



TOWN PLAN AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

Wednesday, July 9, 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 25, 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. Continued from June 25, 2014.
- 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. Continued from June 25, 2014.
- d. Petition #38-14: Special Exception (Section 6.2.4: Free-Standing Sign) at 184 Fenn Road. Arco Sign Company, applicant; Extra Space Properties Two LLC, owner; Marc Cohen, 1130 So. Broad Street, Wallingford CT, contact.
- e. 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.

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

V. REMARKS BY COMMISSIONERS

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS
2014 JUL -2 A 10:43
VOLUME BY *Tanya D Lane* PAGE
TOWN CLERK

VI. MINUTES:

- a. June 25, 2014

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

X. TOWN PLANNER REPORTS

- a. Town Planner Report for June 25, 2014

XI. COMMUNICATIONS

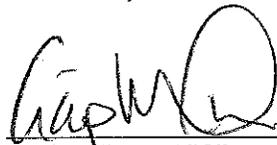
XII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

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

July 1, 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:

The applicants' engineer told me that he is working on a plan that increases the length of the queue and stays within the existing lease limits, with a painted crosswalk across the aisle that separates Panera from the rest of the shopping center. It does not involve the suggestion that was made by the TPZ at the June 11 meeting. He hopes to have these plans available at the hearing on Wednesday.

Based on what I did not hear, I assume that Panera either did not ask the property owner for an increase to their leased area, or the cost was prohibitive.

cc:
Bryan Slonski
Jeff LeBeau
file

STAFF REPORT
Zone Change at 16 Fenn Road

July 1, 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

Notice of the requested zone change was sent to New Britain. As of this writing I have not received any comments.

Notice was also sent to CCRPA, and their response was that this zone change presents

"no conflict with regional plans and policies or the concerns of neighboring towns."

I have no objection to this request.

cc:
Richard Hayes
file

STAFF REPORT
Special Exception for Fueling Station at 16 Fenn Road

July 1, 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

These are the same comments as in my previous report.

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

TOWN OF NEWINGTON



TOWN PLAN AND ZONING COMMISSION

APPLICATION FORM

LOCATION OF PROPERTY: 184 Fern Rd ZONE: I

APPLICANT: ARNO SIGN & INC TELEPHONE: 203 238-1224

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

CONTACT PERSON: Marc Cohen TELEPHONE: 203 494-7429

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

OWNER OF RECORD: Extra Space Properties Two LLC

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

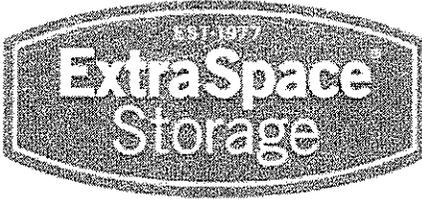
- Zoning Map Change from the _____ to the _____ Zone (Public Hearing required).
- Zoning Text Amendment to Section _____. A copy of the proposed amendment and the reason for amendment is attached (Public Hearing required).
- Subdivision
- Resubdivision (Public Hearing required).
- Special Exception per Section 6.24 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 attached</u> OWNER	_____ 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.



April 22, 2014

City of Newington, CT
Attn: Sign Administration

RE: Letter of Authorization
Extra Space Self Storage #1553
184 Fenn Road
Newington, CT 06111

To Whom It May Concern:

I, Tiffany Fletcher, owner's representative of said property, as evidenced by this letter, so hereby authorize Arnco Sign Company, Inc., as a US Signs representative, to use layout number US1200125-R6 dated 4/16/2014 to obtain permits, and install the proposed signage located at 184 Fenn Road, Newington, CT 06111.

Sincerely,

T. Fletcher
Owners Representative Signature

Extra Space Properties Two LLC
Name of Owner

2795 E. Cottonwood Pkwy, Ste 400

SLC, UT 89121
Address of Owner

801-502-5556
Phone Number of Owner

JURAT

State of Utah
County of Salt Lake

Subscribed and sworn/affirmed to before me this 22nd day of April
2014, by Tiffany Fletcher

