

STAFF REPORT
Site Plan Approval for "Sleep Number" at 1593 Southeast Road

July 17, 2015

Petition #20-15:

Site Plan Approval

1593 Southeast Road.

CPD Properties 1593 New Britain Avenue LLC, owner/applicant; Mark Grocki, VHB, 100 Great Meadow Road Suite 200, Wethersfield CT, contact.

Background:

The property at 1593 Southeast Road is partly in Newington and partly in Farmington. The portion in Newington is CD zoned. The owner would like to demolish the existing gas station and construct a new building for the bed retailer "Sleep Number". "Retail" is not a permitted use in the CD zone, so the applicant has applied for a zone change from CD to B.

Comments:

I sent the attached comments to the applicant. The Town Engineer also had comments for the applicant regarding the stormwater management design, i.e our new Low Impact Development (LID) regulations.

The Town Engineer and I met with the applicant's engineer earlier this week to discuss the site plan deficiencies, most importantly how they could achieve compliance with the LID standards. We reached a verbal understanding of what the plans should show.

I just received revised plans literally minutes ago, and I have not reviewed them yet. See attached. A hard copy will be given to you at the meeting.

cc:

Attorney Daniel Kleinman

Mark Grocki

file



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

Craig Minor, AICP
Town Planner

June 22, 2015

Mark R. Grocki, P.E., LEED
VHB
100 Great Meadow Road Suite 200
Wethersfield, CT 06109

**Re: TPZ Petition #20-15 for Site Plan Approval at 1593 Southeast Road (“Sleep Number”).
CPD Properties 1593 New Britain Ave LLC, owner/applicant; Mark Grocki, VHB, 100
Great Meadow Road Suite 200, Wethersfield, CT contact**

Dear Mark,

I have completed my review of the above-reference application, and have the following comments.

1. Contents of Site Plan:

- a. The site plan is lacking the context map (AKA a key map) at 200-scale (Section 5.3.4.A and 5.3.4.F).
- b. The site plan is lacking a statement of the acreage of the site (Section 5.3.4.C.2).
- c. The site plan is missing the Commission approval block (Section 5.3.4.C.12 and Section 7.4.28). See attached example.
- d. Does the applicant intend to have a dumpster enclosure? If so, it needs to be shown (Section 5.3.4.C.5).
- e. The parking lot light pole on the east side of the property is in the 3' parking space ledge.
- f. A location for snow storage must be shown (Section 7.14.7).
- g. The title block on each sheet should also contain the name of the owner or developer, and the scale (Section 7.4.23).

2. Landscaping:

- a. Section 6.1.3.A states that “Not less than 10% of the interior of a parking lot containing five or more parking spaces shall be landscaped with trees and continuously maintained”, not including perimeter landscaping per Section 6.1.3.B. The Zoning Summary Chart

on Sheet C-2 claims that 13.1% of the parking lot is landscaped, but the only landscaping I can see on Sheet L-1 is the triangular landscaped area in the southeast corner of the site.

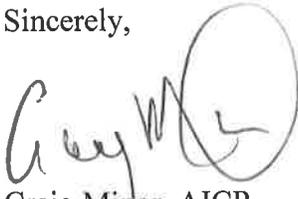
b. Sheet L-1 does not show the required 25 linear feet of planting bed (Section 6.1.3.D).

3. Storm Drainage:

a. The Town Engineer will review and comment on the "Low Impact Development" stormwater management design.

If you have any questions or comments, please contact me via email at cminor@newingtonct.gov or (860) 665-8575.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Minor", with a large circular flourish at the end.

Craig Minor, AICP
Town Planner

cc:
✓ Town Engineer
file

STAFF REPORT
Site Plan Approval for "Wood N Tap" Restaurant

July 16, 2015

Petition #24a-15:

Site Plan Approval (Section 3.15.3: Restaurant)

3375 Berlin Turnpike (Raymour & Flanigan).

**WNT VIII LLC, applicant; Furniture Executives No. 4 LP, owner; Michael Hamlin, 287
Chesterwood Terrace, Southington CT, contact.**

Description of Petition #24a-15:

The owners of the Raymour & Flanigan building would like to eliminate the existing "Sleep Center" activity on the south half of the building, and replace it with a "Wood N Tap" restaurant. The proposal includes a patio area in front of the building, extending into the existing parking lot.

