



TOWN PLAN AND ZONING COMMISSION
PUBLIC HEARING AND REGULAR MEETING
Wednesday, July 8, 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. ZONING ENFORCEMENT OFFICER REPORT

V. PUBLIC HEARINGS

- a. Petition #23-15: Special Exception (Section 3.2.8: Charitable/Civic Event) at 3120 Berlin Turnpike (Panera) for classic car event. Charter Oak Firebirds, applicant; Newington VF LLC, owner; Brad Benoit, 174 Coe Avenue, East Haven CT, contact.
- b. Petition #16-15: Zoning Text Amendment (Section 3.1.3.B: Roadside Farm Stands). Andy Billipp, 277 Cedar Street, Newington CT, applicant/contact.
- c. 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.
- d. 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.

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

VII. REMARKS BY COMMISSIONERS

VIII. MINUTES

- a. Special Meeting May 27, 2015
- b. Regular Meeting May 27, 2015
- c. Regular Meeting June 10, 2015

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2015 JUL -1 AM 9:35

BY *Tanya D. L...*
TOWN CLERK

IX. 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. TOD (Transit-Oriented Development) Regulations for CTfastrak Neighborhoods.

X. OLD BUSINESS

XI. PETITIONS FOR PUBLIC HEARING SCHEDULING

- a. Petition #25-15: Special Exception (Section 6.2.4: Free-standing Business Sign) at 2525 Berlin Turnpike (Doogie's Hot Dogs). Roberta Aronheim, 11 Farnham Avenue, Waterbury CT, owner/applicant/contact.
- b. 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.

XII. TOWN PLANNER REPORT

- a. Town Planner Report for July 8, 2015
- b. Conditions of Approval at "Packard's Way subdivision

XIII. COMMUNICATIONS

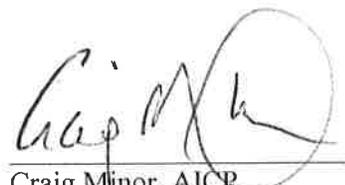
XIV. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

XV. REMARKS BY COMMISSIONERS

XVI. CLOSING REMARKS BY THE CHAIRMAN

XVII. ADJOURN

Submitted,



Craig Minor, AICP
Town Planner

NET 52188
\$250.00
3868-6740

Petition # 23-15



TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: Panera Bread 3120 Berlin Turnpike ZONE: PD

APPLICANT: Charter OAK Firebirds TELEPHONE: 203-467-4482

ADDRESS: _____ EMAIL: _____

CONTACT PERSON: Brad Benoit, President TELEPHONE: 203-467-4482

ADDRESS: 174 COE AVE, EAST HAVEN CT 06512 EMAIL: charteroakbirds@yahoo.com

OWNER OF RECORD: PANERA BREAD

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 3.2.8 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>Brad Benoit</u> APPLICANT	<u>5/12/15</u> DATE	<u>La C. Holy</u> OWNER	<u>6-8-2015</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).

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.

May 22, 2015
Town of Newington
Planning and Zoning

Explanation of Proposed Activity

Charter Oak Firebirds is a classic car club founded 10 years ago to promote the restoration and enjoyment of classic cars. We are also an organization dedicated to helping CT children's charities through funds raised holding car shows. Over the past years, we have donated all of our season's donation proceeds to Ct Children's Medical Center, Yale Pediatric, Hole in the Wall Gang Camp, and the Solnit Adolescent Rehab Center.

We seek formal approval to hold 9 such events throughout the summer and fall of 2015 at the Panera Bread location at 3120 Berlin Turnpike, Newington. This event has been held at this location for 8 years, with typically 10 events per year. The shows are the first and third Saturday of each month, running from May through October, and taking place from approximately 4:00 PM until 8:30 PM each time. We use a 10' x 10' popup tent to hold the DJ equipment, and a couple of folding trophy tables. No additional signs or alterations to the property are made.

The event is held with the permission and support of Panera Bread, and has been expertly run by the experienced members of the Charter Oak Firebirds for 8 years. We do not know of any incidents of injury, police complaint, or property damage of any kind, and it is a friendly family oriented event.

The club does carry event insurance, and makes every effort to keep the event safe for everyone. We maintain an open access to Panera Bread's handicapped parking for any patron's of Panera who require it, and keep the fire lane and building access open for any emergency.

Remaining 9 event dates for 2015 are 6/6, 6/20, 7/18, 8/1, 8/15, 9/5, 9/19, 10/3 and 10/17

Thank You for your consideration of our request

Brad Benoit, President
Charter Oak Firebirds Club
charteroakbirds@yahoo.com

BERLIN TURNPIKE

N 22° 24' 30" E 326.05'

APPROXIMATE PROPERTY LINE

10' WIDE EASEMENT STRIP PER MAP REF.

VOL 165 PAGE 659

APPROXIMATE PROPERTY LINE

G

157.96'