Joan Kamper
Notary Public

My Commission Expires: April 18, 2015

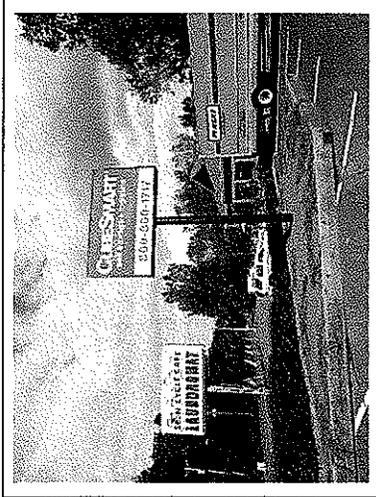
My commission expires: _____



ELEVATION 1

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

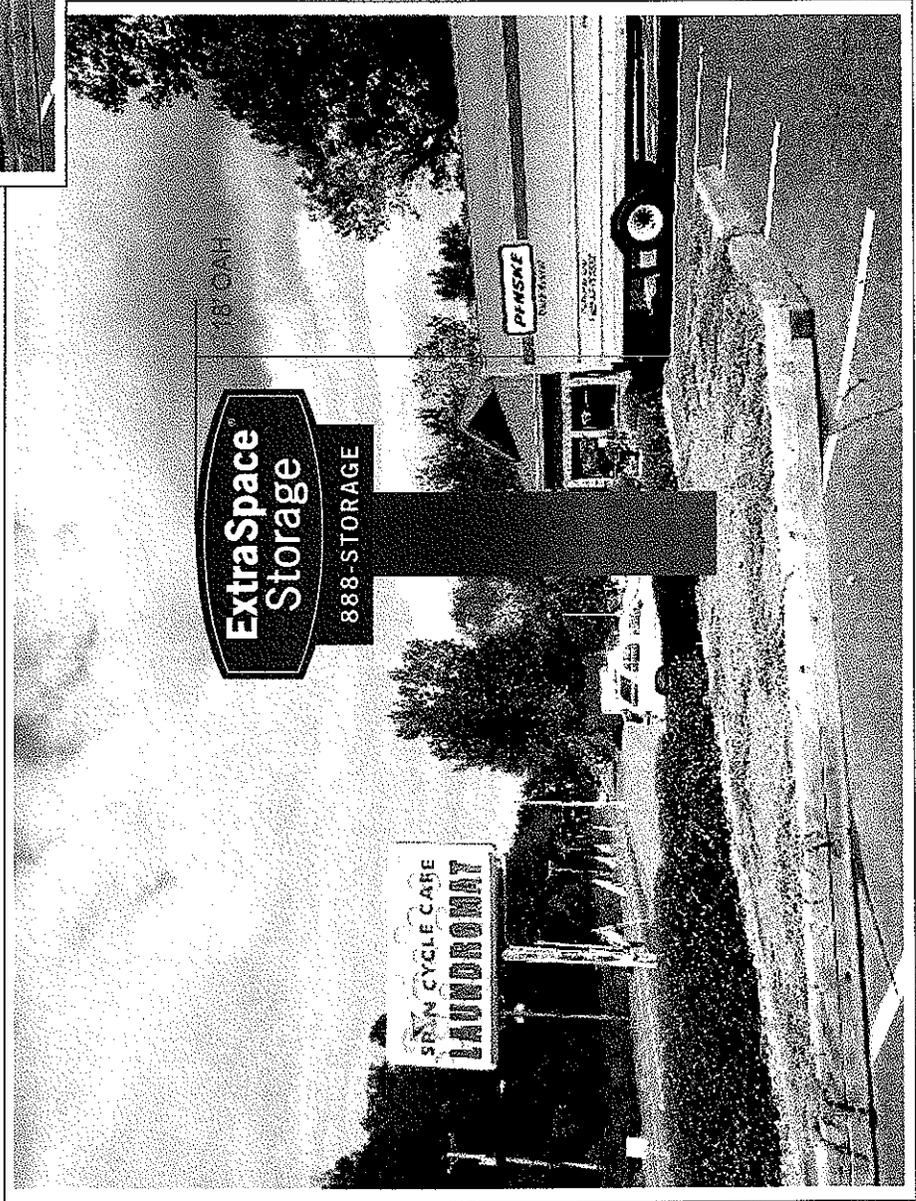
EXISTING



SQUARE FEET CALCULATIONS		
Allowable	Existing	Proposed
375AG	60	65

SIGN 1

PROPOSED



**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 Fenn Road
City: **Newington**
State: **CT 06111**
Account Rep: **LAUSTIN**
Sales Rep: **M.J. Denardo**

APPROVALS
CLIENT
DESIGN
PROD.

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

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

INTERNATIONAL ELECTRIC
AND ELECTRICAL CONTRACTORS
INC.
ELECTRICAL DIVISION
ELECTRICAL DIVISION

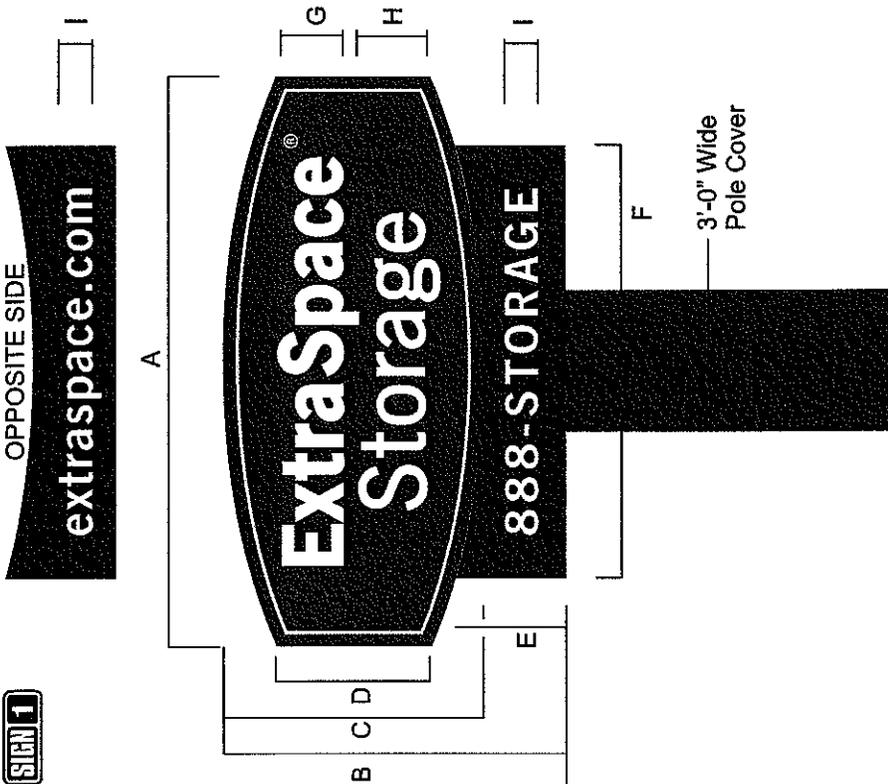
2:10

The purchaser agrees to hold the seller harmless against any claims for action for damage which may occur as a result of drilling for pipe and operations, including but not limited to, sewer, gas, water, or other utilities, which the purchaser or others may deem suitable.

