



TOWN PLAN AND ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

Wednesday, August 27, 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.

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

V. REMARKS BY COMMISSIONERS

VI. MINUTES:

- a. July 9, 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.
- b. Petition #43-14: Site Plan Approval (Parking Lot Expansion) at 79 Stanwell Road. JSC Liquidating Trust, owner; PDS Engineering & Construction, applicant; Frank Borawski, 107 Old Windsor Road, Bloomfield CT, contact.

RECEIVED & RECORDED IN
NEWINGTON LAND RECORDS

2014 AUG 21 PM 2:24

Tanya D. Lane

TOWN CLERK

- c. Performance Bond Release at 1095 Main Street (Farmington Bank).
- d. Performance Bond Release at Veterans Drive (Victory Gardens).

VIII. OLD BUSINESS

- a. Petition #38-14: Special Exception (Section 6.2.4: Free-Standing Sign) at 184 Fenn Road. Arnco Sign Company, applicant; Extra Space Properties Two LLC, owner; Marc Cohen, 1130 So. Broad Street, Wallingford CT, contact.

IX. PETITIONS FOR PUBLIC HEARING SCHEDULING

- a. Petition #44-14: Special Exception (Section 6.15.6: Health Club) at 37 Ann Street. 37 Ann Street LLC, owner; CT Workout, applicant; Benjamin Petitpas, 85 Market Square, Newington CT, contact.

X. TOWN PLANNER REPORT

- a. Town Planner Report for August 27, 2014
- b. Appointment of Temporary ZEO

XI. COMMUNICATIONS

- a. Memo from Town Manager dated August 14, 2014 re Sec. 8-24 Referral for the Town Hall/Community Center project
- b. Letter from Gary Bolles dated July 28, 2014 re Town Hall/Community Center Project
- c. Zoning Referral from CRCOG dated August 7, 2014 re proposed change to Berlin Zoning Regulations

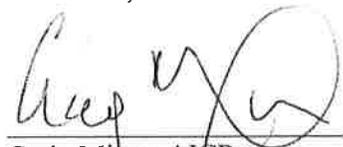
XII. PUBLIC PARTICIPATION (for items not listed on the Agenda; speakers limited to 2 minutes)

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

August 20, 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 have not submitted anything since the last meeting regarding the drive-through queue issue.

The deadline to close the public hearing is September 8, 2014. This includes the maximum extension allowed under Section 8-7d. I therefore recommend the public hearing be closed at the August 27, 2014 meeting.

cc:
Bryan Slonski
Jeff LeBeau
file

STAFF REPORT
Zone Change at 16 Fenn Road

August 19, 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 parcel is partially zoned PD and partially zoned Industrial, because when the owners executed the "land swap" with DOT several years ago that enabled the CTfastrak access road, they neglected to apply for a zone change for the property that they acquired, which is Industrial zoned.

They need this zone change to be able to get approval for the proposed fueling station because a "fueling station" must be part of a shopping center, and shopping centers are not a permitted use in the Industrial zone.

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 the Central CT Regional Planning Agency, 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. Putting the parcel in a single zone makes development much simpler, and in my opinion PD zoning is more appropriate here than Industrial.

cc:
Richard Hayes
file

STAFF REPORT
Special Exception for Fueling Station at 16 Fenn Road

August 20, 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 essentially the same comments as in my previous report.

1. The Fueling Station regulation (Section 3.19.4) contains a number of objective requirements, all of which this application substantially complies with. But there are two subjective requirements that the plan fails 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, which is not part of 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 regulation (Section 5.2) contains 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 that addresses the following issues:

- 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 to receive the Conservation Commission's "final report", if possible.

cc:
Richard Hayes
file

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

August 20, 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

Petition # 43-14



**TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION**

APPLICATION FORM

LOCATION OF PROPERTY: 76 STANWELL RD. ZONE: PD INDUSTRIAL

APPLICANT: PDS Engineering & Construction TELEPHONE: 860-242-8586

ADDRESS: 107 Old Windsor Road, Bloomfield, CT 06002 EMAIL: Frankb@pdsec.com

CONTACT PERSON: Frank Borawski TELEPHONE: 860-242-8586

ADDRESS: 107 Old Windsor Road, Bloomfield, CT 06002 EMAIL: Frankb@pdsec.com

OWNER OF RECORD: SERGIO MOREN

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 _____ 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>7-30-14</u>		<u>7/30/14</u>
APPLICANT	DATE	OWNER	DATE

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

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.