Staff Comments:

As of this writing a proper site plan has not been submitted.

cc:
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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: July 16, 2015
Re: **TOD Zoning Amendment Process**

1. Conversation with Planners from Other Towns:

At the TPZ meeting on July 8, 2015 the Commission agreed with my suggestion that we ask some planners who have grappled with TOD in their town to come to Newington and tell us about their experience. Every town is different, but we all have one thing in common: TOD was (or still is) an “unknown”, and it is natural to be worried about the unknown. The Town of Windsor was mentioned as a town somewhat similar to Newington that recently adopted TOD regulations for the area around their new AMTRAK station.

I contacted the planner for the Town of Windsor, and he is available to come to a TPZ meeting to discuss Windsor’s experience.

2. Form-Based Zoning:

There is a new zoning technique taking hold in Connecticut, called “form-based zoning”. Form-based zoning focuses on what a building looks like, rather than what type of business is going on inside.

Towns like Hamden and Canton have found that using a form-based approach makes it easier to get the kind of development that residents want, while still giving land owners and investors the certainty and decision-making transparency that they need. I think form-based zoning is something that Newington should consider for the two CTfastrak neighborhoods. I will be meeting with the planner for the Town of Canton later this week, and will have more information for TPZ at the meeting. If you want to know more about form-based zoning in general, go to: <http://formbasedcodes.org/definition>. A presentation delivered in Canton is here: http://www.townofcantonct.org/filestorage/19174/154/122/ZoningPOCDoverview-043014_compressed.pdf

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cminor@newingtonct.gov
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3. Funding:

At the last TPZ meeting I was asked to find out exactly how much funding is available to hire a planning consultant to help us develop TOD regulations. I subsequently learned that there was no specific dollar amount approved by the Town Council, but that we could probably expect to receive in the vicinity of \$20,000.

I then spoke with two planning consultants, both of whom are familiar with TOD and with Newington's relationship with CTfastrak, to see if \$20,000 would be sufficient. The answer I got from both of them was that it is premature for TPZ to jump into writing TOD regulations without first giving residents the opportunity to know more about what TOD is, and what it isn't. They recommended we hold some informal community discussions about TOD, where we can talk about concepts like mixed use, residential density, and community character. Ideally these discussions would be moderated by someone not associated with TPZ, but hiring a consultant is expensive.

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John Salomone
Town Manager

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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: July 17, 2015
Re: Proposed "Open Space Zone"

I have not yet begun my visual inspection of open space parcels, but I will start doing that prior to the meeting. This will of course take some time, and I will have a sense of how much time after I spend a few hours next week doing it.

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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: July 17, 2015
Re: **Town Planner Report for July 22, 2015**

1. **Zoning Enforcement Issues Raised at Previous TPZ Meetings:** None.
2. **Old Performance Bonds held by Town:** No changes since my last report.

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John Salomone
Town Manager

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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 *CM*
Date: July 17, 2015
Re: New HUD Rules on “Affirmatively Furthering Fair Housing”

As a recipient of federal funds (such as, but not limited to, HUD “Small Cities” grants) the Town of Newington is required to “affirmatively further fair housing”. Historically, Newington has complied with this requirement by doing several things, such as:

- Adopt a “Fair Housing Resolution”;
- Adopt a “Fair Housing Policy”;
- Adopt an “Americans with Disabilities Act Grievance Procedure”;
- Post “Fair Housing/Equal Opportunity” posters at prominent locations;
- During annual Fair Housing Month in April, contact local real estate and lenders of their fair housing obligations;
- Adopt land use regulations that allow for a range of housing types.

HUD has just released new rules on how communities that receive HUD funding need to meet their fair housing obligation. These new rules have received a lot of attention and criticism on the Internet and in the news media, so I thought it would be good to provide them to TPZ.