SOIL PER FOR 150

TABLE

PANERA BREAD
BAKERY BREAD

DS TENT

OPEN

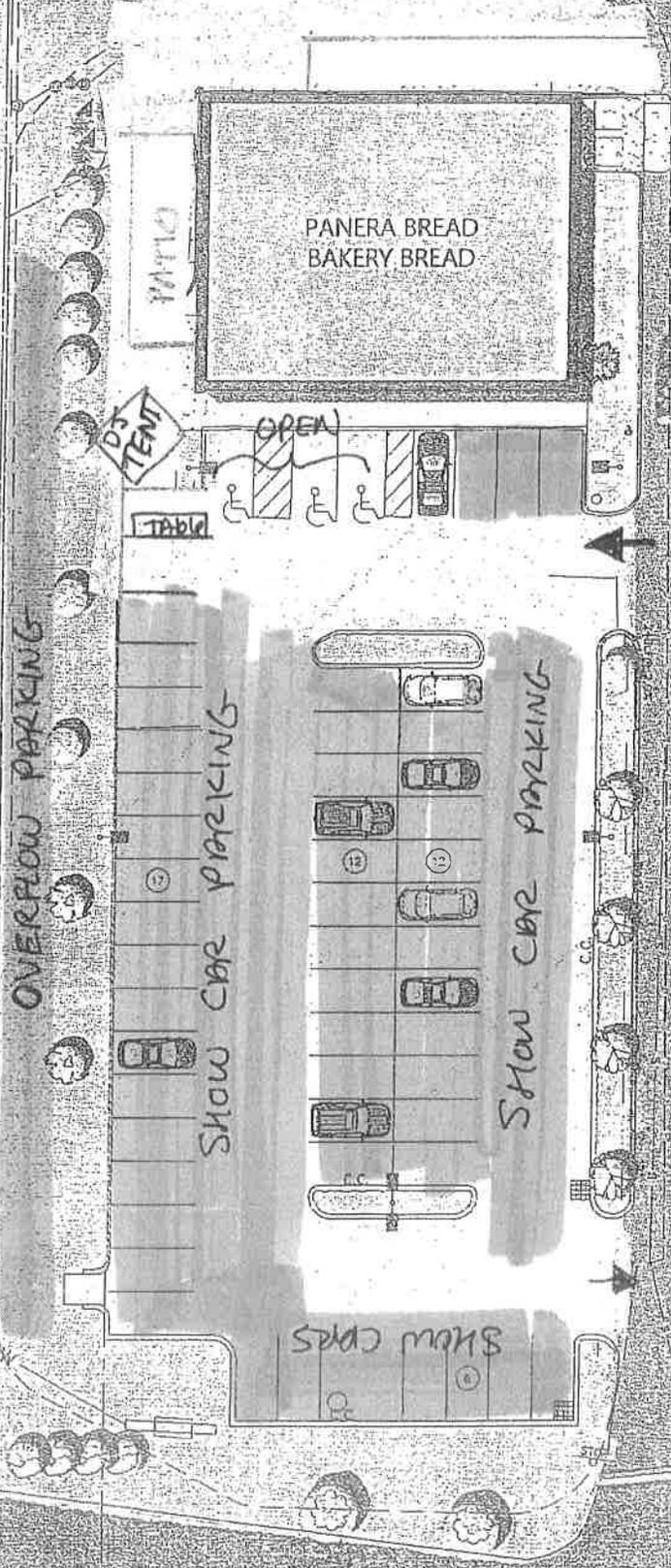
TABLE

OVERFLOW PARKING

SHOW CAR PARKING

SHOW CAR PARKING

SHOW CARS



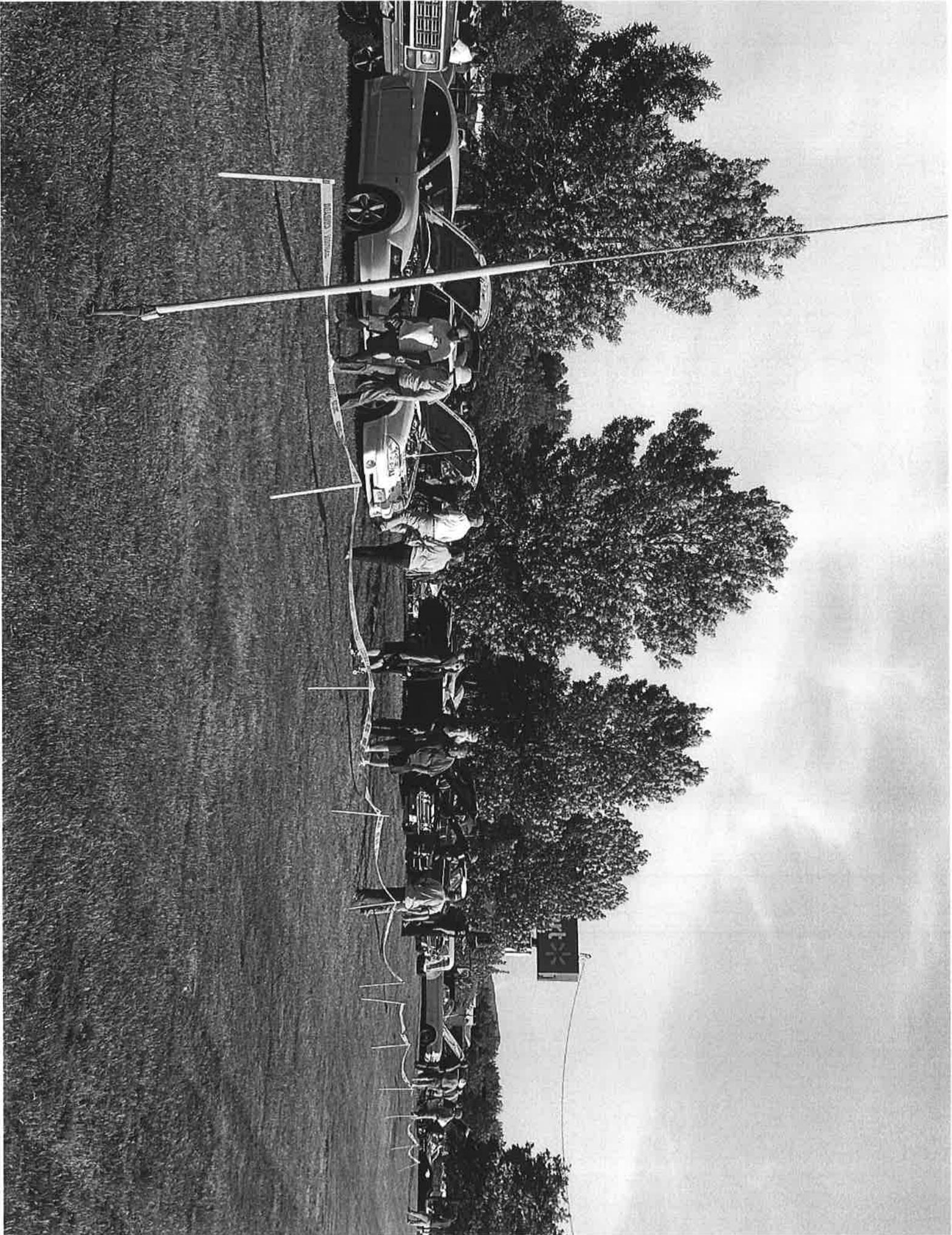
Berlin Turnpike

15

Howland Bread Group

3120 Berlin Turnpike

Google





STAFF REPORT
Classic Car Show at Panera Bread

July 1, 2015

Petition #23-15:

Special Exception (Section 3.2.8: Charitable/Civic Event)

3120 Berlin Turnpike (Panera)

Charter Oak Firebirds, applicant; Newington VF LLC, owner; Brad Benoit, 174 Coe Avenue, East Haven CT, contact.

Description of Petition #23-15:

The applicant organization would like to conduct a series of classic car shows during the summer and fall of 2015, on Saturdays between 4 pm and 8:30 pm. The event will take place in the Panera Bread parking lot, with “overflow” on the grass between the parking lot and the Berlin Turnpike. These events are a fundraiser for children’s charities. See the “Explanation of Proposed Activity” submitted by the applicants (attached).

This activity is allowed in all zones by Special Permit, per Section 3.2.8 of the Zoning Regulations:

3.2.8 Charitable and Civic Events

The use is for charitable purposes or for the direct support of said local charitable, civic or religious group; provided that such use shall be limited by such restrictions and/or conditions as the Commission may impose. Any permit so authorized shall be for such times as the Commission may determine is reasonable, but in no case longer than 10 days.

Staff Comments:

This event has been conducted several times with no permit, because the applicants did not realize a permit from TPZ was required.

My only concern is with the “overflow parking” in the grass. The applicants propose to keep participant cars and spectators away from the street through the use of yellow “police tape” held in place by stakes (see attached photos from previous events, and an aerial Google Maps photo). This has apparently been sufficient in the past.

cc:
Applicant
file

Section 3.1 Uses Permitted in Any Zone

The following uses are compatible with any class of uses and are permitted in any zone. All such permitted uses shall comply with the appropriate height, area and site plan requirements of these regulations.

- 3.1.3 Farms, to include animal husbandry or horticultural uses, under the following conditions:
- A. All structures, except dwellings shall hereafter be located not less than 100 feet from any street line and 100 feet from any dwelling on an adjacent lot, except that this requirement shall not restrict fencing for pastures for horses and cows.
