



TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
Wednesday, July 22, 2015

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 HEARINGS

- a. Petition #26-15: Special Exception (Section 6.13: Accessory Apartment) at 33 Pfister Drive. Bhagyesh and Shveta Patel, applicants; Stefan and Eugenia Jarosz, owner; Bhagyesh Patel, 114 Gloucester Court, Newington CT, contact.
- c. Petition #27-15: Special Exception (Section 3.11.1: Dance Studio) at 37 Ann Street. Backstage Academy of Dance, applicant; 37 Ann Street LLC, owner; Kimberley Larson, 7 Wintergreen Road, Bristol CT, contact.

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

VI. REMARKS BY COMMISSIONERS

VII. MINUTES

- a. Regular Meeting June 24, 2015
- b. Special Meeting June 10, 2015
- c. Special Meeting July 8, 2015

VIII. NEW BUSINESS

- a. Petition #17-15: One-lot Subdivision at 149 Maple Hill Avenue. Maple Hill Development LLC, owner; Mary Kate VanValkenburg, 149 Maple Hill Avenue, Newington CT, applicant/contact.
- b. Petition #20-15: Site Plan Approval at 1593 Southeast Road. CPD Properties 1593 New Britain Avenue LLC, owner/applicant; Mark Grocki, VHB, 100 Great Meadow Road Suite 200, Wethersfield CT, contact.

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2015 JUL 16 AM 10:52

BY *Tanya D. Larson*
TOWN CLERK

- c. Petition #24a-15: Site Plan Approval (Section 3.11.6: Restaurant) at 3375 Berlin Turnpike (Raymour & Flanigan). WNT VIII LLC, applicant; Furniture Executives No. 4 LP, owner; Michael Hamlin, 287 Chesterwood Terrace, Southington CT, contact.
- d. TOD (Transit-Oriented Development) Regulations for CTfastrak Neighborhoods.
- e. Proposed Open Space Zone.

IX. OLD BUSINESS

- a. Petition #19-15: Zone Change (CD to B) at 1593 Southeast Road. CPD Properties 1593 New Britain Avenue LLC, owner/applicant; Mark Grocki, VHB, 100 Great Meadow Road Suite 200, Wethersfield CT, contact.
- b. Petition #24-15: Special Exception (Section 3.11.6: Restaurant) at 3375 Berlin Turnpike (Raymour & Flanigan). WNT VIII LLC, applicant; Furniture Executives No. 4 LP, owner; Michael Hamlin, 287 Chesterwood Terrace, Southington CT, contact.

X. PETITIONS FOR PUBLIC HEARING SCHEDULING

XI. TOWN PLANNER REPORT

- a. Town Planner Report for July 22, 2015
- b. New "Fair Housing" rules

XII. COMMUNICATIONS

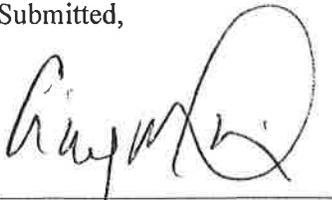
XIII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

XIV. REMARKS BY COMMISSIONERS

XV. CLOSING REMARKS BY THE CHAIRMAN

XVI. ADJOURN

Submitted,

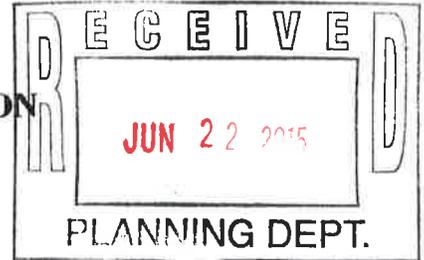


Craig Minor, AICP
Town Planner



Petition # 26-76

TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION
APPLICATION FORM

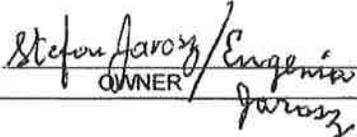


LOCATION OF PROPERTY: 33 PFISTER DRIVE, NEWINGTON, CT 06111 ZONE: R-20
APPLICANT: BHAGYESH AND SHVETA PATEL TELEPHONE: 732-397-2235
ADDRESS: 114 GLOUCESTER COURT, NEWINGTON, CT 06111 EMAIL: BHAGY_PATEL@YAHOO.COM
CONTACT PERSON: BHAGYESH PATEL TELEPHONE: 732-397-2235
ADDRESS: 114 GLOUCESTER COURT, NEWINGTON, CT 06111 EMAIL: BHAGY_PATEL@YAHOO.COM
OWNER OF RECORD: STEFAN AND EUGENIA JAROSZ ^{S J 6/17/15} Jarosz

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): _____

SIGNATURE:

	<u>06/17/2015</u>		<u>06/17/15</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.