STAFF REPORT
Parking Lot Expansion at GKN

August 20, 2014

Petition #43-14:

Site Plan Approval (Parking Lot Expansion)

79 Stanwell Road (GKN Aerospace)

JSC Liquidating Trust, owner; PDS Engineering & Construction, applicant; Frank Borawski, 107 Old Windsor Road, Bloomfield CT, contact.

Description of Petition #43-14:

The applicants would like to enlarge the parking lot for this existing industrial building that they recently acquired.

Staff Comments:

I have reviewed the plans and sent my comments to the applicants' consulting engineer (attached).

cc:
Frank Borawski
file



TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Plan and Zoning Commission

John Salomone
Town Manager

Craig Minor, AICP
Town Planner

August 18, 2014

Frank Borawski
PDS Engineering & Construction
107 Old Windsor Road
Bloomfield, CT 06002

Re: Petition #43-14: Site Plan Approval (Parking Lot) at 76 Stanwell Road. JSC Liquidating Trust, owner; PDS Engineering & Construction, applicant; Frank Borawski, 107 Old Windsor Road, Bloomfield CT, contact.

Dear Mr. Borawski,

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

1. Section 5.3.4: Content of a Site Plan

a. The context (“key”) map should be at 200-scale (Section 5.3.4.A), and it should show all driveways within 500’ (Section 5.3.4.F).

b. The lot coverage rule in Newington (Section 6.10.1) is more complicated than the simple “Not to exceed 90%” requirement that many towns use, because you can’t take credit for any green space in a side yard. It can be there; you just can’t take credit for it. Please revise the zoning data table to indicate “Minimum Impervious” (you may abbreviate this if you wish), and then show the “required”, “existing”, and “proposed values. The minimum required amount is 20,555 s.f. of course, but the proposed amount is harder to calculate since you can’t take credit to be 99,500 s.f. (Section 6.10.1).

c. The proposed drainage pipes should indicate the direction of flow (Section 5.3.4.A.4).

d. The soil type should be stated (Section 5.3.4.A.9).

e. Existing sanitary sewers, water, and gas mains (Section 5.3.4.D3 and 4, as well as Section 7.4.11 and 12). I realize this is an existing building, but the location of these systems should be shown.

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

2. Section 7.4: Design Standards

- a. The front and rear property corners should be marked with pins (Section 7.4.4.C).
- b. No parking lot lighting is shown. It is not required, but if you do intend to install parking lot lighting, it should be shown on the plan per Section 7.4.14.D.
- c. There are a number of mature specimen trees along the south side of the parking lot which will apparently be removed. The location and size of these trees should be shown (Section 7.4.15.A). Was the benefit of preserving these trees considered when the LID design was being developed?
- d. You need to show a spot in the parking lot for snow storage (Section 7.4.17).

3. Section 6.15: Stormwater Management

The new LID zoning regulations require all site plans to

“demonstrate conformance with the applicable standards for stormwater management as specified in Section 2.1 of the Low Impact Development and Stormwater Manual”.

The Manual is available online at:

http://www.newingtonct.gov/filestorage/78/118/152/21987/LID_Manual-with_Appendices.pdf

The Town Engineer will review your plans for compliance with the LID regulations.

If you have any questions or comments, please contact me at (860) 665-8575.

Sincerely,

Craig Minor, AICP
Town Planner

cc:
✓ Town Engineer
✓ 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 *CM*
Date: August 19, 2014
Re: Performance Bond Release for 1095 Main Street (Farmington Bank)

On September 27, 2011 TPZ approved the new Farmington Bank building at 1095 Main Street. The tenants wanted to open for business before all of the site work was complete, so TPZ allowed them to post a \$16,995 performance bond in lieu of completion.