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

3'-0" Wide Pole Cover

PYLON DIMENSIONS

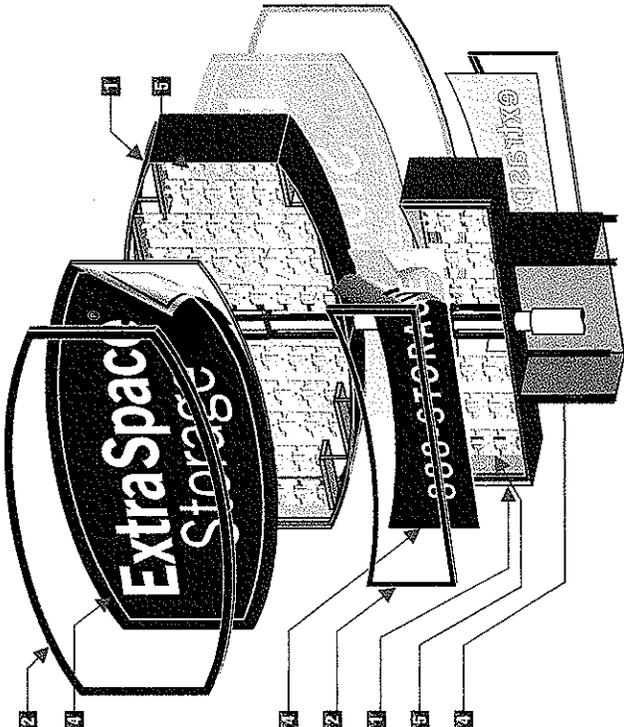
A	B	C	D	E	F	G	H	I	SQUARE FEET	AMPS	NUMBER OF PILES SUPPLIES
10'-5"	6'-2 3/4"	4'-8 5/8"	2'-9 3/4"	1'-10"	7'-1"	1'-1 1/2"	1'-3 3/8"	7 1/2"	65.00	3.92	4

120v circuits are required for all signs.

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	

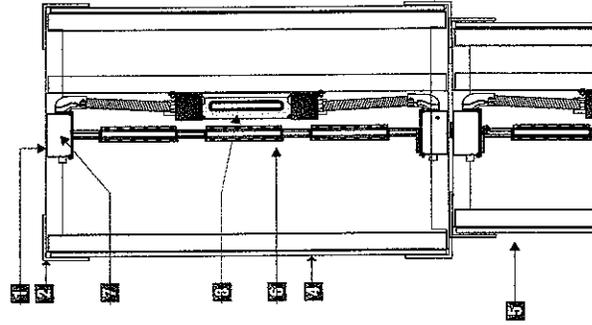
EXPLODED SECTION



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 W/WIREWAY
- 7 ELECTRONIC POWER SUPPLY

SIDE SECTION VIEW



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 305
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 PORE
Design No. Ust200125-R6

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



3:10

The purchaser agrees to hold the seller harmless against any claims for damage which may result from the use of the sign, including but not limited to, fire, gas fires 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.