From: **BHAGYESH PATEL**
SHVETA PATEL
ADDRESS: **114 GLOUCESTER COURT**
NEWINGTON, CT 06111
PHONE: **732-397-2235**
EMAIL: **BHAGY_PATEL@YAHOO.COM**

TO: TOWN OF NEWINGTON

To whom it may concern

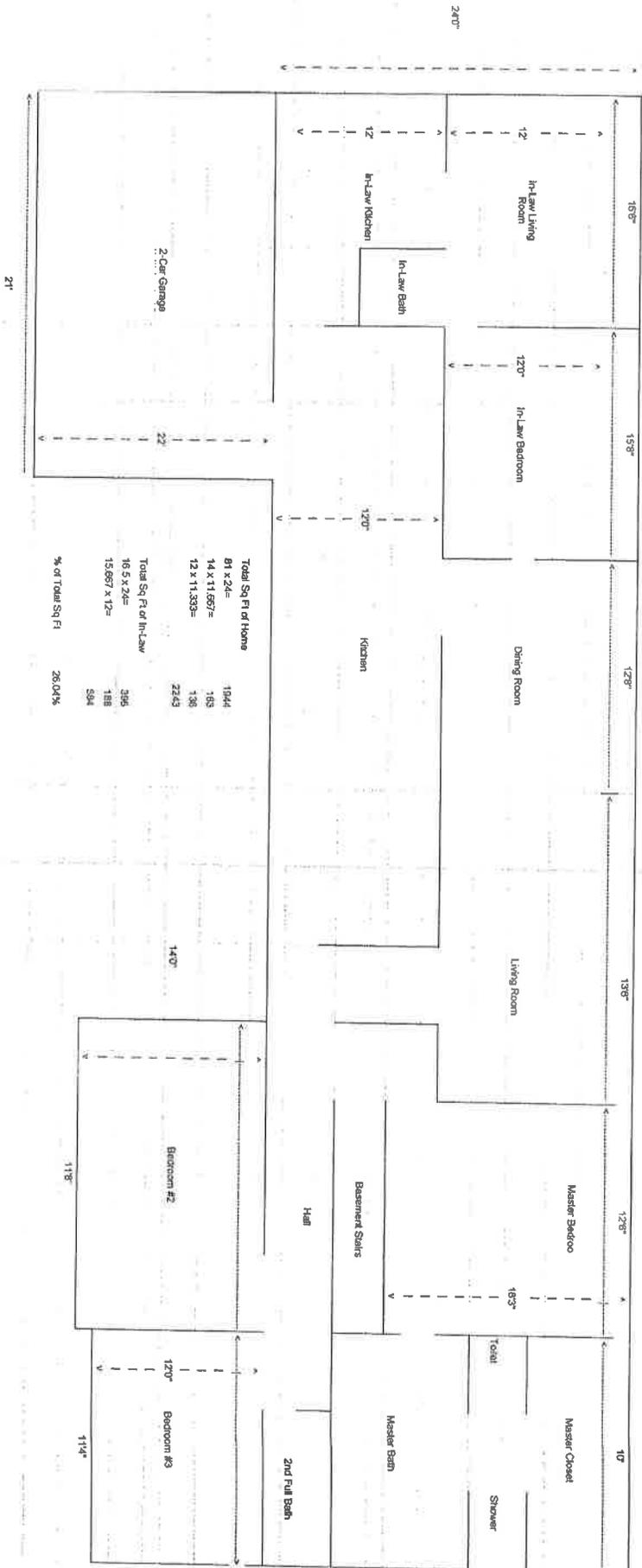
My name is Bhagyesh Patel and I am buying a property at 33 Pfister Newington CT. This property has an accessory apartment.