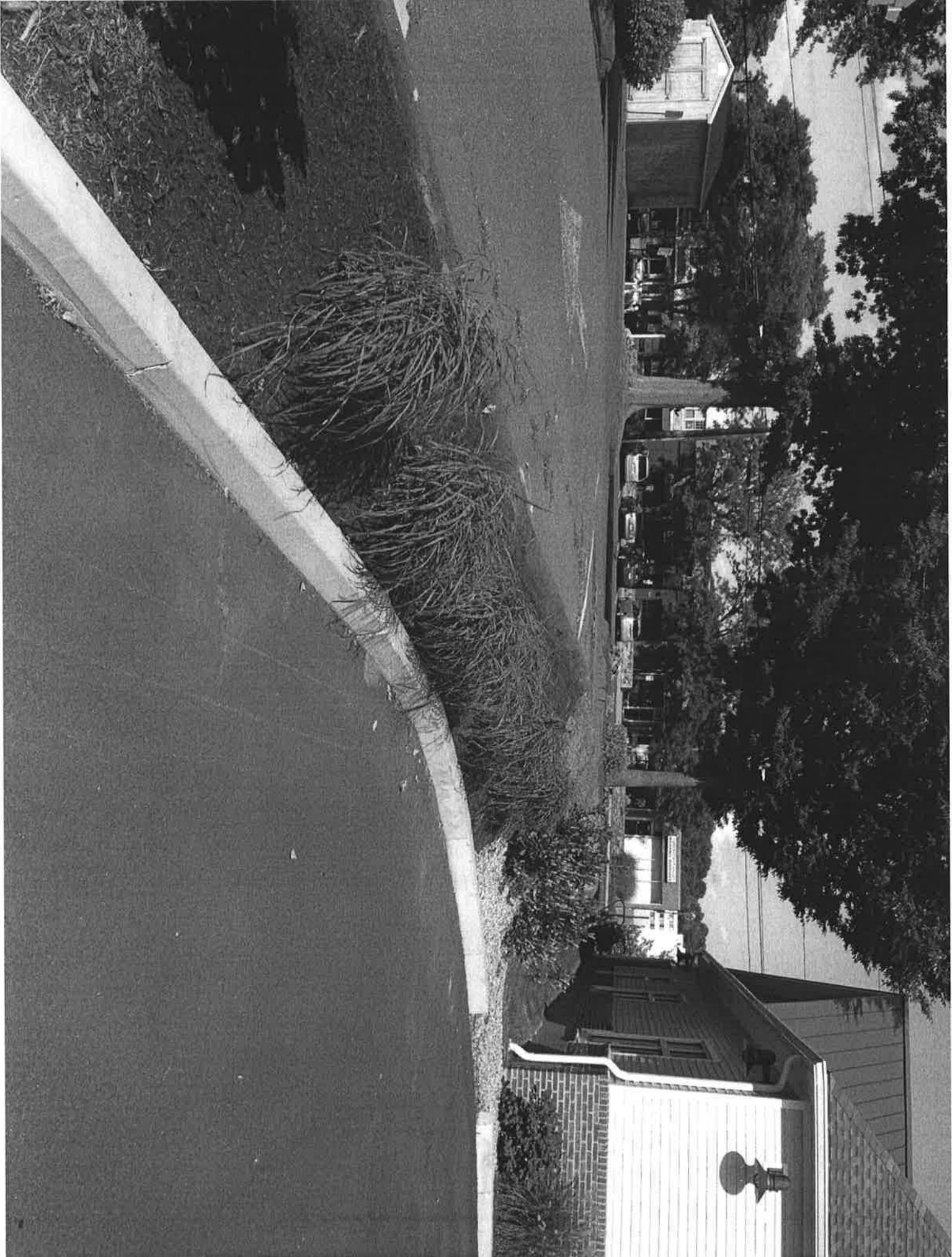
The work was substantially complete as of October 9, 2013 except for some landscaping and some documentation (the digital site plan, the certification from their consulting engineer, and the "as built" mylar), so TPZ voted to release all but \$2,995 of the performance bond.

The site was inspected last week by the Town Engineer and he has informed me that all the work has been completed to his satisfaction. The outstanding documents have also been submitted.