184 Fenn Rd., Newington, CT - Google Maps - Windows Internet Explorer

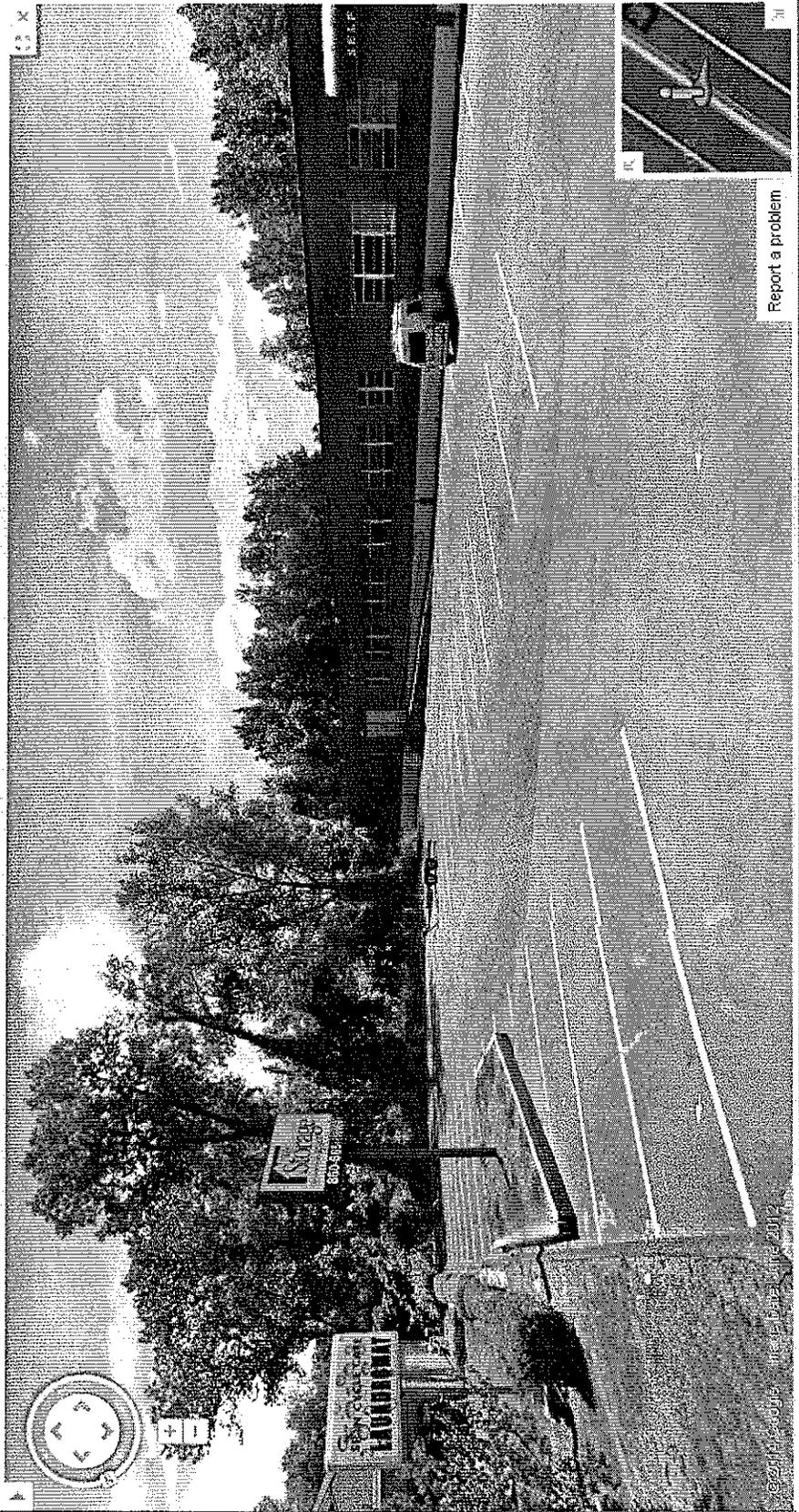
https://maps.google.com/

File Edit View Favorites Tools Help

Favorites Silverlight GIS Viewer Costs of Sprawl Revisited deep EVConnecticut (Electri... vision Government Solutions CGA Google Maps Newington

184 Fenn Rd., Newington, ... x Silverlight GIS Viewer

Google 184 Fenn Rd, Newington, CT



Start

S. Young Barnes, VPZ

applications - Microsoft

STAFF REPORT

184 Fenn Rd, Newington, CT

11:54 AM

STAFF REPORT
Free-Standing Sign for "Extra Space"

July 1, 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 have reviewed the information submitted with the application and it meets all of the requirements (see attached checklist), with the one caveat that I have not yet received confirmation from the Zoning Enforcement Officer that it complies with the maximum amount of signage allowed under Section 6.2.3. I will have that information at the meeting.

cc:
Arnco Sign Company, Inc.
file

6.2.4

Free Standing Business Signs:

In any non-residential zone, Free Standing Business Signs may be permitted by the commission as a special exception subject to the following conditions:

The sign may not exceed 18 feet in height

nor be greater than 150 square feet in area on one side nor 300 square feet on both sides.

Only one (1) free standing sign may be permitted per property.

The aggregate square footage of a site's wall mounted business signs and Free Standing Business Signs shall not exceed the square footage permitted in Section 6.2.3.

Only one (1) free standing sign may be permitted per property, except on corner lots under one ownership the Commission may grant a second free standing sign when it finds that the frontage length of each intersecting street is at least 500 feet and that the distance between signs, as measured along the street right of way, is not less than 400 feet.

Free standing business signs shall not be located in the right-of-way of any street. Written authorization for a sign location must be presented if the applicant is other than the owner of the proposed sign.

A plan of the sign shall be presented showing

size,

layout,

materials,

color and

lighting.

Such design specifications shall be appropriate to the location and the general neighborhood.

$$10'5'' \times 6'2\frac{3}{4}'' =$$

$$125 \times 74.75 = \frac{9343.75}{144} = 64.89 \approx 65$$

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 arrears for an inlaw apartment we built 9 years ago. My mom has lived in it for that long. Selling home to a couple whose
 SIGNATURE: in-laws will be living in it.