 - B. Roadside farm stands must be set back at least 20 feet from the street line and only produce grown on the premises may be sold. **The Commission may approve one or more vehicle selling food items not made or grown on the premises, such as ice cream.**
 - C. Commercial slaughtering, except animals raised on the premises, is prohibited. The keeping of any animal(s) other than house pets requires at least five (5) acres for such purpose.
 - D. None of these uses shall create offensive odors, noise or unsightly appearance noticeable off the premises.
 - E. A free standing sign not exceeding nine (9) square feet per side and not more than 8 feet maximum height advertising farm products grown or raised on the property may be permitted by Special Exception from the Commission.

Proposed Zoning Amendment to Section 3.1

The proposed zoning amendment would allow the Eddy Farm vegetable stand to expand its business to include a mobile vending unit. Our intentions are to use this unit to prepare and sell high quality, locally made ice cream cups and cones, as well as smoothies and fresh juices, to farm stand customers. We believe that the commission should approve this amendment for the following reasons:

- A. The farm stand has been operating in this location for many years, the addition of a mobile vending unit will not impact the surrounding area in the same way that adding a roadside business to a previously unoccupied area would.
- B. No permanent structures or buildings involved. The use of a mobile unit would expand our business with zero impact to the landscape, the surrounding wetlands, or the atmosphere of that particular area.
- C. The farm stand is a family friendly, wholesome part of our community, and a part of daily life for many Newington residents in the summer time. Ice cream and other refreshments, in an outdoor setting, overlooking Newington's last remaining farm would be a welcome addition to the activities and services within walking distance of Newington center.

Thank you for your consideration of this amendment. The Town of Newington and Eddy Farm have always had a good working partnership, and we look forward to hearing the results of our application.

The Billipps,
Owners, Eddy Farm

June 18, 2015

TO: NEWINGTON PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2015-43: Proposed regulation amendment to Section 3.1 (Uses Permitted in Any Zone) to allow the Commission to approve one or more vehicles selling food items not made or grown on the premises, such as ice cream, at farm stands.

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

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

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

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 7/8/2015.