My father, Mahendra Patel (DOB 05/30/1951), had two bypass surgeries, severe arthritis and the knee problems. This makes very difficult for him to climb up the stairs. He is also on disability. My mother, Indu Patel (DOB 04/24/1960), has other health issues.

I am purchasing this home with an accessory apartment because my elderly parents living with us. The accessory apartment fulfills the needs of multi-generation family living; the ability for me taking care of my elderly parents as they age.

Thanks

Bhagyesh Patel



STAFF REPORT
Accessory Apartment at 33 Pfister Drive

July 16, 2015

Petition #26-15:

Special Exception (Section 6.13: Accessory Apartment)
33 Pfister Drive

Bhagyesh and Shveta Patel, applicants; Stefan and Eugenia Jarosz, owner; Bhagyesh Patel, 114 Gloucester Court, Newington CT, contact.

Description of Petition #26-15:

There is an existing TPZ-approved accessory apartment in this house, but the special permit does not automatically transfer to the next owner. The applicant is the prospective buyer.

Staff Comments:

I have completed my review of this application, and everything is in order.

As of this writing the applicant has not yet submitted his sworn affidavit stating that he, as the owner, will live in either the house or the apartment, but I have advised him of this.

cc:
file



53

155

44

145

50

36

Drive

33

150

30

142

23

Pfister Drive

24

6

18

190

12

170

178

6

Town of I



Hide imagery





TOWN OF NEWINGTON

Town Hall • 131 Cedar Street, Newington, Connecticut 06111
Central Telephone (860) 665-8500
Department Telephone (860)
Department Fax No. (860) 665-8575
665-8577

Certified Mail No. P 969 023 201
OFFICE OF THE TOWN PLANNER

CERTIFICATE OF ACTION

TO: Mr. Steven DaCosta
116 Kimberley Road
Newington CT 06111

DATE: November 30, 1998

SUBJECT: PETITION 68-98 160 Pfister Drive, Lot #30, Melanie Estates LLC owner and applicant represented by Steven DaCosta 116 Kimberley Road Newington CT request Special Exception Section 6.13 Accessory Apartment, R-12 Zone,

At a meeting held November 23, 1998, the Newington Town Plan and Zoning Commission voted to approve the above referenced PETITION subject to the following conditions:

1. Approval is granted based on the floor plan entitled "Lot 30, Melanie Estates, Newington, CT scale 1/4" = 1" dated 9-21-98" showing an accessory apartment of 606 sq. ft. and the principal residence of 1,652 sq. ft. The house style as presented to the Commission, October 28, 1998, shall be a single story ranch with a two bay garage.
2. The Special Exception for the Accessory Apartment use shall not become effective until the Building Department issues a Certificate of Occupancy for the single family residence.
3. Building Permits to install a second kitchen for the accessory apartment shall not be issued until after the Certificate of Occupancy is issued for the single family residence.

Certified by:


Edmund J. Meehan
Town Planner

This Special Exception will not become effective until this Certificate of Action is filed by the applicant on the Land Records of the Town of Newington.

Ca112398-1



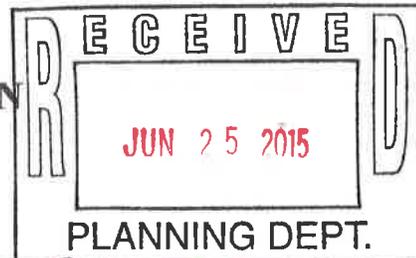
CA# 174

Petition # 27-15

TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

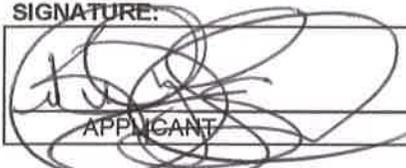
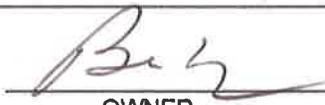