These rules are brand new, so no one really knows exactly how they will be implemented by HUD. I will certainly keep TPZ informed.

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HUD Rule on Affirmatively Furthering Fair Housing

The U.S. Department of Housing and Urban Development (HUD) has released a final rule to equip communities that receive HUD funding with the data and tools that will help them to meet long-standing fair housing obligations in their use of HUD funds. HUD will provide publicly open data for grantees to use to assess the state of fair housing within their communities and to set locally-determined priorities and goals. The rule responds to recommendations of the Government Accountability Office and stakeholders for HUD to enhance its fair housing planning obligations by providing greater clarity and support to jurisdictions receiving HUD funding, and facilitating local decision-making on fair housing priorities and goals.

For more than forty years, HUD funding recipients have been obligated by law to reduce barriers to fair housing. Established in the Fair Housing Act of 1968, the law directs HUD and its program participants to affirmatively further the Act's goals of promoting fair housing and equal opportunity. The final rule on affirmatively furthering fair housing (AFFH) aims to provide all HUD grantees with clear guidelines and the data that will help them to achieve those goals, because no child's ZIP code should determine her opportunity to achieve.

HUD's rule clarifies and simplifies existing fair housing obligations for HUD grantees to analyze their fair housing landscape and set locally-determined fair housing priorities and goals through an Assessment of Fair Housing (AFH). To aid communities in this work, HUD will provide open data to grantees and the public on patterns of integration and segregation, racially and ethnically concentrated areas of poverty, disproportionate housing needs, and disparities in access to opportunity. This improved approach provides a better mechanism for HUD grantees to build fair housing goals into their existing community development and housing planning processes. In addition to providing data and maps, HUD will also provide technical assistance to aid grantees as they adopt this approach.

Key features of this final rule include:

- Clarifying existing fair housing obligations. Existing patterns of meeting AFFH obligations have been undermined by limited access to data about fair housing conditions and access to opportunity. A Government Accountability Office report from 2010 also cited a lack of clarity, standards, and transparency for communities under the current process. HUD's rule clarifies and standardizes this process.
- Publicly open data on fair housing and access to opportunity. HUD will provide publicly open data and mapping tools to aid community members and local leaders in setting local fair housing priorities and goals.
- A balanced approach to fair housing. The final rule helps to facilitate communities relying on local knowledge and local decision-making to determine best strategies for meeting their fair housing obligations at the local level – including making place-based investments to revitalize distressed areas, or expanding access to quality affordable housing throughout a community.

- Expanding access to opportunity. The strength of America's economy, the stability and security of its neighborhoods, and the ability for all to prosper depends on all Americans having equal access to opportunity – no matter what they look like or where they come from. This rule facilitates local decision-making by HUD grantees to expand equal access to opportunity for all Americans.
- Valuing local data and knowledge. HUD is providing grantees with publicly open data to assist with their assessment of fair housing, but grantees will also use local data and knowledge to inform local decision-making, including information obtained through the community participation process.
- Customized tools for local leaders. Recognizing that one size does not fit all grantees, given their differing responsibilities and geographic areas served, HUD will be providing fair housing assessment tools specific to local jurisdictions, public housing authorities (PHAs), and states and Insular Areas.
- Collaboration is encouraged. Many fair housing priorities transcend a grantee's boundaries. Actions to advance these priorities often involve coordination by multiple jurisdictions. The final rule encourages grantees to collaborate on fair housing assessments to advance regional fair housing priorities and goals.
- Community voice. The rule facilitates community participation in the local process to analyze fair housing conditions and set local priorities and goals.
- A phased-in approach. The final rule provides for additional time for communities to adopt this improved process for setting local fair housing priorities than originally proposed.
- Additional time for small grantees and recent regional collaborations. Local jurisdictions receiving a CDBG grant of \$500,000 or less and qualified PHAs will have more time to submit their first AFH. Grantees that recently submitted a Regional Analysis of Impediments in connection with HUD's Sustainable Communities competition have additional time to submit their first AFH than originally proposed.