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

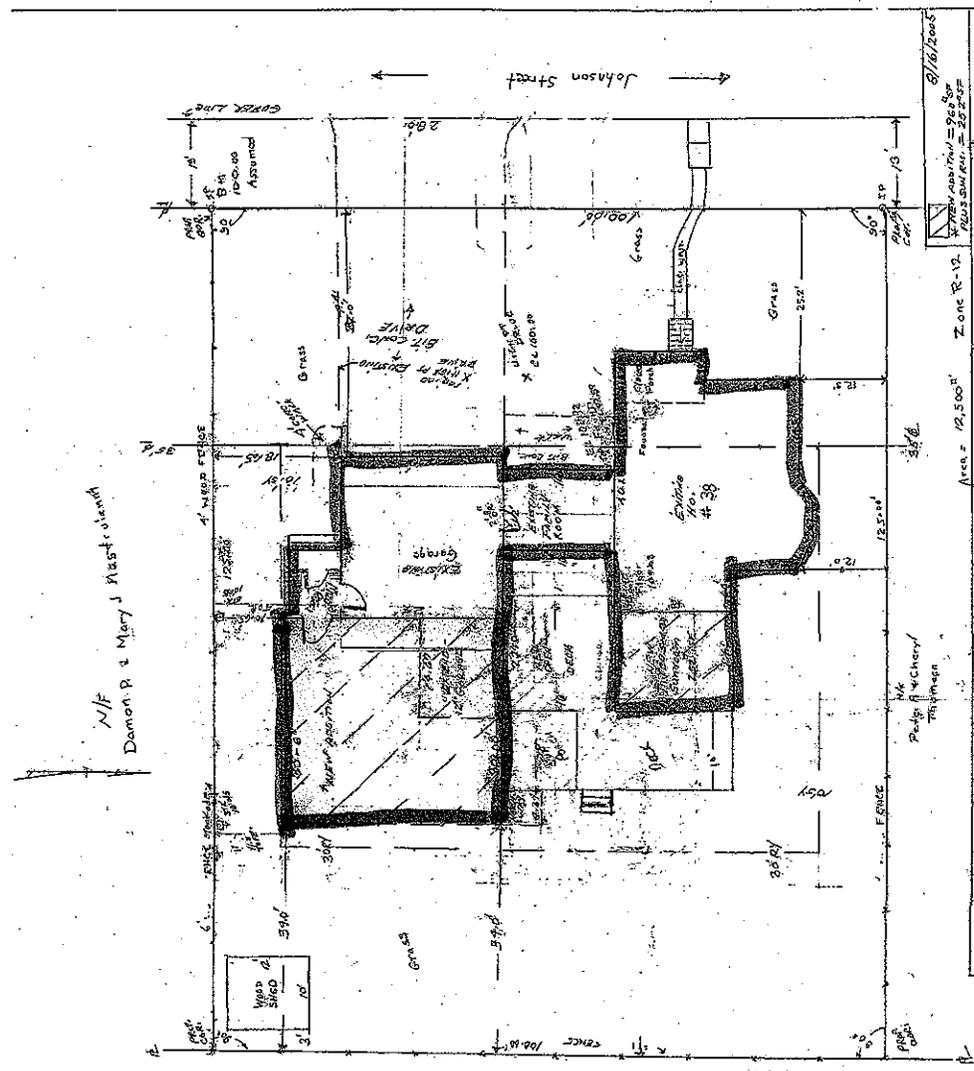
COMPLETE APPLICATIONS SUBMITTED TEN DAYS BEFORE THE NEXT TPZ MEETING WILL BE PUT ON THE AGENDA. A COMPLETE APPLICATION INCLUDES THE APPLICATION FEE, TWELVE SETS OF PLANS (IF APPROPRIATE) AND A SEPARATE NARRATIVE EXPLANATION OF THE PETITION (IF APPROPRIATE).

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Re: Property of A. B. Johnson
 Map 111 in Washington
 Scale 1"=60' by F. M. McLaughlin C.E.
 July 24 1904

NOTE
 1) THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONGRESS AND SECTIONS 26-30 AND 31 THROUGH 30-30A-2 OF THE STATUTES ENACTED BY THE CONGRESS AND MAPS IN THE STATE OF CONN. INC. BOUNDARY DETERMINATION CATEGORY IS A LOCATION IMPROVEMENT SURVEY BASED UPON THE EVIDENCES NOTED HEREON.
 2) THIS PROPERTY SURVEY CONFORMS TO CLASS "A-2" HOUSING ACCURACY.
 TO MY KNOWLEDGE AND BELIEF, THIS SURVEY IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
 CARL M. JAEGER, L.S. 1763
 8/16/2005

NOTE
 1) THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONGRESS AND SECTIONS 26-30 AND 31 THROUGH 30-30A-2 OF THE STATUTES ENACTED BY THE CONGRESS AND MAPS IN THE STATE OF CONN. INC. BOUNDARY DETERMINATION CATEGORY IS A LOCATION IMPROVEMENT SURVEY BASED UPON THE EVIDENCES NOTED HEREON.
 2) THIS PROPERTY SURVEY CONFORMS TO CLASS "A-2" HOUSING ACCURACY.
 TO MY KNOWLEDGE AND BELIEF, THIS SURVEY IS SUBSTANTIALLY CORRECT AS NOTED HEREON.
 CARL M. JAEGER, L.S. 1763
 8/16/2005



PROPERTY OF
 Gordon J. DeBrach Jr.
 28 Johnson Street
 Meriden, Ct.