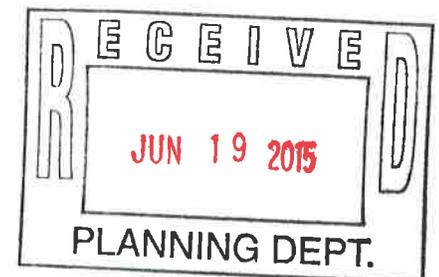
DISTRIBUTION: Planner: Rocky Hill, Wethersfield, Hartford, West Hartford, Farmington, New Britain, Berlin

Respectfully submitted,
Sandra Bobowski, Chairman
Regional Planning Commission

Karl Robert Profe, Vice Chairman
Regional Planning Commission



Lynne Pike DiSanto, AICP
Senior Planner and Policy Analyst



STAFF REPORT
Text Amendment to Allow Non-Produce Sales at Farm Stands

July 1, 2015

Petition #16-15:

**Zoning Text Amendment (Section 3.1.3.A: Roadside Farm Stands).
Andy Billipp, 277 Cedar Street, Newington CT, applicant/contact.**

Description of Petition #16-15:

This is a request to amend the zoning regulations pertaining to “farm stands”, to allow the sale of food items that were not grown on site.

Staff Comments:

The family that owns and operates the Eddy Farm farm stand would like to be able to offer additional food items such as ice cream and smoothies. This is currently prohibited:

- A. All structures, except dwellings shall hereafter be located not less than 100 feet from any street line and 100 feet from any dwelling on an adjacent lot, except that this requirement shall not restrict fencing for pastures for horses and cows. Roadside farm stands must be set back at least 20 feet from the street line and only produce grown on the premises may be sold (emphasis added).

Last year the applicant asked me for help in making it possible to host an ice cream truck at the farm stand. I analyzed the farm stand zoning regulations to identify which restrictions are important to maintain the “residential character” of the neighborhood around the farm stand, and which restrictions could be modified without doing damage to the original intent. I felt that adding the sentence...

The Commission may approve one or more vehicles selling food items not made or grown on the premises, such as ice cream.

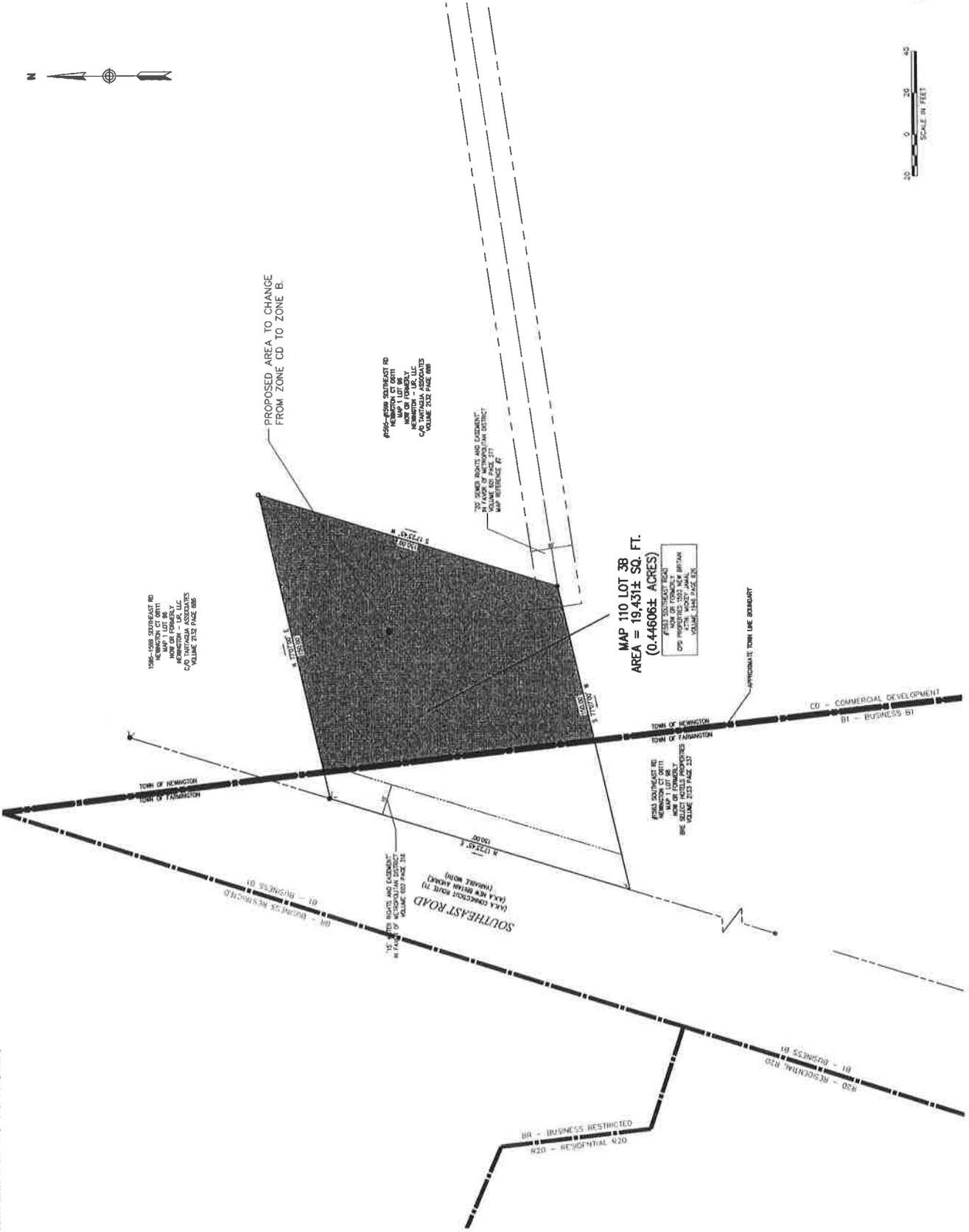
...would make it possible for the applicants to sell ice cream without opening up the door to the unrestricted sale of items not grown on the farm.