I therefore recommend TPZ release the final \$2,995.

cc:
Town Engineer
file

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





John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Town Planner

Craig Minor, AICP
Town Planner

Memorandum

To: Town Plan and Zoning Commission
From: Craig Minor, Town Planner *CM*
Date: August 20, 2014
Re: **Final Performance Bond Reduction at "Victory Gardens"**

The previous bond reduction approved by TPZ on October 23, 2013 retained \$4,441 for missing signage, landscaping that had not yet been established, and the as-built survey.

The signage has been installed and the as-built survey submitted. The applicant contacted me recently to say that the landscaping is established, and has requested a final release.

I asked the Town Engineer to inspect the site to confirm that the landscaping is established. As of this writing I have not gotten a report from him, but I will have it in time for the meeting. I will also have a Draft Suggested Motion for your use.

cc:
Town Engineer
file

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

ct# 1016

Petition # 44-14



TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION

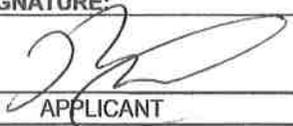
APPLICATION FORM

LOCATION OF PROPERTY: 37 Ann Street ZONE: ~~PKD~~ PID
APPLICANT: CT-WORKOUT TELEPHONE: 860 639-7338
ADDRESS: 85 Market Square, Newington CT EMAIL: ben@CTworkout.com
CONTACT PERSON: Ben Petipas TELEPHONE: _____
ADDRESS: 130 Buttercut lane, Kensington, CT 06037 EMAIL: _____
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 3.15.6 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>8/1/14</u> DATE	 OWNER	<u>7/16/14</u> 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.

August 8, 2014

To Whom It May Concern;

The name of our business is BP Fitness Coaching, LLC DBA CT Workout.

We are currently located at 85 Market Square, Newington CT 06111. Our business is based on personal and group fitness training programs.

We have three main programs that we offer:

Group Training – In this program we focus on helping individuals lose fat, build muscle, to enhance overall health and well being. The group size is 8 to 12 people.

Semi Private Training – This program helps individuals reach their health and fitness goals through personalized programming and nutrition. The group size is 1 to 6 people.

Personal Training – This program is a custom program where the client works one on one with a personal trainer to achieve their goals.

We have been at the 85 Market Square location since March 2010. We are looking to expand our facility by relocating to 37 Ann Street, Newington CT 06111. Moving to this location will allow us to reach our next level of business growth.

Committed to your Success,

A handwritten signature in black ink, appearing to read 'BP', with a long horizontal flourish extending to the right.

Benjamin Petitpas, CSCS, CPT

CT Workout
85 Market Square
Newington, CT 06111
(860) 639-7338

STAFF REPORT
Health Club at 37 Ann Street

August 20, 2014

Petition #44-14

Special Exception (Section 6.15.6: Health Club)