LOCATION OF PROPERTY: 37 Ann Street ZONE: ~~BPD~~ B-BT
 APPLICANT: Backstage Academy of Dance TELEPHONE: 860-665-0640
 ADDRESS: 3320 Berlin Pike, Newington, CT 06111 EMAIL: backstageacademyofdance@weebly.com
 CONTACT PERSON: Kimberly Larson TELEPHONE: 860-305-1387
 ADDRESS: 7 Wintergreen Rd, Bristol, CT 06010 EMAIL: backstageacademy@gmail.com
 OWNER OF RECORD: 37 Ann Street, LLC - Barry Lustig

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 3.11.1 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>6/25/15</u> DATE	 OWNER	<u>6/25/2015</u> DATE
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B.A.D

Backstage Academy of Dance
3320 Berlin Turnpike
Newington, CT 06111

June 25, 2015

Craig Minor, Town Planner
Town of Newington
131 Cedar Street
Newington, CT 06111

Dear Mr. Minor,

I established my business in 2003 as a dance instructor in the town of Newington. We cater to younger clientele local to the Newington area and teach a wide variety of dance focusing on building confidence and self-esteem. Because of our small class size, usually 8-10 people at a time, we are able to maximize our student's skill-sets and get positive results in less time. Because most of our clients are not old enough to drive, parents typically do drop offs and pickups. Our parking needs therefor remain minimal. Our requirements are simple. We need storage space for our props, office space, a reception area, and a studio. So with 4 walls, mirrors, dance flooring and music we are in business. Our present location is 3320 Berlin Turnpike in Newington and we are so excited to expand our business and move to 37 Ann Street!

Because of the urgent need to be operational for our fall season in September, we respectfully request your help in guiding us through the process with the town. Any assistance would be greatly appreciated!

Yours Truly,

A handwritten signature in black ink, appearing to read 'Kimberly Larson', enclosed within a large, loopy oval scribble.

Kimberly Larson
Backstage Academy of Dance



LEGEND
 PROPERTY LINE
 EXISTING SIDE OF PAVEMENT
 EXISTING SIDE OF CURB
 PROPOSED SIDE OF CURB

GRAPHIC SCALE
 1" = 10' (AS SHOWN)

OWNER, APPLICANT & DEVELOPER:
 J.B.W. LUSTIG BROS., INC.
 NEWINGTON, CT 06111

APPROVED BY THE NEWINGTON PLANNING & ZONING COMMISSION

TOWN OF NEWINGTON
 Planning and Zoning Commission

[Signature]

1. The applicant has provided all necessary information for the Commission to review this application.
 2. The Commission has reviewed the application and finds that it complies with the applicable zoning regulations.
 3. The Commission has approved this application for the reasons stated herein.
 4. The Commission's decision is final and subject to appeal to the Superior Court of the State of Connecticut.
 5. The Commission's decision is effective from the date of this report.

DATE: NOV. 20, 2002
BY: [Signature]
TITLE: CIVIL ENGINEER

PLANNING SCHEDULE

NO.	DESCRIPTION	DATE	STATUS
1	Site Plan	11/20/02	APPROVED
2	Site Plan	11/20/02	APPROVED
3	Site Plan	11/20/02	APPROVED
4	Site Plan	11/20/02	APPROVED
5	Site Plan	11/20/02	APPROVED
6	Site Plan	11/20/02	APPROVED
7	Site Plan	11/20/02	APPROVED
8	Site Plan	11/20/02	APPROVED
9	Site Plan	11/20/02	APPROVED
10	Site Plan	11/20/02	APPROVED

PROPOSED IMPROVEMENTS

NO.	DESCRIPTION	DATE	STATUS
1	Site Plan	11/20/02	APPROVED
2	Site Plan	11/20/02	APPROVED
3	Site Plan	11/20/02	APPROVED
4	Site Plan	11/20/02	APPROVED
5	Site Plan	11/20/02	APPROVED
6	Site Plan	11/20/02	APPROVED
7	Site Plan	11/20/02	APPROVED
8	Site Plan	11/20/02	APPROVED
9	Site Plan	11/20/02	APPROVED
10	Site Plan	11/20/02	APPROVED

NOTES

1. SEE PLAN SHEET FOR DETAILED INFORMATION.
2. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE TOWN OF NEWINGTON PLANNING AND ZONING COMMISSION.
3. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE SUPERIOR COURT OF THE STATE OF CONNECTICUT.
4. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE STATE OF CONNECTICUT.
5. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE UNITED STATES OF AMERICA.
6. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE WORLD LEADERS.
7. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE FUTURE GENERATIONS.
8. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE HUMANITY.
9. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE ENVIRONMENT.
10. THE PROPOSED IMPROVEMENTS ARE SUBJECT TO THE APPROVAL OF THE PLANET.