When this requested text amendment was presented to TPZ for scheduling at the May 13 meeting, it was brought to my attention that fruits and vegetables not grown on the Eddy Farm have in fact been traditionally been sold at the farm stand. If the TPZ is not overly concerned about this practice, then I suggest adding the words “or locally” to the phrase, “only produce grown on the premises may be sold”.

There are only two farms in Newington, the other being the Town-owned Deming-Young Farm, so I don't see this amendment having any impact anywhere else in town.

This text amendment has been referred to CRCOG, which found “no apparent conflict with regional plans and policies or the concerns of neighboring towns.”

cc:
Andy Billipp
file



PROPOSED AREA TO CHANGE FROM ZONE CD TO ZONE B1

1000-1000 SOUTHWEST RD
NEWINGTON, CT 06111
NEW YORK, NY
NEWTON - OR, LLC
NEWTON - OR, LLC
NEWTON - OR, LLC
VOLUME 2132 PAGE 080

1000-1000 SOUTHWEST RD
NEWINGTON, CT 06111
NEW YORK, NY
NEWTON - OR, LLC
NEWTON - OR, LLC
NEWTON - OR, LLC
VOLUME 2132 PAGE 080

20' SIDE RIGHTS AND EASEMENT
IN FAVOR OF NEWINGTON DISTRICT
NEWINGTON, CT
MAP REFERENCE #1

MAP 110 LOT 38
AREA = 19,431± SQ. FT.
(0.44606± ACRES)
TOWN OF NEWINGTON
TOWN OF FARMINGTON
APPROXIMATE TOWN LINE BOUNDARY

1000-1000 SOUTHWEST RD
NEWINGTON, CT 06111
NEW YORK, NY
NEWTON - OR, LLC
NEWTON - OR, LLC
NEWTON - OR, LLC
VOLUME 2132 PAGE 080

1000-1000 SOUTHWEST RD
NEWINGTON, CT 06111
NEW YORK, NY
NEWTON - OR, LLC
NEWTON - OR, LLC
NEWTON - OR, LLC
VOLUME 2132 PAGE 080

SOUTHWEST ROAD
(AKA CONCORD ROAD (N) (FORMER HIGHWAY 60))

CD - COMMERCIAL DEVELOPMENT
B1 - BUSINESS B1

R20 - RESIDENTIAL
R20A - BUSINESS RESTRICTED

R20 - RESIDENTIAL R20
R20A - BUSINESS B1



Z-2

Scale: 1" = 200'

Proposed Retail Site
1593 Southeast Road
Farmington/Newington, Connecticut

Zone Change
Application
Not Approved for Construction
Zone Change Map

May 4, 2015

June 18, 2015

TO: NEWINGTON PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2015-46: Proposed map amendment from CD (Commercial Development) zone to B (Business) zone for a 19,431 SF portion of 1593 Southeast Road located in Newington. The parcel is also partially in Farmington.

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

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

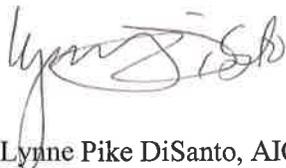
Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 7/8/2015.

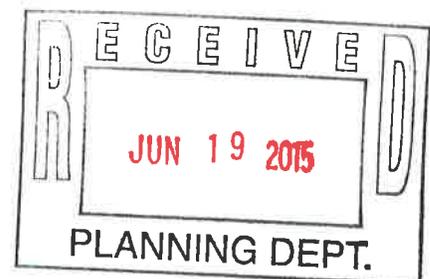
DISTRIBUTION: Planner: Rocky Hill, Wethersfield, Hartford, West Hartford, Farmington, New Britain, Berlin

Respectfully submitted,
Sandra Bobowski, Chairman
Regional Planning Commission

Karl Robert Profe, Vice Chairman
Regional Planning Commission



Lynne Pike DiSanto, AICP
Senior Planner and Policy Analyst



STAFF REPORT
Zone Change from "CD" to "B" at 1593 Southeast Road

July 1, 2015

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.

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:

1. When considering a zone change, it is appropriate to consider the possibility of new uses which are not compatible with the existing character of the neighborhood. A wide range of uses are allowed in the B zone that are not allowed in the CD zone, namely:

1. Retail stores and trades including banks.
2. Personal service shops or stores.
3. Business or professional offices.
4. Clubs or fraternal organizations.
5. Places of assembly for recreation, such as health clubs and dance studios.
6. Funeral parlors or mortuaries.
7. Services which customarily use specialized equipment, such as printers, dry cleaners, and the like.
8. Coin-operated games and devices.
9. Restaurants (excluding drive-in or curb services restaurants.)

The only uses allowed in the CD zone are:

1. Office uses, business and professional services, including corporate headquarters.
2. Conference centers.
3. Research laboratories.
4. Research and development uses.
5. Any other use which is essentially compatible and similar to those listed above may be authorized by the Commission as a permitted use provided that the reasons and conditions, if any, appear as part of the record of the Commission.

However, none of the existing businesses in the vicinity of 1593 Southeast Road (i.e. in the CD zone) appear to be conforming anyway: a Barnes & Noble book store; a Courtyard/Marriott hotel; a FedEx printing and shipping store; and a Bed Bath & Beyond home goods store. I do not know how these came to be permitted, but they might predate the current CD regulations.

2. The Zoning Regulations do not contain any requirements or guidelines for reviewing a zone change. Sec. 8-3(b) of the Connecticut General Statutes states that:

In making its decision the commission shall take into consideration the plan of conservation and development, prepared pursuant to section 8-23, and shall state on the record its findings on consistency of the proposed establishment, change or repeal of such regulations and boundaries with such plan.

I have reviewed the 2020 Plan of Conservation and Development, and I found nothing that this proposed zone change is inconsistent with.