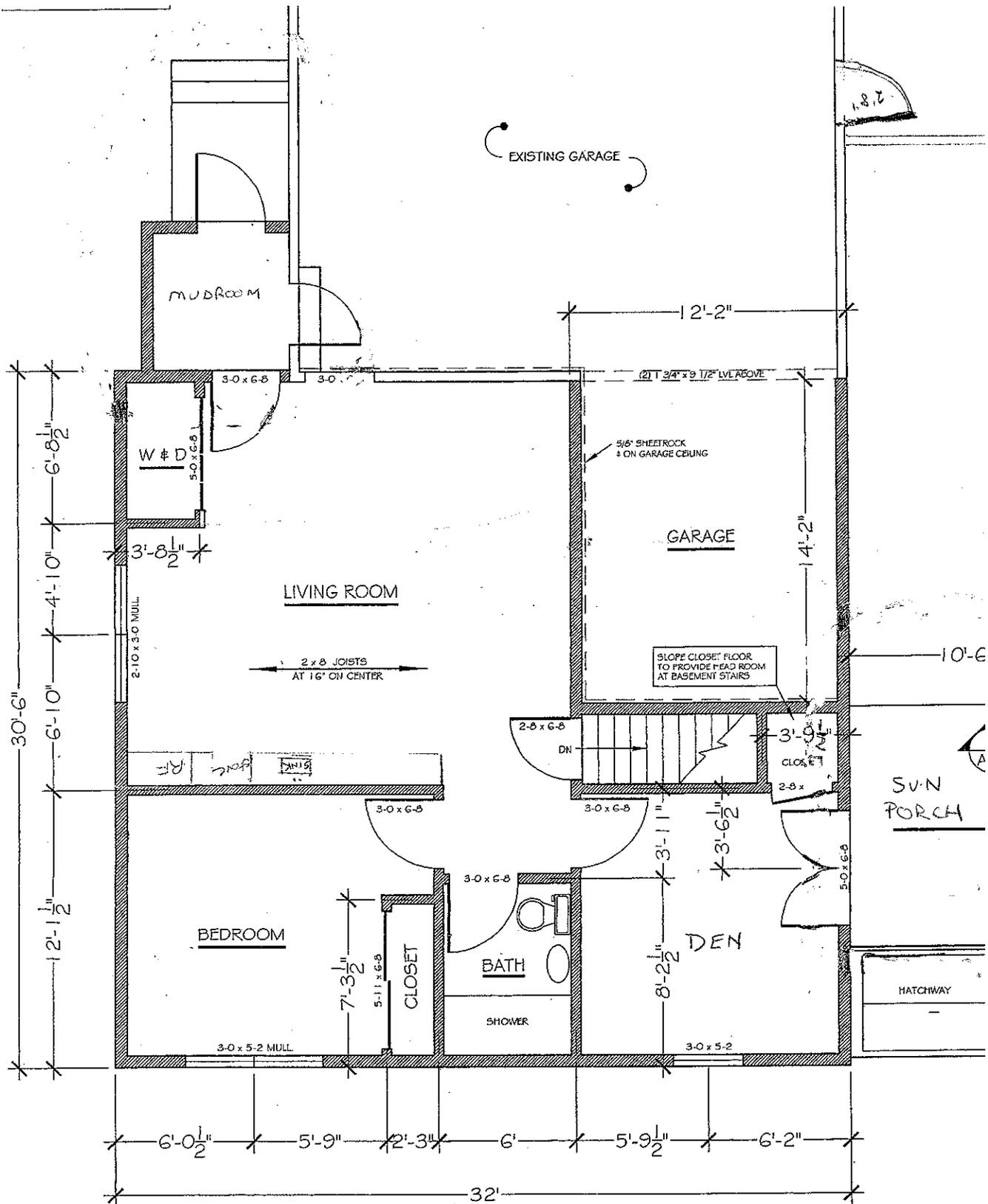
ALBA SURVEY ASSOCIATES
 CARL M. JAEGER L.S. 1763
 WETHERFIELD, CONN.
 SCALE: 1"=120'
 DATE: 8/16/2005
 SHEET: 1 OF 1

Area = 12,500 sq. ft.
 ZONE R-12
 8/16/2005
 AREA ADJUSTED = 960 SF
 AREA SURVEY = 252 SF

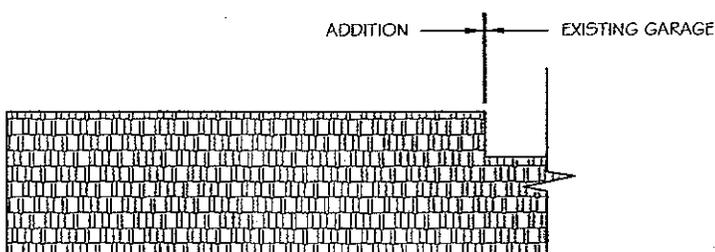
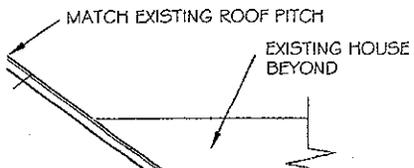
N/F
 Damon R. & Mary J. Mastrosianni

N/F
 Damon R. & Mary J. Mastrosianni

N/F
 Damon R. & Mary J. Mastrosianni



FLOOR PLAN
 SCALE 1/4" = 1'-0"





Source: CTMLS, Inc

Exterior Front



Source: CTMLS, Inc

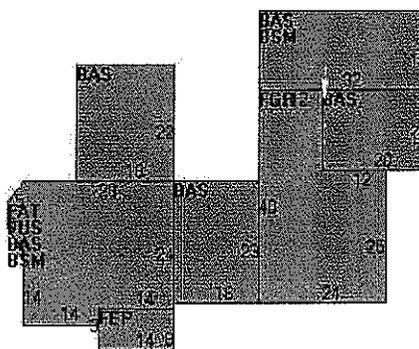
Facade/Exterior Front

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

July 1, 2014

Petition #39-14

Special Exception (Section 6.13: Accessory Apartment)

38 Johnson Street

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

Description of Petition #39-14

This is a petition for TPZ to approve, as an "accessory apartment", an existing portion of the house. It is an addition that was built in 2005. The applicants are selling the house and they would like to be able to market it as having an approved accessory apartment.

