planner**

Craig Minor, AICP  
Town Planner

## Memorandum

June 19, 2014

**To:** Town Plan and Zoning Commission  
**From:** Craig Minor, Town Planner   
**Re:** **Zoning Regulation Amendment for "Temporary Signs"**

---

The TPZ Sign Regulations subcommittee has prepared a proposed amendment to the sign regulations (sent under separate cover).

This amendment is intended to address the problem of enforcement without being too restrictive. I recommend the full TPZ discuss these proposed changes, and schedule the changes for a public hearing at a date to be determined.

The significant changes are as follows:

1. Temporary signs will be allowed in the B-TC zone only. They will no longer be allowed on the Berlin Turnpike.
2. There will be no limit on how long a temporary sign may be in place, but there will be restrictions on where and what time (i.e. during business hours only).
3. Signs that are mounted on trucks and other vehicles will be restricted and in some cases prohibited.

cc:  
file

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