3. The parcel in question complies with all of the bulk requirements of the B zone. In fact, given the size of the parcel and the setbacks of the existing building, if approved, this zone change eliminates several existing non-conformities.

4. Section 3.10.2.B of the Zoning Regulations requires the simultaneous submission of an application for site plan approval. A site plan application has been submitted, and is on the agenda for the TPZ's consideration.

5. This text amendment has been referred to CRCOG, which found "no apparent conflict with regional plans and policies or the concerns of neighboring towns."

cc:
Attorney Daniel Kleinman
file



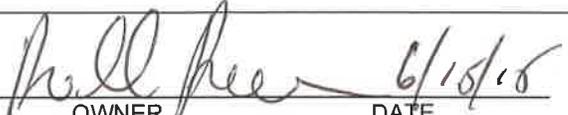
TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION
APPLICATION FORM

LOCATION OF PROPERTY: 3375 Berlin Tpke ZONE: PD
APPLICANT: WNT VIII, LLC TELEPHONE: 860-206-6284
ADDRESS: 30R Bartholomew Ave Hartford ⁰⁶¹⁰⁶ EMAIL: Mike@wntus.com
CONTACT PERSON: Michael Hamlin TELEPHONE: 860-919-3333
ADDRESS: 287 Chesterwood Terrace
Southington, Ct 06489 EMAIL: Mike@wntus.com
OWNER OF RECORD: Furniture Executives No. 4 L.P.

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 3.15.3 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>6/15/15</u>		<u>6/15/15</u>
APPLICANT	DATE	OWNER	DATE

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**Hartford Restaurant Group
30-R Bartholomew Avenue
Hartford, CT 06106
860-206-6284**

To whom it may concern,

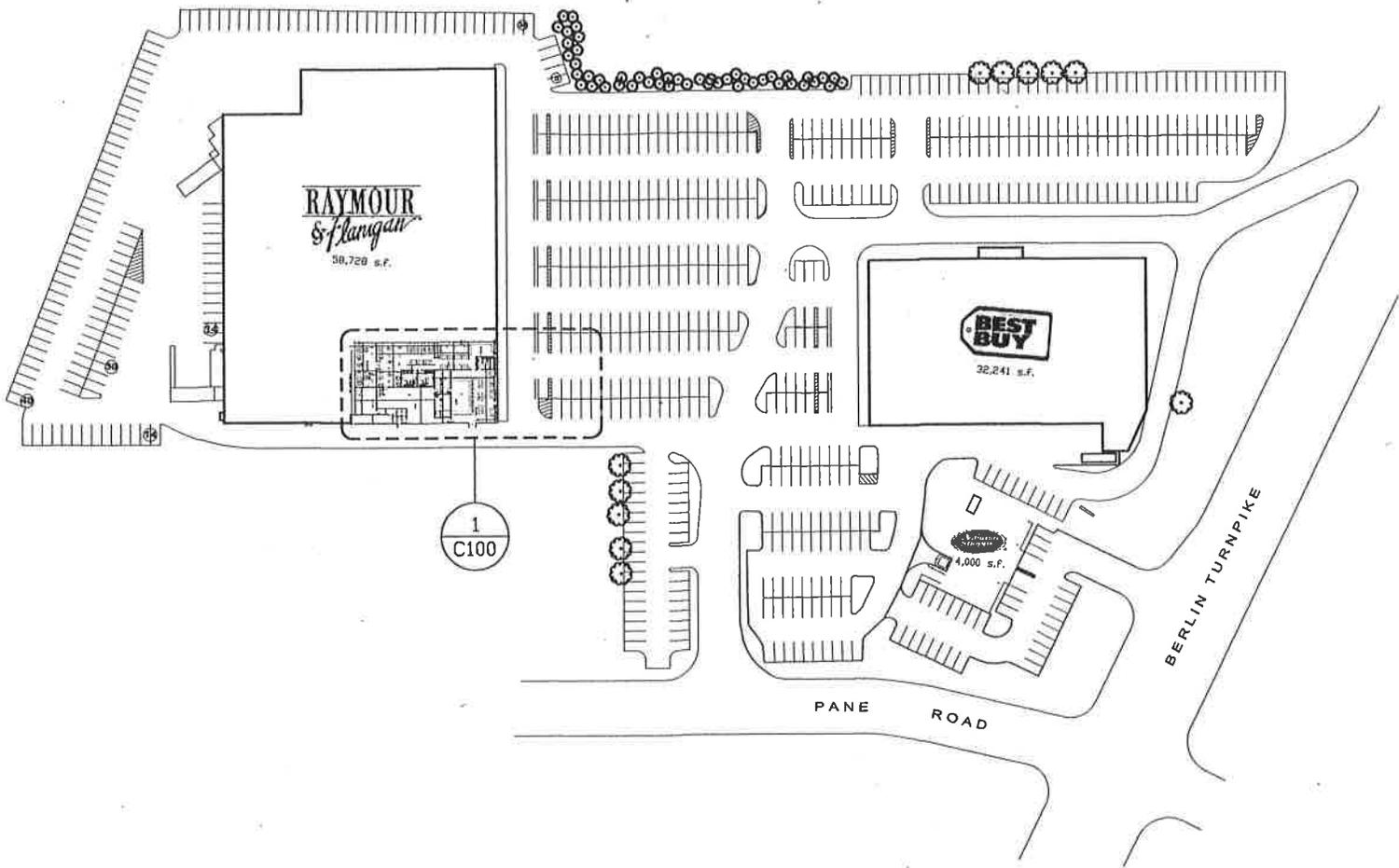
We at Hartford Restaurant Group are looking to open a full service restaurant a Wood n Tap at 3375 Berlin Turnpike, Newington. The restaurant will be approximately 10,000 square feet consisting of a party room and a bar and have a patio attached as well.