37 Ann Street

**37 Ann Street LLC, owner; CT Workout, applicant; Benjamin Petitpas,
85 Market Square, Newington CT, contact.**

Description of Petition #44-14

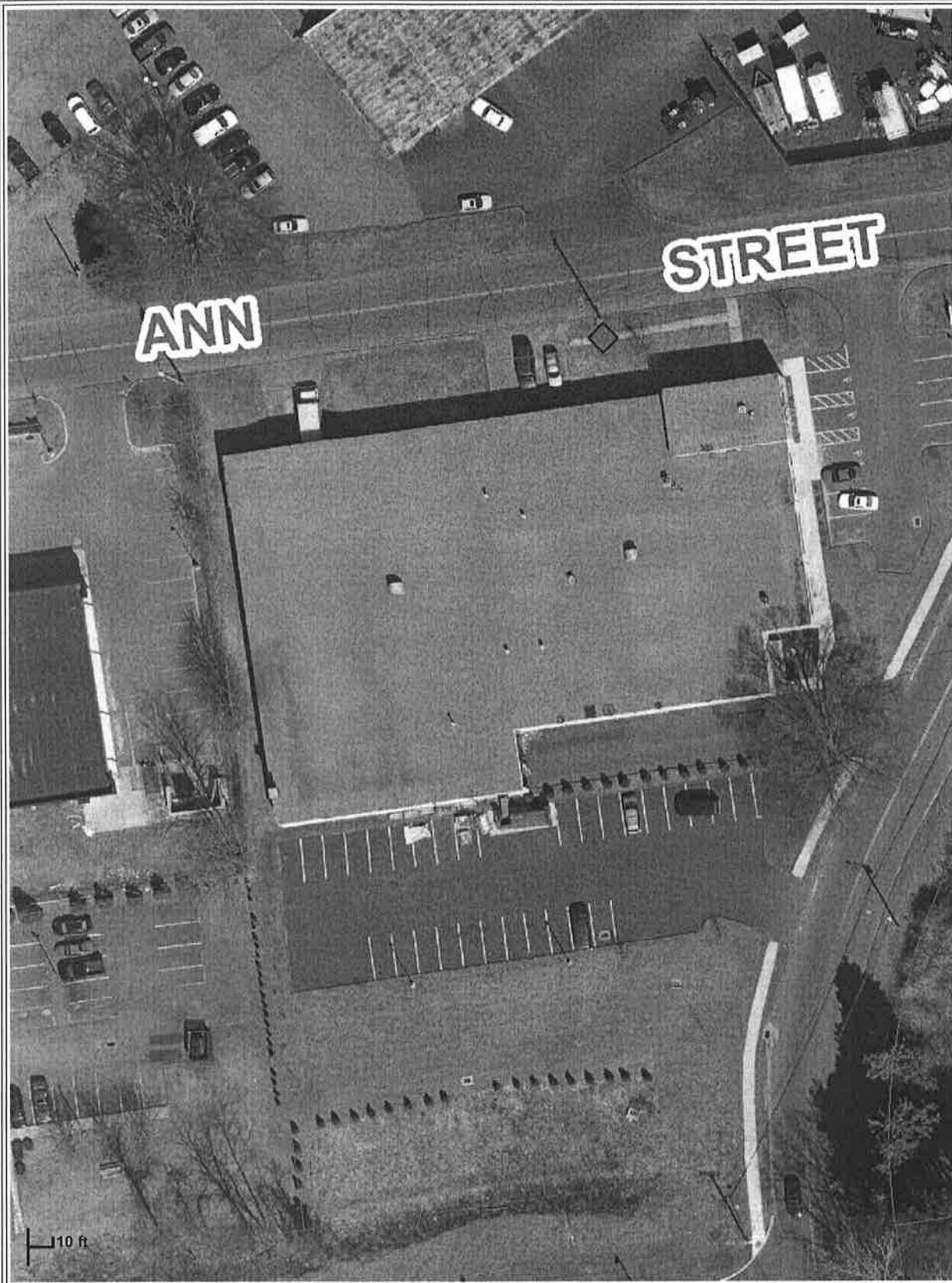
The applicant currently operates a health club at 85 Market Square. He would like to move the business to the partially-vacant building at 37 Ann Street.

"Health Club" is allowed by special exception in the PD zone.

Staff Comments

I recommend the public hearing be scheduled for September 10, 2014.

cc:
file



Markup Line



Markup Polygon



Neighboring Towns



Parcels



2009 Color Aerial Photo

 Red: Band_1

 Green: Band_2

 Blue: Band_3



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



Thu Mar 6 16:21:43

EST 2014



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 *CM*
Date: August 19, 2014
Re: **Town Planner Report of August 27, 2014**

1. **Zoning Enforcement Issues Raised at Previous TPZ Meetings:**

a. Sunshine Laundry on Rockwell Road: I met with a representative of Sunshine Laundry. They will apply for a permit to conduct outside storage, in a screened area. The Health Department looked into it and has informed me that soiled linen in the parking lot is not a health code violation.

b. Weekend Inspection by ZEO: Art Hanke came in on Saturday, July 26 to look for illegal signs on the Berlin Turnpike and Town Center. He encountered four with either no permit or an expired permit (Bob's Furniture; Galaxy Carpet; Sophia's Breakfast; Karma's Closet).