IMPROVEMENT LOCATION SURVEY-PROPOSED AND LANDSCAPING PLAN
 PREPARED FOR
 J.B.W. LUSTIG BROS., INC.
 PROPERTY LOCATED AT
 #37 ANN STREET
 NEWINGTON, CONNECTICUT

HALLISSEY, PEARSON & CASSIDY
 CIVIL ENGINEERS & LAND SURVEYORS
 20 GOLD SPRING ROAD,
 SOUTHWEST EXECUTIVE PARK, SUITE #611
 ROCKY HILL, CONNECTICUT

DESIGNED BY: J.P.C.	CHECKED BY: J.P.C.
DATE: NOV. 20, 2002	DATE: NOV. 20, 2002
SHEET: 2	OF: 6

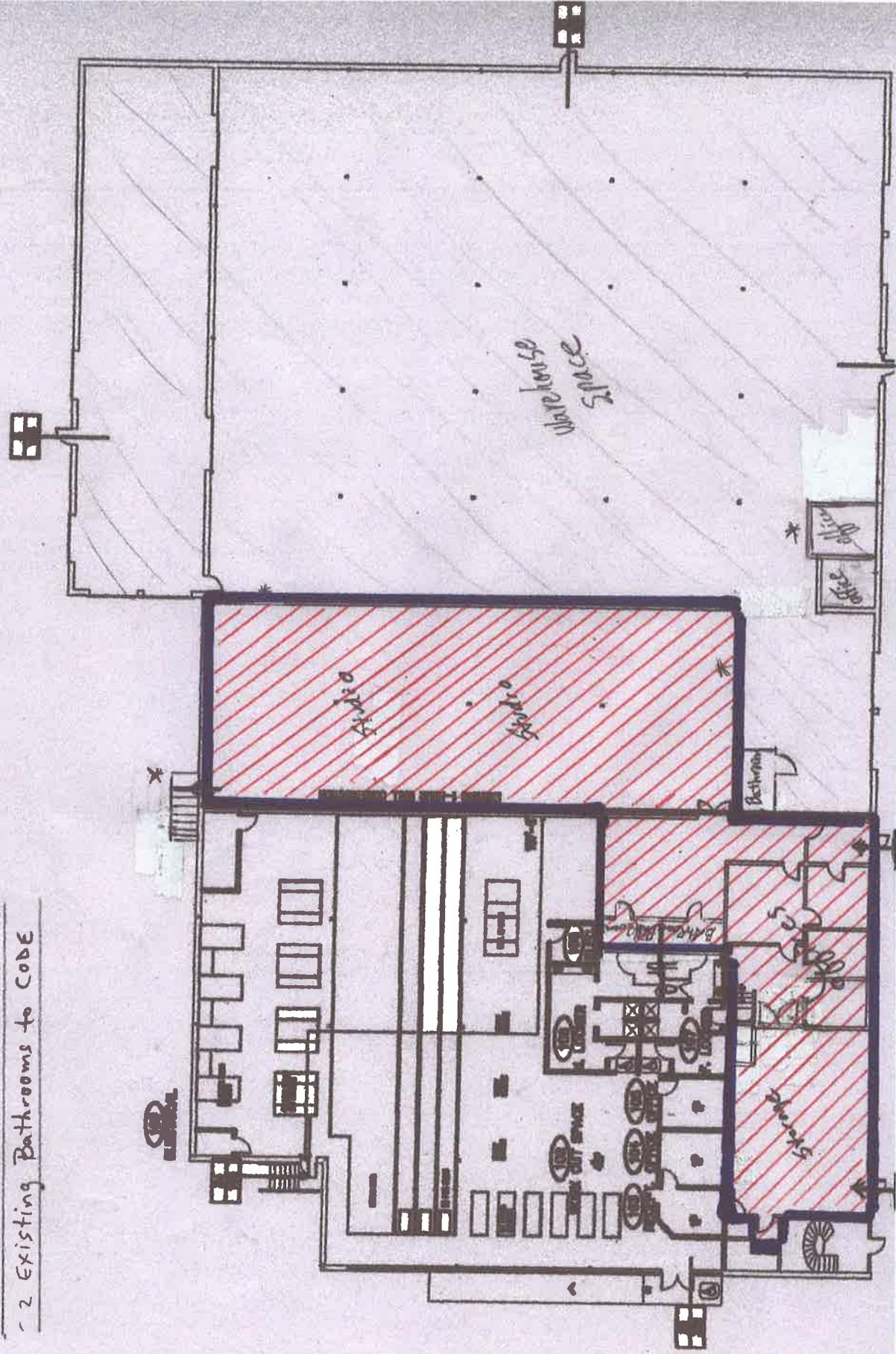
37 Ann Street - Newington

PLAN I

Approx 6500 sqft.

Projected work

- install rear exit steps
- Partition sheetrock 2-12" openings
- Relocate 2 Furniture Offices, Bathroom
- Retrofit HVAC
- 2 Existing Bathrooms to CODE



**CT Workout
37 Ann Street
Newington, CT 06111**

June 25, 2015

Mr. Craig Minor,
Town of Newington
131 Cedar Street
Newington, CT 06111

Dear Mr. Minor,

I am writing on behalf of the building owner, Barry Lustig at 37 Ann Street in Newington. He has informed me that there may be a new "Dance Studio" tenant taking space in the building. For the calculation of parking space allotment, he has asked me to submit the maximum number of persons that will be in the CT Workout's premises at any particular time. Based upon my knowledge since opening and projections for the future, I feel 45 persons would be as accurate number.

Sincerely,



Benjamin Petitpas
CT Workout

STAFF REPORT
Dance Studio at 37 Ann Street

July 16, 2015

Petition #27-15:

Special Exception (Section 3.11.1: Dance Studio)

37 Ann Street

Backstage Academy of Dance, applicant; 37 Ann Street LLC, owner; Kimberley Larson, 7 Wintergreen Road, Bristol CT, contact.

Description of Petition #27-15:

The applicant would like to open a dance studio in an unused portion of the building. "Dance Studio" is allowed in PD zone by special permit per Section 3.11.1.

Staff Comments

The only concern I initially had with this application is the parking. However, I did an analysis of the amount of parking required for the two existing uses (a workout facility, and furniture warehouse) and the proposed dance studio. Based on the applicant's statement that most of her customers are children who will be dropped off by a parent, and pending the outcome of the public hearing, I have no objections to approving this application.