We are looking for an approval for the restaurant and patio use as well.

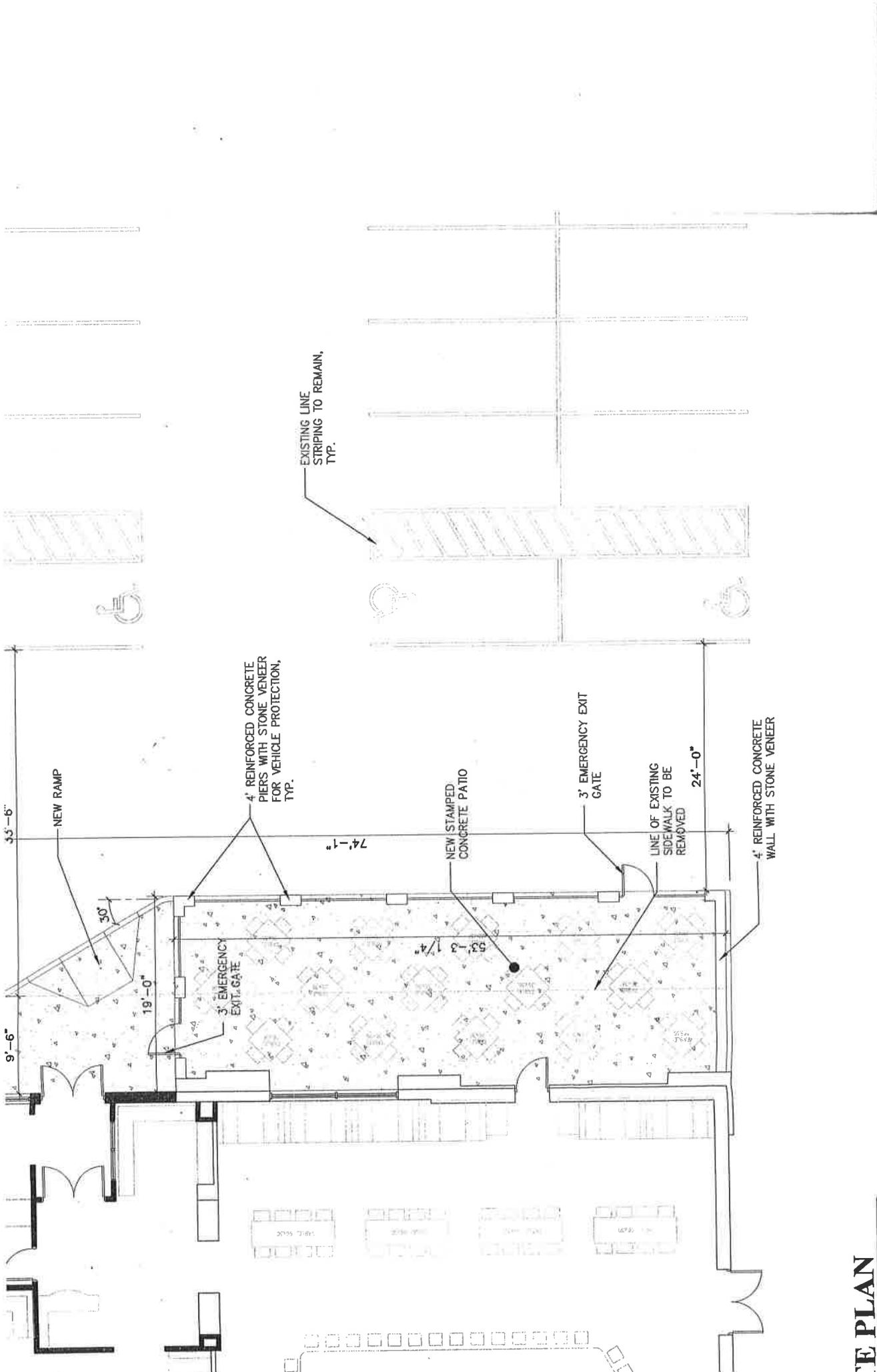
Thank You,

Michael Hamlin

A handwritten signature in black ink, appearing to read 'Michael Hamlin', with a long, sweeping horizontal stroke extending to the right.



KEY PLAN
NOT TO SCALE



EXISTING LINE STRIPING TO REMAIN, TYP.

NEW RAMP

4' REINFORCED CONCRETE PIERS WITH STONE VENEER FOR VEHICLE PROTECTION, TYP.

NEW STAMPED CONCRETE PATIO

3' EMERGENCY EXIT GATE

LINE OF EXISTING SIDEWALK TO BE REMOVED

4' REINFORCED CONCRETE WALL WITH STONE VENEER

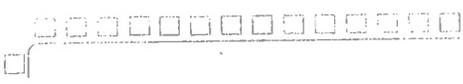
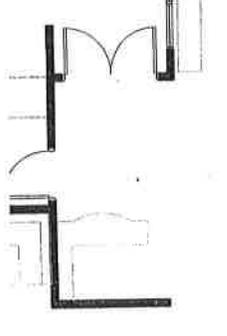
3.5'-6"

9'-6"

19'-0"

74'-1"

24'-0"



E PLAN

STAFF REPORT
Wood N Tap Restaurant

July 2, 2015

Petition #24-15:

Special Exception (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 #24-15:

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.

Restaurants are allowed by Special Permit in the B-BT and the PD zones:

- 3.14.3 Restaurants for consumption of food prepared and served within the building at tables or counters and at outside seating areas when approved by the commission; and restaurants where food is prepared within the building and sold to customers for takeout and consumption off site. (Effective 7-8-98)

Staff Comments:

I have no immediate concerns with this proposal, but a complete site plan has not been provided. The partial plan that was submitted with the special permit application shows an outside dining area extending an additional 10' into the parking lot, but the plan does not provide enough information to evaluate the impact on traffic circulation. I have advised the applicants about that.