2. **Appointment of Temporary ZEO:** As you probably know, Art Hanke retired from his position as ZEO earlier this month. We have started the process of hiring his replacement, but in the meantime, TPZ needs to appoint a temporary ZEO until that person is hired. Two months ago Art reduced his hours from full time to three days a week and we hired Bonnie Potocki to cover the two days that he was out. Bonnie is a certified Zoning Enforcement Officer and is willing to serve as Temporary ZEO, so I recommend TPZ formally appoint her as Temporary ZEO.

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

4. **Newington Junction TOD Planning:** The committee last met on July 3, 2014 to discuss its future efforts. Several options were discussed, and it was agreed to seek the Town Attorney's input on what role this committee should play in the planning and zoning for the neighborhoods of the two CTfastrak stations. We are awaiting his comments.

5. **Electric Vehicle Charging Stations:** See attached memo.

6. Status of “Modern Tire” Appeal: On August 4, 2014 Chairman Hall and I spoke with Town Attorney Jack Bradley about what action, if any, the TPZ should take regarding the portions of Section 6.11 (Sale, Rental, Service and Storage of Motor Vehicles) that were invalidated by Superior Court Judge A. William Mottolese on in his Memorandum of Decision dated January 21, 2014. I will brief the Commission on that discussion at the meeting on August 27, 2014.

7. Russell Road/East Cedar Street:

Commissioner Anest suggested I give the TPZ a status report on “The Shoppes at East Cedar Street”, now that the developer has finally begun site work.

This project was initially denied by TPZ, but a settlement agreement was reached in 2009 which was formally approved by TPZ on August 14, 2009. The project consists of five individual buildings: a gas station/convenience store; a small retail strip building; a five-story hotel; a bank; and a restaurant. There will be a traffic signal on East Cedar Street aligned with the driveway to the building across the street at 365 East Cedar Street.

The developer has begun preparing the site for construction. He has cleared the site, but the rough grading is taking longer to do than he expected because he needs various DOT permits to access the site, and they are taking longer to get than he expected. In the meantime he is considering making changes to the approved site plans. Some of the changes are technical and only need staff approval (namely a revision of the storm water management plan, to take advantage of techniques and products that were not available back in 2007 when the site was originally designed), but some involve a change in use for some of the approved buildings, which will require TPZ approval.

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: August 21, 2014
Re: **Electric Vehicle Charging Stations**

Several months ago TPZ asked me to investigate what other Connecticut towns are doing to regulate the installation of electric vehicle charging stations. My findings are as follows.

I started my research by posting a query on the Connecticut planners' listserv, which is a sort of Internet "chat room" used by planners and land use attorneys in Connecticut. Eleven planners responded, and all of them said that their zoning regulations do not regulate charging stations.

I then reviewed the zoning regulations of several towns in the CRCOG region, and found no mention of "electric vehicle charging station". I was doing this alphabetically, but when all seven of the first seven contained no reference to charging stations, I stopped.

Out of curiosity, I then checked the zoning regulations for Bristol, the town where I live. The "bulk requirements" table for the Downtown/Neighborhood Transition Zone states that "At least one Level 2 electric vehicle charging station" is required. That was the only mention of "electric vehicle charging stations" that I found in any zoning regulations in Connecticut.

Several of the planners who responded to my query told me that they do require site plan approval for new charging stations, but I don't know if that is because their regulations require site plan approval for any change to an existing parking lot. Newington's regulations require site plan approval of a new or expanded parking lots, or when the change to an existing parking lot "alters the site's parking lot landscape areas" (my emphasis). The two charging stations in Newington are: (1) in the paved area of Best Yet Market, and (2) mounted on the side of the Newington Electric building on Pane Road. Neither of them required site plan approval.