Staff Comments

1. I have reviewed the application for compliance with the accessory apartment regulation. It complies with all of the requirements except for the "owner's affidavit", which I have told the applicants to submit. See attached checklist.
2. I was asked to research the history of accessory apartments in the Newington zoning regulations. This is what I found:
 - a. According to the previous Town Planner's hand-written notes, accessory apartments were allowed in Newington "since 1984". However the earliest set of accessory apartment regulations I can find are from 1993; they are not in the 1988 regulations.
 - b. According to a hand-written note in the margins of my copy of the 1995 zoning regulations, Section 6.13 was "added 2-2-1993".
 - c. A residency requirement was added in 2001 limiting the apartment to no more than two people, and that they must be related to the owner. This relationship requirement was eventually deleted.
 - d. TPZ voted to delete the entire Section 6.13 on July 25, 2007 effective November 15, 2007.
 - e. TPZ voted to reinstate Section 6.13 on February 11, 2009 effective February 20, 2009. The new regulation is slightly different from the one that was deleted in 2007 as follows:
 1. The applicant must submit a survey showing that the addition complies with the zoning regulations;
 2. The maximum allowable addition was increased from 200 square feet to 300 square feet;
 3. The requirement of an "internal doorway connection" was added;

4. The requirement that the "architectural style of the single family residence shall be maintained" was added, and a prohibition on exterior stairs that are visible from the street;
5. The requirement that the apartment have not more than one bedroom was added;
6. The requirement of an affidavit "certifying ownership and occupancy" was added;
7. The ability of the TPZ to "attach a time limit" to the approval was deleted.

cc:
Debra and Bohdan Szaraburak
file

38 Johnson Street

Section 6.13 ACCESSORY APARTMENTS (Effective 2-20-09)

The Commission may grant a special exception for one accessory apartment in an existing or proposed single-family dwelling located only in an

R-20 or R-12 zone, subject to the following standards and conditions and the provisions of Section 5.2

The owner of the property shall reside on the property throughout the duration of the permit. The accessory apartment shall be limited to a maximum occupancy of two persons. The owner of the property may reside in the accessory apartment or in the principal residence.

N/A The building shall be determined to be capable of being added to in a safe manner. An applicant for an accessory apartment special exception shall submit a Zoning Location Survey, Class A-2, verifying compliance with the zoning regulations, Section 4 Height, Area and Yard requirements*.

An accessory apartment:

shall contain at least 500 square feet. Additions may be made to the side or rear of the single-family dwelling, 976 sf

N/A but the new floor area for the accessory apartment shall not exceed 300 square feet.

The accessory apartment shall not exceed 30% of the gross livable floor area of the entire structure excluding garages and basements. 29.38%

The remaining living area of the principal residence shall not be less than 900 sq. ft. Basements and garages shall not be used for an accessory apartment living unit.

The apartment shall have at least one means of its own outside access and

at least one internal doorway connection into the principal dwelling unit.

N/A A floor plan layout showing the proposed means of access shall be submitted to the Building Official for review and approval.

The outside access to the accessory apartment shall not front the adjacent public street unless otherwise approved by the Commission.

The architectural style of the single family residence shall be maintained.

N/A Exterior stairs for a second floor living space shall not be visible from the street.

Photos of the existing single family residence and drawings of proposed exterior changes shall be submitted as part of the application.

The accessory apartment shall not have more than one bedroom and shall be equipped with its own bath and kitchen.

The accessory apartment shall have common utilities and shall not have separate metering devices.

A floor plan showing the living area of both the principal residence and the accessory apartment identifying alterations, the location of internal doorway connection, additions and the sizes of each residence shall be submitted with the application.

NA Not more than three parking spaces shall be provided for the use of the principal dwelling unit and the accessory apartment unless otherwise approved by the Commission. This parking shall be in Section 6.1.1 (B).

An affidavit certifying ownership and occupancy signed by the owner of the premises stating that the owner will occupy one of the dwelling units shall be submitted with the application. The Commission may attach a time limit to a special exception when it determines that such a condition will protect adjacent property and the character of the neighborhood. If a time limit is made a condition of approval the special exception may be revoked for due cause after a public hearing. A request to renew the accessory apartment use or transfer it to another property owner shall require the approval of a new special exception.

*The TPZ has ruled that the "Zoning Location Survey" does not need to be submitted at the time of the Special Exception application; however, it must be submitted when the applicant applies for the Building Permit.

1. Apartment: $32' \times 30'-6" = 976 \text{ sf}$

2. Total "gross livable floor area" = 3322 sf per Vision file.

3. $\frac{976}{3322} = .2938 \approx 30\%$

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

July 1, 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:

No revised plans have been submitted as of this writing.

cc:
Bryan Slonski
Jeff LeBeau
file

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

June 30, 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 ("cabinet") to the top of the existing free-standing sign. Section 6.2.4 allows such signs in any non-residential zone by special exception.