The existing building is larger than 50,000 s.f. (58,728 s.f.), so the change in use from retail to restaurant does not impact the amount of required parking spaces.

cc:
Applicant
file

STAFF REPORT
One-lot Subdivision at 149 Maple Hill Road

July 4, 2015

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.

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:

My comments on the plans are relatively minor (attached).

However, as of this writing the applicant's consulting engineer has not addressed the Town Engineer's comments (attached), most significantly with regard to the Town's LID regulations. I do not know if he will do so in time for the Town Engineer to review them in time for the July 8 meeting.

July 8 is the last regular TPZ meeting before the 65 day decision deadline. If TPZ does not act on this application before the 65th day, the application is automatically approved. I asked the applicant's consultant on June 24 to tell his client that we will probably need an extension from his client, or else TPZ will have to "deny without prejudice". I have not heard back from him.

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: July 1, 2015
Re: Status of TOD Zoning Amendment Process

The outline for this and future memo's will be the "consultant selection process" that I will prepared for the previous TPZ meeting.

1. Secure the funding. As of this writing I have not determined exactly what the funding situation is, but I will do so prior to the July 8 meeting.
2. Develop a "Request for Qualifications" (RFQ). I have contacted several other Connecticut town that recently adopted TOD regulations and asked for a copy of the RFQ that they used to define the scope of project and the level of experience that the successful applicant should possess. As of this writing I have received one, but I would like several more before I start drafting our RFQ.

cc:
file

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

CR# 174

Petition # 25-15



TOWN OF NEWINGTON

TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 2525 BERLIN TPK ZONE: _____

APPLICANT: R. ARONHEIM TELEPHONE: 203-232-8100

ADDRESS: 2525 BERLIN TPK EMAIL: DOOGIES@SBCGLOBAL.NG

CONTACT PERSON: SAME TELEPHONE: SAME

ADDRESS: 11 FARNHAM AVENUE WATERBURY EMAIL: SAME
CT. 06708

OWNER OF RECORD: ROBERTA M. ARONHEIM

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): PYLON SIGN CHANGE

SIGNATURE: [Signature]

<u>R. ARONHEIM</u>	<u>6/16/15</u>	<u>R. Aronheim</u>	<u>6/16/15</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.

**DOOGIE'S &
THE CLAM DIGGER**

**HOME OF THE
2 FT HOT DOG**



**BURGERS
DOGS**



FRESH SEAFOOD

ALLOWED 123 SF
TOP SIGN = 64 SF
BAL 59 SF
BOTTOM SIGN = 56 SF

(2) new faces 4' x 8' \$575.00 ea = \$1150.00 + tax

(2) new illuminated signs 4' x7' installed
as per design on existing pole
\$850.00 ea = \$1700.00 + tax

STAFF REPORT
Free-Standing Sign at 2525 Berlin Turnpike (“Doogie’s Hot Dogs”)

July 2, 2015

Petition #25-15:

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

2525 Berlin Turnpike (Doogie’s Hot Dogs)

Roberta Aronheim, 11 Farnham Avenue, Waterbury CT, owner/applicant/contact.

Description of Petition #10-15:

The applicant would like to remove the message panel of the existing free-standing sign, and replace it with two new panels.

Section 6.2.4 allows free-standing business signs in any non-residential zone by special exception.

Staff Comments:

The area of the two new panels is more than is currently there, so the applicant proposes to remove one of the existing wall signs to compensate. The ZEO has analyzed this application and has informed me that it complies with the sign regulations.

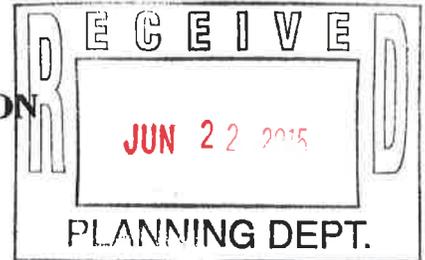
I recommend the public hearing be scheduled for the next TPZ meeting, on July 22, 2015.

cc:
file



Petition # 25-16

TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION
APPLICATION FORM

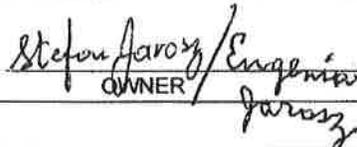


LOCATION OF PROPERTY: 33 PFISTER DRIVE, NEWINGTON, CT 06111 ZONE: R-20
APPLICANT: BHAGYESH AND SHVETA PATEL TELEPHONE: 732-397-2235
ADDRESS: 114 GLOUCESTER COURT, NEWINGTON, CT 06111 EMAIL: BHAGY_PATEL@YAHOO.COM
CONTACT PERSON: BHAGYESH PATEL TELEPHONE: 732-397-2235
ADDRESS: 114 GLOUCESTER COURT, NEWINGTON, CT 06111 EMAIL: BHAGY_PATEL@YAHOO.COM
OWNER OF RECORD: STEFAN AND EUGENIA JAROSZ ^{sj 6/17/15} Jaros2

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



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

STAFF REPORT
Accessory Apartment at 33 Pfister Drive

July 2, 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 approval does not automatically transfer to the next owner. The applicant is the prospective buyer.

Staff Comments:

I have not reviewed this application closely, but since it is an existing TPZ-approved apartment, I do not expect to find any problems with it.

I recommend the public hearing be scheduled for the next TPZ meeting, on July 22, 2015.

cc:
file