If TPZ wants to regulate the installation of charging stations in existing parking lots, a slight rewording of the site plan regulations would be required.

cc:
file

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

TOWN PLAN & ZONING DEVELOPMENT BONDS

	Project Name/Address/ ID #	Staff Comments	Bond Amount/ Date Funds Deposited	Full Name of Depositor
2	Niro Landscaping 46 Commerce Court #24-02	<ul style="list-style-type: none"> ● 6/27/13: Compliance inspection by town staff: landscaping was <u>not done</u>. Letter sent. ● 11/25/13: Follow-up letter sent. ● 12/4/13: Owner informed me that property is "in receivership". ● 4/23/14: Followup letter sent to owner. ● 8/7/14: Another letter sent. 	\$6,000 2002	Peter Niro Commerce Court Realty LLC 860-666-1891
4	The Bar 512 Cedar Street	<ul style="list-style-type: none"> ● Compliance inspection by town staff: landscaping was <u>not done</u>. Letter sent 6/24/2013. ● 9/23/13: Owner will apply for Site Plan Modification; will talk to surveyor. ● 11/15/13: Surveyor said owner has not contacted him. 	\$2,500 1995	Anthony Gallicchio, owner.
6	Fountain Pointe 435-485 Willard Avenue #45-06	<ul style="list-style-type: none"> ● Owner is working on the outstanding items. ● 11/25/13: Follow-up email sent to owner. ● 5/28/14: TPZ visited site; consensus to waive replanting street trees and to replant arbor vitae and treat surviving ones. ● 6/9/14: Owner informed of TPZ decision. 	\$5,000 2007	Richard Rotundo, owner.

TOWN PLAN & ZONING DEVELOPMENT BONDS

7	Global Granite 3320 Berlin Turnpike #18-08	<ul style="list-style-type: none"> ● Paving and fence not done; letter sent 8/7/2013. ● 9/25/13: Left message for owner. ● 9/27/13: owner returned my call. 	\$37,000 2008	GGM Properties LLC
15	LA Fitness 3563 Berlin Turnpike #42-07	<ul style="list-style-type: none"> ● 8/27/13: inspected; final paving not done. ● Letter sent to Management (4/23/2014). ● 8/7/14: Unpaved area is an approved pad site; SPA doesn't expire until 9/25/2016. 	\$5,000 2009	Newington-Berlin Retail LLC
18	ZAG Machine 39 Progress Circle	<ul style="list-style-type: none"> ● 10/21/11: final course of paving not done. ● 5/12/14: Letter sent to owner in New Britain. 	\$4,200 1992	Adam Z. Golas, owner
25	95 Waverly Drive (Lot #23) #01-04	<ul style="list-style-type: none"> ● 7/22/13: Residential driveway installed too close to side line. Letter sent. ● 9/30: Neighbor agreed to sell strip of land. ● 10/10: Owner called; working with surveyor. ● 5/15/14: Another letter sent to owner. ● 6/10/14: Owner still negotiating with neighbor over price. 	\$5,000 2006	Jaime Ibarrola 860-604-3096
26	Newington Professional Center (Reno Properties) 1268 and 1300 Main Street #15-10	<ul style="list-style-type: none"> ● 7/31/2013: Numerous deficiencies seen. ● 8/1/13: Email sent to owner; he will have his construction manager address this. ● 7/3/14: Landscaping contractor asked me if modifications are possible; advised to submit written proposal. 	\$20,000 09/12/2011	Newington Professional Center C LLC

TOWN PLAN & ZONING DEVELOPMENT BONDS

27	IHOP Restaurant 3280 Berlin Turnpike	<ul style="list-style-type: none"> 11/12/13: Developer returned phone call; asked to have bond released due to extreme passage of time. 11/27/13: TPZ decision: wait until spring, and then consider additional plantings. 7/9/14: letter sent to IHOP manager, offering trees or equivalent. 	\$5,700 2000	Boylan Development Services, Inc.
28	Mills Construction 63 E. Cedar Street	\$1,500	2000	
29	Target Richards Street	<p>Mature sycamore tree to be preserved.</p> <ul style="list-style-type: none"> Inspected site: tree looks healthy (12/2/13). 12/11/13: TPZ wants dead white pines replaced. 5/12/14: Spoke to Ass't Store Manager; was told to call back on Thursday. 	\$10,000 2003	
33	Rockledge Drive street trees #03-01	<ul style="list-style-type: none"> 11/15/13: Developer willing to forfeit the bond with no restrictions. 12/4/13: Letters sent to all homeowners with offer to plant street trees in front yard. 12/11/13: Three homeowners responded affirmatively. 7/3/14: Obtained names of five local landscapers, to be invited to bid on project. 7/7/14: Letters sent to three homeowners asking for their tree preferences. 8/7/14: Two responses to date. 	\$10,000 7/24/2007	Premier Building and Development