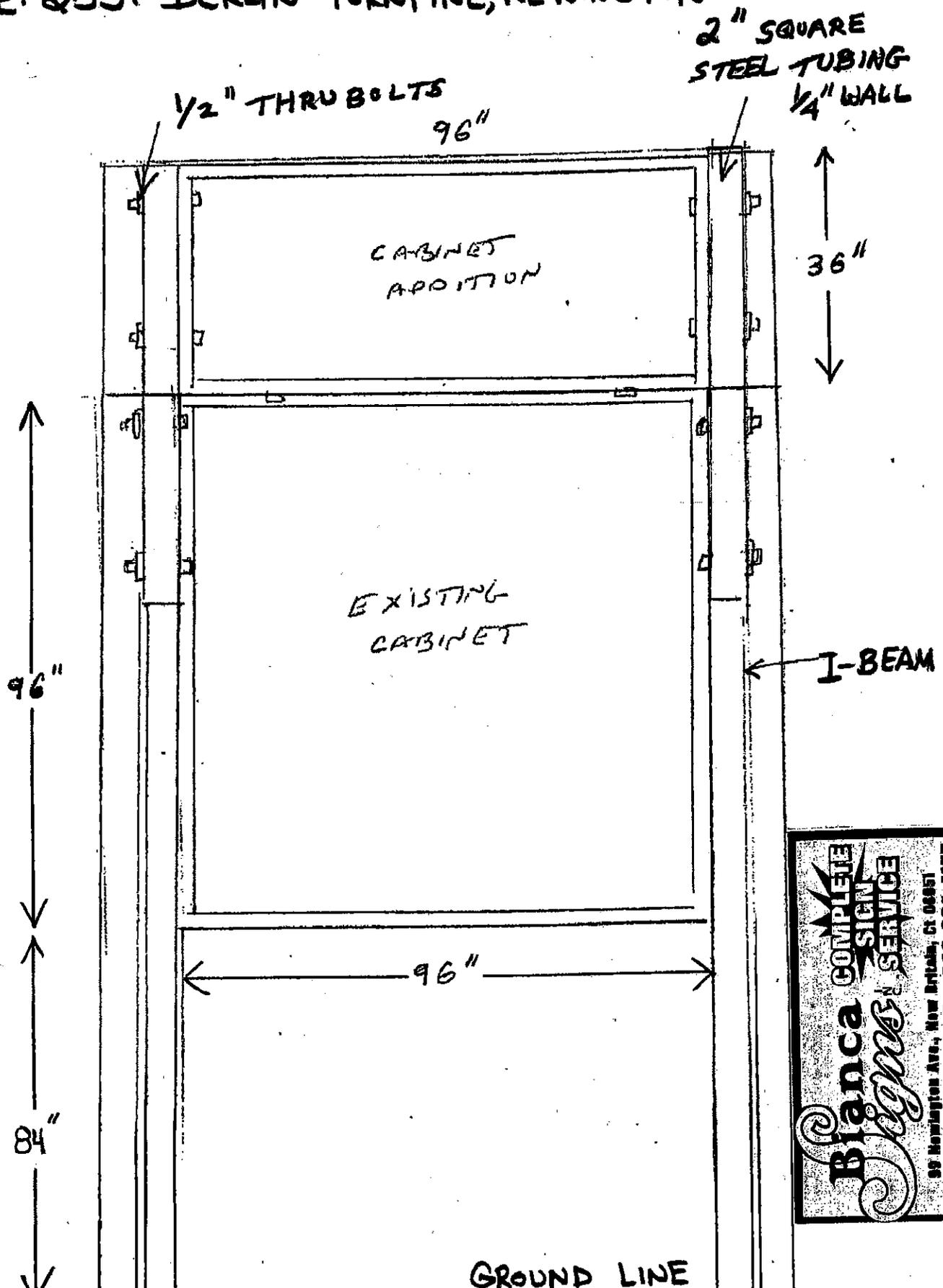
Staff Comments:

The applicant submitted the attached sketch, showing the total height of the sign from the ground to the top of the proposed addition. It is 84" from the ground to the bottom of the existing cabinet; the existing cabinet is 96"; and the proposed additional cabinet will be 36". That comes to total of 216" which is exactly 18'.

I recommend approval, with the condition that the ZEO verify the height after installation.

cc:
Bianca Signs Inc.
file

RE: 2551 BERLIN TURNPIKE, NEWINGTON



COMPLETE SIGN SERVICE

Bianca Signs

99 Newington Ave., New Britain, CT 06051
 PH: 860-223-8778 FX: 860-224-4157
 Email: SIGNS@BIANCASIGNS.COM

GROUND LINE



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 3, 2014
Re: Town Planner Report of July 9, 2014

1. Zoning Enforcement Issues Raised at Previous TPZ Meetings:

a. Sunshine Laundry on Rockwell Road: I inspected the site earlier this week, and I determined that incoming (dirty) laundry is being temporarily stored in the parking lot and in containers along the side of the property, well beyond the screened loading area. I have directed the Zoning Enforcement Officer to contact the owners.

2. Old Performance Bonds held by Town: I will have a report at the meeting.

3. Newington Junction TOD Planning: The committee met last week to review the CSS memo and to discuss its role going forward. As of this writing no decision has been made. The committee is scheduled to meet again on July 3, 2014.

4. Status of "Modern Tire" Appeal: The update that I gave you in my last report was correct to the best of our knowledge, but apparently wrong: it seems the court may have accidentally switched the file numbers on the two cases that are pending and ruled on one thinking it was the other. In other words, the court denied Modern Tire's appeal of the zoning amendment decision, and has not yet ruled on Modern Tire's appeal of the Firestone site plan approval. I will attempt to confirm this before the meeting.

cc:
file

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