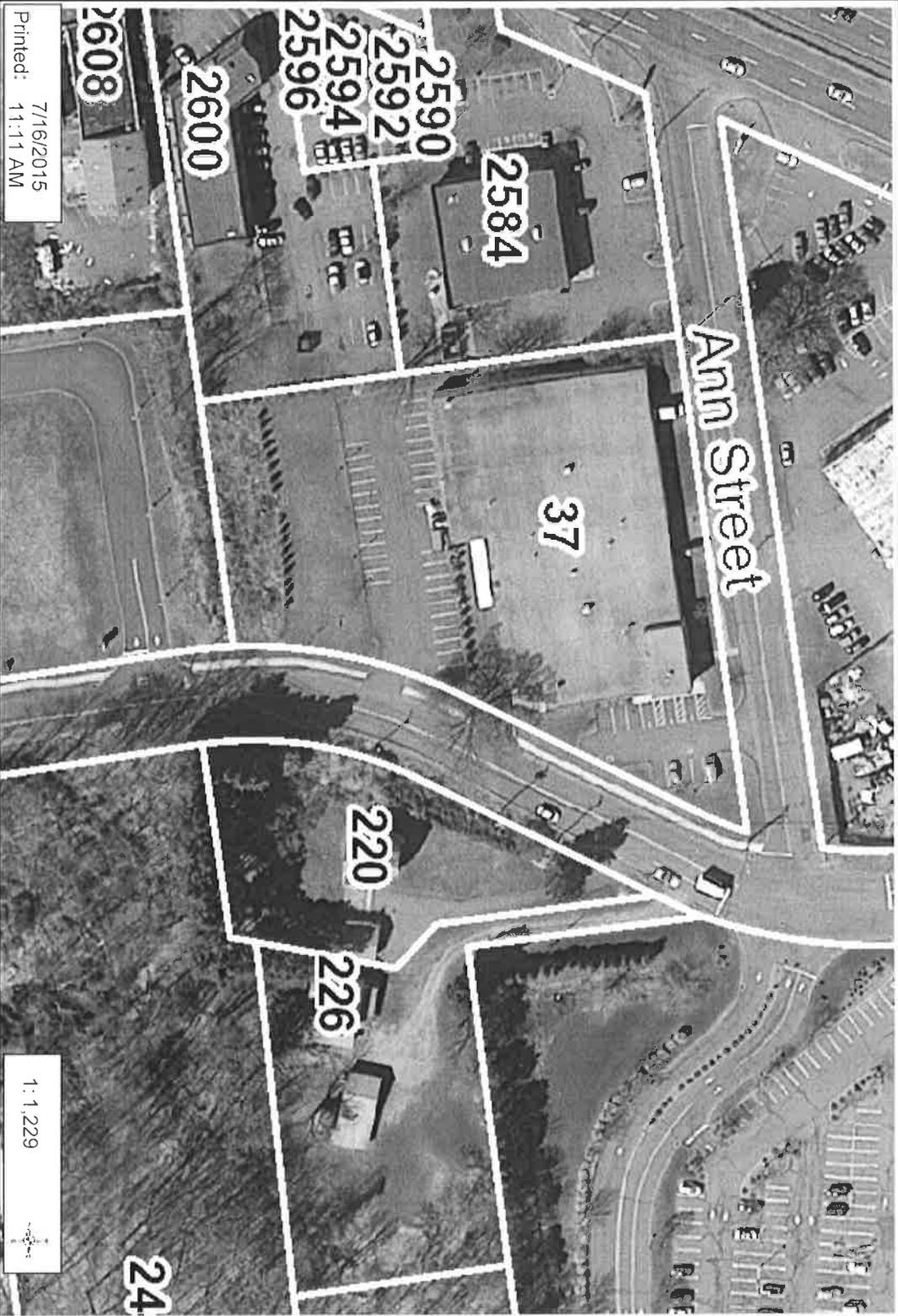
cc:
file

**Parking Analysis for
37 Ann Street**

<u>Occupant</u>	<u>Sq. Footage</u>	<u># of Customers/ Employees</u>	<u>Required Parking Formula</u>	<u>Required Parking</u>
CT Workout	7,000	45	1 per 3 customers	15
Furniture Warehouse	12,600	4	1 per employee	4
Proposed Dance Studio	6,500	8-10 (mostly children)	1 per 3 customers	4
			Total Required:	23
			Total Available:	44



37 Ann Street



Printed: 7/16/2015 11:11 AM

204.9

0

102.43

204.9 Feet

1:1,229



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



Legend

- Parcel
- 2012 color aerial photo
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Notes

Notes

STAFF REPORT
One-lot Subdivision at 149 Maple Hill Road

July 16, 2015

Petition #17-15:

One-lot Residential Subdivision

149 Maple Hill Avenue

**Maple Hill Development LLC, owner; Mary Kate VanValkenburg, 149 Maple Hill Avenue,
Newington CT, applicant/contact.**

Description of Petition #56-13:

This is a one-lot subdivision. The parcel is large enough to be divided into two lots: one with the existing house, and a second lot which would have a new house built on it.

Town Planner Comments:

As of this writing the applicant has not submitted revised plans that address the Town Engineer's comments. As I reported at the meeting on July 8, we do have an email from the applicant giving TPZ permission to exceed the statutory decision deadline.

cc:
file