John Salomone
Town Manager

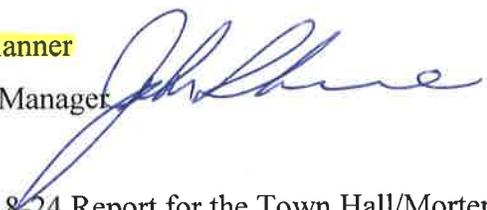
TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: **Craig Minor – Town Planner**

From: John Salomone, Town Manager 

Date: August 14, 2014

Re: Town Plan and Zoning 8-24 Report for the Town Hall/Mortensen Community Center Project

I understand there has been some confusion pertaining to the 8-24 submission to the Town Plan and Zoning for the above listed project. In addition, at the Town Council meeting of August 12, 2014, the Town Council requested that I do research and attempt to implement an exit poll to ascertain referendum voter sentiments for the September 9, 2014 referendum. I intend to seek request for quotes (RFQ) as soon as possible so that the town can ascertain a more detailed voter opinion on the Town Hall/Mortensen Center project, then merely a yes or no voter tally.

If we are successful in obtaining a statistically valid exit poll, this would be of great assistance to the Town Hall Building Committee, the Town Council, and the Town Plan and Zoning Commission in formulating a new plan for the Town Hall/Mortensen center or fine-tuning the existing plan in the event that the referendum is approved.

Therefore, I will formally request that you schedule 8-24 review after the referendum results are known and the exit poll is completed. If the Town is successful in retaining a professional polling firm at a reasonable cost, the information gathered will streamline any post referendum changes in the project scope.

CC Newington Town Council
Town Hall Renovations Project Building Committee
Cathy Hall – Chair, Town Plan and Zoning Commission
Peter Boorman - Town Attorney
Bruce Till – Superintendent, Parks and Recreation

Gary E. Bolles
28 Burdon Lane
Newington, CT 06111-2743
Email: garybolles@att.net

28 July 2014

Newington Town Planning & Zoning Commission
131 Cedar Street
Newington, CT 06111

Dear Commissioners:

RE: 8-24 Referral – Town Hall/Community Center Renovation Project

At the Newington Town Council Meeting of 22 July 2014, Mayor Stephen Woods confirmed publicly that the above mentioned referral had been forwarded to the Newington Town Planning and Zoning Commission members.

I am respectfully requesting that if you have not already done so, that this item be placed on your next Agenda for your meeting of 13 August 2014.

As you may be aware, several speakers at the above mentioned Town Council Meeting made reference to the TP&Z's 2020 Plan of Development's importance of dedicated open space land in Mill Pond Park. A former TP&Z Chairman Edward Seremet stated that he and three other former Chairmen (Domenic Pane, Vincent Camilli and Joseph Klett) stated: "The [Newington] council's blatant disregard of the 2020 plan of development in this matter is disturbing to us. The plan of development is the primary source in guiding the town in land-use matters. It is illogical for Newington to have a plan of development and then have the town council ignore it."

Because Mill Pond Park is already dedicated open space in the town's 2020 plan re the proposed Community Center, it is **not necessary** to wait until after the 9 September 2014 referendum for discussion on this issue. Thank you.

Very truly yours,

Gary E. Bolles

PC: Cathleen Hall, Chairperson, Carol Anest, Vice Chairperson

August 7, 2014

TO: BERLIN PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2014-67: Proposed zoning regulation change pertaining to contractor shops.

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.

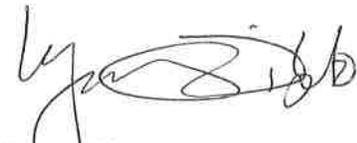
Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 8/14/2014.

DISTRIBUTION: Planner: Newington, Rocky Hill, Southington, New Britain, Cromwell, Middletown, Meriden, Central CT RPA, River COG, South Central COG

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

